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House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. LATOURETTE).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
September 8, 2005.

I hereby appoint the Honorable STEVEN C. LATOURETTE to act as Speaker pro tempore on this day.

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

PRAYER

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

Fifteen years ago today, the world took notice and celebrated the reunification of Germany. This marked the end of coldness in Europe and a re-creation of relationships that have continued to flourish.

Lord of history and God of creation, strengthen in each nation of the world and in each person healthy, honest, and lasting relationships.

Certain moments in life exhort us to be more connected to others. The memory of 9/11 and now the enormous challenge facing us as a result of Hurricane Katrina stir within us all the importance of living beyond self and being connected to others.

Send Your sustaining and creative spirit upon this Chamber and the Nation. Lord God, may we find strength by reaching out to the weak, find blessing by opening our hands and our arms to the helpless, and find fulfillment by connecting ourselves to others. Help us, O Lord, to find allies who will fill the vacuum of evil.

This we ask now and forever. Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. POE 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.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 881

Mr. PITTS. Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 881.

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

There was no objection.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain five 1-minute speeches on each side.

STOP POINTING FINGERS

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

Ms. FOXX. Mr. Speaker, soon after the country became aware of the devastation that Katrina caused on the Gulf Coast, the personal attacks on our Nation's leaders began. We have heard constant criticism of the Federal Gov-

ernment for the past week, and we need to get past pointing fingers.

The fact of the matter is that progress is being made. We know that. More than 45,000 lives have been saved, including over 23,000 saved by the U.S. Coast Guard alone. Over 273,000 citizens have been evacuated. Nearly 600 shelters have been established, housing 182,000 people, and more than 71,000 personnel are on the ground who have helped deliver more than 11 million meals and 18 million liters of water.

We are making progress, but the task is not over. Water is being pumped out of the city, and the evacuation of New Orleans is almost complete. Our personnel are working 20-hour days to ensure that every person is safe and sound.

The bottom line, Mr. Speaker, is that while some people choose to point fingers, America is doing what it does best: coming together for one another and helping each other during times of disaster.

EMPLOYING PEOPLE WHO WERE DISPLACED BY HURRICANE KATRINA

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

Mr. KUCINICH. Mr. Speaker, for the people of the Gulf Coast region who were stricken by Hurricane Katrina, there is less to the emergency supplemental than meets the eye. I mean that exactly zero dollars of the \$50 billion Congress will send today for emergency relief and temporary construction will be used for employing people displaced by Hurricane Katrina. However, the administration is not withholding anything from Halliburton. Halliburton received a no-bid contract immediately after the hurricane. Yet the CBO estimates 400,000 people were made unemployed by the hurricane

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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with no hope in sight of regaining their former jobs because their workplaces were destroyed.

For the region, the economic devastation is on par with the effects of the Great Depression. At that time President Roosevelt asked for a National Industrial Recovery Act with which the government put millions of people back to work rebuilding the country's infrastructure. That is what the hurricane-demolished region needs today. The people of the region who have lost their livelihoods should be given a preference in hiring for the Federal dollars spent, and the Federal dollars should be conditioned on local hiring targets.

But this is not a New Deal administration. Instead of leveraging Federal tax money to put people back to work, this administration is content to send Halliburton billions of dollars in no-bid contracts.

SALUTING THE NATIONAL GUARD

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

Mr. POE. Mr. Speaker, I rise today to thank and salute those members of the National Guard for the tremendous efforts they put forth in Hurricane Katrina relief efforts. They have tirelessly devoted their time and energy working around the clock to support neighbors, Americans who have been affected by this unfortunate devastating event.

Altogether, there are over 45,000 National Guard personnel on the ground or aboard ships supporting the massive relief efforts that continue to take place. Members of the National Guard have provided widespread search and rescue, evacuation, medical support. They braved the dangers of flood waters and have been faced with unimaginable situations to evacuate over 50,000 people and rescue 11,000 from hotels, rooftops, and floating debris.

I want to specifically commend and thank the 155 members of the 8th Brigade of the Texas National Guard. Under the command of Colonel Donald Petrash, the 8th Brigade is stationed at 12 different shelters helping evacuees from Louisiana in southeast Texas.

Mr. Speaker, the National Guard and Reservists are vital to our communities especially during these times. This is just another reminder that we must never forget about our citizen soldiers.

THE RESPONSIBILITY OF CONGRESS

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

Mr. DEFAZIO. Mr. Speaker, today Congress will vote to borrow \$51.8 billion as a down payment on the relief, rescue and recovery effort, a sum which could reach \$200 billion.

It is the responsibility of this Congress to oversee the administration's

disbursement of these funds and to make certain it goes to the victims and appropriate expenditures and not disaster profiteering. Likewise, Congress must safeguard against opportunists, some even in our own ranks, who would use the disaster for their own petty political ends.

In fact, in light of the huge costs, the big run-up in the deficit that we are about to see, some on the other side of the aisle are suggesting this makes the case for tax cuts for the wealthiest investors in America, those who earn more than \$300,000, have estates worth more than \$6 million. They say that those tax cuts will provide economic stimulus that will trickle down on the people of New Orleans and Mississippi.

They have been trickled on more than they can stand. We need an appropriate, compassionate, and cost-effective recovery effort, not more tax breaks for the most privileged among us who were not affected.

HURRICANE KATRINA

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

Mr. FOLEY. Mr. Speaker, I would like us all to tone down the rhetoric and start thinking of the victims. I watched Cokie Roberts yesterday, a proud Democrat, from one of the legendary Democratic families of this Nation, on Fox News, not casting aspersions, not seeking to blame anybody. She had personal tragedy in that they had lost their homes. But she was calm and considerate and thoughtful and reasonable, asking us to come together as a Nation to help the victims of this hurricane.

We have other leaders going on TV calling the President dangerous. After 9/11, we joined hands and prayed. We were considerate, courteous, and, most important, we were Americans. We had four hurricanes in Florida, so I know what it is like to be damaged by a storm.

What is worse after this event is the damaging words of our colleagues disparaging the institution, disparaging the President, and bringing shame on this House. Our victims and our families deserve better.

AN ADMINISTRATION IN DENIAL

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

Mr. MENENDEZ. Mr. Speaker, since Hurricane Katrina struck the Gulf Coast, the Nation has gotten used to hearing an administration in denial. Two nights ago, Congress got a firsthand view when six Cabinet members came before the House of Representatives and described a picture-perfect Federal response to Katrina. But as Americans have watched the tragedy unfold on their television screens, they

learned to differentiate rhetoric from reality. The sad, yet unmistakable, truth is that the Federal Government failed the people of the Gulf Coast, both in the years before the hurricane and in the days after it. The American people get it; but, unfortunately the administration does not.

This is not a time for finger-pointing or political posturing. Neither is it a time to stick our heads in the sand and pretend that the government has performed admirably. It has not, and the administration should stop pretending otherwise.

The stakes are too high to continue heading along this road without asking how we got there. The President needs to explain to the American people why we can trust this same team to adequately deal with the crisis that continues to face millions and cost billions. Congress needs to establish an independent commission to ensure that the American people learn the truth. We simply cannot afford any more mistakes.

FUNDING TO REBUILD AFTER HURRICANE KATRINA

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

Mr. PENCE. Mr. Speaker, Katrina breaks my heart. When I consider its tragic aftermath, the ancient parable comes to mind: "And the rains descended and the flood came and the winds blew and beat against the house and it fell with a great crash."

For most American families, when a tree falls on your house, you tend to the wounded, rebuild, and then figure out how you are going to pay for it. Later today Congress will continue funding the work of relief and recovery for Hurricane Katrina, and well we should, by speeding more than \$50 billion to FEMA and other agencies.

But as we tend to the wounded, as we begin to rebuild, let us also do what every other American family would do in like circumstances and expects this Congress to do: let us figure out how we are going to pay for it.

Congress must ensure that a catastrophe of nature does not become a catastrophe of debt for our children and grandchildren.

HURRICANE KATRINA

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

Mr. INSLEE. Mr. Speaker, last weekend I went to the floor of the Astrodome to work with some of the evacuees. I have never been so inspired by people of courage and grace and great dignity.

On the way home on the flight from Houston to DC, there were 10 evacuees headed for Florida. In the middle of the flight, a young man took out a razor

blade and slashed his wrists in a suicide attempt.

The pilot made the appropriate judgment. There were two MTs on board. They saved his life. Actually, it probably was not life threatening. We diverted to Nashville. We made a flight change in response to a problem.

Now this administration has to make a change in the flight plan about who and how FEMA is being run. It is a disaster in itself. We need a flight change, and this is not a matter of accountability. There are more hurricanes on the way.

FEMA's job in this disaster is not done. We do not have confidence in the people and the organization in the FEMA cockpit. It could crash again. This President needs to change FEMA, and we should be doing it in this debate today.

□ 1015

VENEZUELA GASOLINE SHIPMENTS

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

Mr. MACK. Mr. Speaker, I have been and continue to be gravely concerned with Venezuela President Hugo Chavez's march against freedom. But I appreciate that Hugo Chavez acted appropriately in a time of crisis when he recently offered to provide the U.S. Government with a supply of needed oil and gasoline in the wake of the devastation caused by Hurricane Katrina.

This morning's Washington Post includes a story which outlines that Chavez plans to ship 1 million barrels of gasoline in addition to its scheduled shipment of 1.2 million barrels to the United States in the coming month. While this may help alleviate consumers' concerns at the pump, we must all recognize that when we purchase Hugo Chavez's gasoline, we will be lining the pockets of a staunch enemy of freedom.

The United States welcomes efforts to help stem our temporary gasoline and oil shortage, but Hugo Chavez must understand that we will not yield an inch in our demand for freedom in Venezuela and around the world.

PROVIDING FOR CONSIDERATION OF MOTIONS TO SUSPEND THE RULES

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 426 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 426

Resolved, That it shall be in order at any time on the legislative day of Thursday, September 8, 2005, for the Speaker to entertain motions that the House suspend the rules. The Speaker or his designee shall consult with the Minority Leader or her designee on

the designation of any matter for consideration pursuant to this resolution.

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

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

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, House Resolution 426 provides that suspensions will be in order at any time on the legislative day of Thursday, September 8, 2005. This resolution will allow the House to consider and debate legislation to address the needs of the hurricane-ravaged areas of the Gulf Coast in our country, such as increased borrowing authority for the National Flood Insurance program, the Student Grant Hurricane and Disaster Relief Act, the Temporary Assistance for Needy Families Emergency Response and Recovery Act, and a supplemental emergency appropriations bill.

Mr. Speaker, my community in South Florida was very fortunate that we did not have to bear the full brunt of this latest hurricane, Hurricane Katrina. Over a million of us in South Florida lost electricity. Many homes and businesses were flooded and some structural damage was caused to homes and businesses, but we did not bear the full brunt, the full fury of this latest hurricane, Katrina.

We in South Florida were very fortunate as well to receive generous aid from fellow Americans in the wake of Hurricane Andrew in 1992. As a Hurricane Andrew survivor, I have an idea of the trials and tribulations that face hurricane survivors. I am also very much aware that assistance from the Federal Government is essential for a comprehensive and robust recovery effort.

With that said, I wish to make clear to our friends in the Gulf Coast that we will continue to mobilize nationwide in response to this tragedy, we will remain steadfast in our commitment to the recovery effort, and we will not walk away from our obligations to our fellow Americans. Just as we did after Hurricane Andrew, Mr. Speaker, together it is that we will rebuild and together it is that we will recover.

In response to this terrible disaster, the majority leadership of this House has set out a plan to continue helping the victims of this terrible catastrophe. Last week, the House of Representatives passed emergency funding totaling \$10.5 billion to provide urgently needed relief to the victims of Hurricane Katrina. Congress needs to do more for the victims of this catas-

trophe, and we will. We will consider, I am certain, other supplemental bills, and they will provide additional billions for recovery and rebuilding efforts in the Gulf Coast.

The American people have demonstrated their resiliency before and will do so again. We will continue to work to comfort those who suffer. Rescue workers are at this moment lined up across this great Nation to support the recovery effort that is under way, and volunteers from every corner of America are ready to support those efforts. Our prayers continue to go out to the victims, to their families and to all the valiant rescue workers. The spirit of community, of generosity and good will across the country gives me confidence that Louisiana, Mississippi and Alabama will recover from this tragedy, and they will be better than ever before.

House Resolution 426, Mr. Speaker, is a necessary rule for our efforts to assist the victims of Hurricane Katrina. I would like to say a special word of thanks to the Speaker, to the majority leader, to the chairman of the Appropriations Committee and to the minority leadership for their swift action on this issue as was begun to be demonstrated last week. I urge my colleagues, Mr. Speaker, to support both the rule and support the emergency legislation that is authorized under this rule.

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

Ms. SLAUGHTER. Mr. Speaker, I thank the gentleman from Florida for yielding me the customary 30 minutes, and I yield myself such time as I may consume.

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

Ms. SLAUGHTER. Mr. Speaker, the vitally important bill before us today will help to begin the process of rebuilding one of our Nation's greatest regions and the lives of the people within it. It comes to us in the wake of what was last week nothing short of a catastrophic failure of responsible and competent governance. And not surprisingly, the way in which we are going about passing this bill is itself a tremendous failure, the most recent in a seemingly endless line.

It is a failure, Mr. Speaker, because almost no time has been provided for discussion of this bill and because no amendments have been permitted to be introduced. This body is about to spend more than \$50 billion and all the minority wants is to spend it wisely. All we want is to give the Members a chance to know where the appropriations are going and to actually give Representatives from the affected States a chance to make suggestions to the legislation before it becomes law. We want to ensure that that this body will address as quickly as possible the tremendous errors which have been made by our Federal Government in its response to Hurricane Katrina.

Last night in the Rules Committee we implored the majority to allow even a mere 2 hours of debate and to allow Members to offer amendments which would make this a better, more effective bill. Their response? Sorry, America, we don't have time for that. We don't have time? After 5 weeks of recess in the Chamber, 40 minutes is all the time the United States Congress has to give? It took our government 5 days to even respond to the crisis, and we cannot give more than 40 minutes here today to craft a bill that will provide relief and help rebuild an entire region of our country? We tried to break through, but they simply would not hear us.

They would not hear us because they do not want to be challenged or blamed or to deal with alternative solutions. It simply wants us to accept its leadership, once again quietly and without comment. But what the American people want is reform. They want change. They want us to work hard here in the House and try to fix this mess. And so we will not keep quiet because our Nation is demanding that we speak out.

This government failed the people of Louisiana and Mississippi and Alabama. This government, one so willing to tell other nations and peoples how they should live their lives and organize their states, has revealed itself to be unable to save the lives of its own citizens and to protect its own States when they are in need. Indeed, that neglect has cost lives. It was unable to meet its most basic responsibility and the ultimate reason for its very existence, the defense of life within its own borders.

It is obvious that the current administration and departments in its care did not have a plan sufficient to handle the kind of crisis they were confronted with. Disturbingly, however, they were armed with a plan to shift blame away from themselves. And so a few days ago, Homeland Security Director Michael Chertoff tried to blame local government officials for what had happened. Such an argument is embarrassing and shameful because this Federal Government has not been adequately supporting those State and local officials in the years that led up to last week, and it did not give them what they needed after the hurricane struck. Instead, it neglected them and then kicked them when they were down.

This kind of situation is exactly why FEMA exists. That is why it is called Federal emergency management. That is exactly why it was part of the Homeland Security Department. The \$90 billion that has been spent on the Homeland Security agency has left us more vulnerable than ever. If there is an American that feels safer after the expenditure of that \$90 billion, I would like to meet them. Do they feel safer? Absolutely not.

There was a tremendous outpouring of help coming from locations around America and the world during the first

days of this crisis, but FEMA and Homeland Security were unable to use it constructively. One thousand firefighters sent from Utah and nearby areas were asked to do community relations work, handing out leaflets, instead of putting out blazes and rescuing children. Aid and rescue technology offered by more than 90 countries has often been unable to penetrate FEMA's bureaucracy and has yet to be used. Wal-Mart sent three trailer trucks of water to New Orleans early last week but were turned back by FEMA officials. They said they did not need it. To people who had no water.

FEMA would not let a nearby Coast Guard ship distribute 1,000 gallons of fuel to people on land. And while that particular ship was able to take on patients and treat them and give them medical care, they were awaiting the orders that never came. FEMA cut the emergency communication lines that authorities in Jefferson Parish were using, for who knows what reason. The president of Jefferson Parish had the sheriff's department replace those lines and put them under armed guards to protect them from FEMA.

Mr. Speaker, this is just the tip of the iceberg. The tales of failure go on and on and on. Failure before Katrina, failure during Katrina and failure after Katrina.

Ours is a government which has spent much of the last 4 years focused on national security. Ours is government which has spent tens of billions of dollars theoretically preparing our country for impending disasters. Ours is a government which has justified its hold on power by warning us that only this administration's leaders could keep America safe. But the administration was not up to the task. Nor was FEMA. Nor was the Department of Homeland Security. Our government failed. Until every aspect of our emergency response system is analyzed and reevaluated, this government will have a hard time finding its credibility in the debris.

I suggest that we should start trying to regain that credibility right here, today. This administration and this Congress and the agencies of this Federal bureaucracy concerned with emergencies like Katrina have a great debt to pay back to the American people. This Congress owes them more than a mere 40 minutes of consideration of the Nation's response to what is quickly becoming the worst national disaster in American history. We owe them more than to silence the voice of the American people on this floor. We owe America more than to intentionally prevent this body from crafting the very best hurricane recovery legislation that it can by refusing to allow any amendments to even be considered and by shutting out almost half of this House from any consideration of this bill.

□ 1030

And because this leadership does not want to lose a vote or have their ideas

challenged or suffer the indignity of disagreement in the people's House, we will not be able to do a thorough discussion today. It is the very mentality, the arrogance of this government, its unwillingness to allow accountability to be brought into the process which they have reduced to a game. They call it the blame game. It is not a game, Mr. Speaker; it is a tragedy. We cannot afford to go on like this, not even for one more day.

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

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

Mr. Speaker, I am very proud to be bringing forth to the floor today a rule that will permit the consideration of various pieces of legislation to continue to provide very needed assistance to those who are suffering as we speak.

As I mentioned before in my prior remarks, Mr. Speaker, there are four pieces of legislation that this rule that we will be voting on this morning authorizes consideration of: the national flood insurance program, assistance for that program; the Student Grant Hurricane and Disaster Relief Act, assistance for that program; the Temporary Assistance For Needy Families Emergency Response and Recovery Act, assistance for that program; and an emergency supplemental. Those four pieces of legislation, the rule that we are debating on at this time, are authorized to be debated by this House.

I wish to commend the two Senators from the State of Louisiana who, I was just able to read some of their joint statements, I think are demonstrating great responsibility in a spirit of bipartisanship. For example, the two Senators from Louisiana have stated, they say there will be ample time, and I agree with them, for Congress to thoroughly investigate the event.

They say, as well, and I also agree with them, that the focus now needs to be on food, on housing, on employment, on education and on health care, not on investigations. There will be plenty of time for this Congress, in its constitutional duty of oversight, to investigate. But I agree, as I say, with the Senators from Louisiana.

The focus now, and our focus in bringing forth authorizing consideration of the four pieces of legislation this morning, is on food, housing, employment, education and health care, assistance to those and for those who are suffering.

I see the Senators from Louisiana also made another point. In a joint bipartisan statement they say, please do not make the citizens of Louisiana victims once again by allowing our immediate needs to be delayed by partisanship.

Now, we do not want to delay assistance by partisanship or any other reason, and that is why we are bringing forth this rule. We have brought forth this rule to authorize consideration of four measures to take assistance, to

continue to make available assistance to those who are suffering at this time, Mr. Speaker.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 6 minutes to the gentleman from Florida (Mr. HASTINGS), a member of the Rules Committee.

(Mr. HASTINGS of Florida asked and was given permission to revise and extend his remarks.)

Mr. HASTINGS of Florida. Mr. Speaker, I thank the ranking Democrat of the Rules Committee for the time.

Mr. Speaker, I rise today in support of the four bills which the House will consider today under suspension of the rules should this rule pass.

However, I also rise with great trepidation about the way in which the majority continues to run this body without regard for general order and procedure. The gentleman from Florida (Mr. LINCOLN DIAZ-BALART) said that he is proud to be bringing this rule under the suspension provisions. I would ask the gentleman whether or not in his conference all of the T's were crossed and the I's were dotted to bring a matter out, since in your conference and in our caucus we have a provision that as a general measure we will not bring a matter under suspension for more than \$100 million.

Under suspension of the rules, Members are afforded limited time for debate with zero opportunity to amend the legislation. When this rule passes, that is exactly what we will get. That is just wrong, regardless of the urgency of the legislation.

Mr. Speaker, this administration that is in charge of this Nation's negligence in responding to Hurricane Katrina strongly resembles the incompetence that Florida saw in the Federal emergency management organization last year. The Bush administration's refusal to accept responsibility for its inaction mirrors the arrogance that we continue to deal with today in Florida as we recover from last year's disastrous hurricane season.

Certainly our first priority has to be the rescue of those who are still alive and to provide them with housing, medical attention, food and water. However, as the Gulf Coast turns to the recovery and rebuilding process, the billions that Congress will spend will not be enough to fix the problems that exist within FEMA.

Based on my own personal experience dealing with Under Secretary Brown directly over the last year, I warn the Members of this body that the problems you see today are just the tip of the iceberg, as the gentlewoman from New York (Ms. SLAUGHTER) just said. And it has nothing to do with the magnitude of this awesome disaster.

My colleague says that he is proud. I wonder if my colleague from Florida is proud of the fact that \$1.5 billion from last year's hurricanes are still outstanding. I wonder if my colleague is

proud of the fact that his county, Dade, and my county, Broward, were denied Federal assistance from FEMA this year with this same Hurricane Katrina. I wonder if my colleague is proud of that fact that there are blue roofs in Florida where people's roofs are still not covered, and it does not even rise to the magnitude of what is going on in the Gulf Coast; but last year's FEMA problems are not corrected.

Inconsistency in FEMA regulations, constant reinterpretations of the Stafford Act, Federal officials treating local emergency operation centers like revolving doors, lack of coordination and FEMA's fluid and unclear chain of command are just a few of the many significant and real problems that Floridians dealt with last year and are still dealing with today.

I have literally begged the committee of jurisdiction in this body to hold hearings on these shortcomings. I even introduced bipartisan legislation in March with the gentleman from Florida (Mr. SHAW) to address a slew of institutional problems within FEMA that we experienced firsthand last year. Yet, every time we take our concerns to the committees, we are told it is not big enough as a problem to consider on its own.

Well, Mr. Speaker, is the problem big enough now? How many people must die in a disaster before something becomes a big enough problem in this Congress?

The new mantra that I hear from my colleagues in the majority is that there will be time to investigate. It is almost as if we cannot chew gum and walk at the same time. We must do what we are doing for the Gulf Coast, but we also must do what we have to as a responsibility in Congress in the nature of oversight.

Later today I will introduce legislation establishing an independent commission to examine the failures of the Federal Government in responding to Katrina, as well as evaluate our current ability to respond to any type of large-scale disaster, natural or man-made.

The President and congressional Republicans argue that we should not play the blame game because they may be in part to blame. Congress placing FEMA in the Department of Homeland Security and allowing the agency to operate completely unchecked helped create the disaster that we are in today. We created the problem, and now we need to fix it.

I question, however, whether there are enough in this body who have the courage to do what is right and not only criticize the administration, not only criticize local and State officials, criticize this Congress as well for our incompetence and inaction. But actually doing something is what is required. Accountability is the only way to restore integrity in a broken system, and an independent commission is the first step in repairing our disaster response system which we all now know is woefully inadequate.

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

Mr. Speaker, I am proud of the fact that the rule that we have brought forth this morning, and I reiterate that I am so, authorizes consideration by this House today of four legislative measures, four, to continue to increase assistance to those who are suffering pursuant to the destruction caused by that extraordinary tragedy in the Gulf Coast.

Four pieces of legislation are being brought forth today, are being authorized to be brought forth today with the rule that we are considering this morning. Yes, I am very proud of that, Mr. Speaker.

Now, I have questions as well. I have questions as well with regard to a number of Federal agencies, State agencies, local agencies as well in the Gulf Coast.

My wife was reminding me last night that on the Friday before this horrible storm hit the Gulf Coast, she saw the director of the National Hurricane Center on national television with the Governor of Florida, by the way. We had the Governor of Florida and our local officials speaking to us continuously before and at the time and after the hurricane passed through us in south Florida before it went into the Gulf and then gathered all that strength that bore down with such horrible power on the Gulf Coast. And she was reminding me that the director of the National Hurricane Center, this is Friday before the hurricane hit late Sunday night, early Monday morning, the Gulf Coast, said it is headed to the Gulf. It is going to pick up strength and it could hit, it is going to land anywhere from the Florida Panhandle to New Orleans.

Now, as I was discussing with my wife last night, when we had the four hurricanes in Florida last year, and this one in south Florida this year, immediately our local officials, the mayor, the county commissioners, the mayors and the Governor, the State officials, they were speaking to the populace and instructing people to leave, evacuating people. Five times we have done so in 1 year.

So, yes, I have questions as to why that was not done in Louisiana, why it was not ordered by the mayors and by the county commissioners and by the Governors. I have questions. Of course I have questions, Mr. Speaker. We all have questions, and those questions need to be addressed. And they will be addressed as we proceed with our oversight function, which is legally required.

But today what we need to do is to get help to the people who need the help, and that is what we are doing, Mr. Speaker. That is why we have brought forth the legislation to authorize consideration of four measures to take assistance to those in need. That is what we are debating this morning.

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

Ms. SLAUGHTER. Mr. Speaker, I yield 6 minutes to the gentleman from Wisconsin (Mr. OBEY), the ranking member on the Appropriations Committee.

□ 1045

Mr. OBEY. Mr. Speaker, last week I returned to Washington along with about 20 other Members of the House in order to assure passage of the initial down payment of \$10 billion for the victims of Hurricane Katrina.

Today we will be voting to provide \$52 billion more in aid. I am all for it. We will all vote for it. Any suggestion in any way that the delivery of that money would be delayed is pure nonsense. That money will be voted today.

But the problem we have is that the bill is being brought to the floor in a manner which prevents Congress from exercising any independent judgment whatsoever about how best to use taxpayers' money. And the problem is that the agency that we are appropriating most of the money to has demonstrated with great clarity that it is spectacularly dysfunctional; and there are a number of reasons for that.

The problem we have with FEMA is that what was an efficient, professional and qualified agency under James Witt during the Clinton administration has now once again become a dumping ground for political cronies.

Three years ago this Congress in the wake of 9/11 merged FEMA into a huge, new, gargantuan agency, the Department of Homeland Security. Since that time the White House, the Congress, and the Department of Homeland Security all together have squeezed the resources available for FEMA. They have hollowed out that agency and they have cut more than 500 people out of that agency.

To top it off, the President appointed to run that agency a gentleman who before he joined FEMA had no previous disaster experience whatsoever, and whose only apparent connection to the disaster world was that he was the college roommate of the former director of FEMA. We have seen the disastrous results of that appointment.

I want to provide the \$50 billion that the legislation is going to provide today, and I will vote for it and so will ever other sane Member of this House, I assume. But I deeply regret the fact that the manner in which this legislation is being brought to the floor today will prevent me or any other Member from taking an action which I think is essential to restore the professionalism of FEMA and to depoliticize that agency.

I wanted to offer an amendment to the bill which would have allowed the money to flow immediately, but which would have done five additional things. It would have restored FEMA status as an independent agency with no intervening bureaucracy between the White House and that agency, it would have reestablished the position of the FEMA director to one who reports directly to

the President, it would have required the FEMA director to have extensive experience in emergency or disaster-related management, it would have made that directorship confirmable for a specific 5-year term to reduce the likelihood of the position being used as political patronage of any President by any party, and it would have established a deputy director with primary responsibility to assure that a direct connection is retained with the Department of Homeland Security so that in the process of dealing with domestic disasters, we do not neglect our responsibilities to also protect the country against terrorism.

Our friends on the majority side of the aisle declined to allow us to have that vote.

I do not object to the majority saying "We do not believe that that is the right solution." or "We do not believe that this is the right time to discuss this." That is a legitimate position. But what we are asking for is to at least have the ability to debate that issue, to discuss that issue, because every day that we delay professionalizing FEMA and depoliticizing it is another day that taxpayers' money is being spent by an agency which has been demonstrated under these circumstances to be incompetent.

The President has a responsibility, each and every Member of this Congress has a personal responsibility to see to it that if we are going to provide \$50 billion today and another \$50 billion down the road, as we most surely will, we have a responsibility to know that that money is going to be spent in the most efficient, the most effective way to save lives, to rebuild communities. We cannot have that confidence under the existing management of this agency. And so I think we have an obligation to move as quickly as possible to fix the problem.

The amendment I would have offered would have given us 120 days to make those changes. I regret deeply the fact that we will not be able to at least discuss that matter on the floor today.

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

Mr. Speaker, again with regard to what we have brought forth this morning, a rule for consideration of four pieces of legislation to provide assistance and to increase the aid that is going to those who are in desperate need in the Gulf Coast area now due to the great catastrophe that has just been suffered, that is what we are doing. We are authorizing consideration of four pieces of legislation to increase assistance to those in need.

Now, last night in the Committee on Rules, Mr. Speaker, our friends on the other side of the aisle, the minority party, brought forth one amendment to the rule that we are considering this morning and that amendment called for what is known as an open rule. In other words, that any Member of this House could bring forth any and all

amendments that they may wish to do so, that they may have wished to do so with regard to any of the four pieces of legislation.

Now, I generally, Mr. Speaker, am for open rules. I think that is an appropriate goal and I think that we should, as much as possible, permit the free flow of debate on as many ideas as Members have. But if there has ever been a time when we could not, when we should not have an open rule which would permit, even if each of us only had one idea, and I think the Obey amendment is a very interesting one, he just explained it a few minutes ago, even if each of us had one idea in the form of an amendment like the one that was just explained by the gentleman from Wisconsin (Mr. OBEY), we would have 435 amendments, Mr. Speaker, to debate.

This is not the time to have 435 or 100 or 50 amendments. This is the time to bring forth legislation, a rule in this case to authorize consideration of four pieces of legislation to assist those in need.

Mr. Speaker, I yield 3 minutes to the distinguished gentlewoman from Illinois (Mrs. BIGGERT).

Mrs. BIGGERT. Mr. Speaker, I support the rule and the underlying bills. I would encourage FEMA to work with the Department of Education to utilize the Education for Homeless Children and Youth Program to meet the educational needs of all students displaced by this storm.

As we consider the rule and all of these bills, I think we have to remember the children. As part of the No Child Left Behind Act, the Education for Homeless Children and Youth Program requires that school districts immediately enroll homeless children. It provides children with much-needed stability and allows for the delivery of other critical services, including such things as health care and counseling.

The bill also addresses school transportation issues, assures that eligible children participate in Federal, State and local food programs, and allows for frequent moving as evacuated families find more permanent housing.

When we included this provision in No Child Left Behind we, frankly, never contemplated that it could be so useful and effective at this time of national crisis. We have happily discovered over recent days that this measure has provided a ready-made system of communication and contacts and information networks that could serve us well in this time of need.

The program also contains a funding structure that efficiently distributes Federal dollars to the local level. Utilizing the Education for Homeless Children and Youth Program would save time, money and allow more Federal dollars to flow more quickly to the areas in need. This program provides a tried and tested framework for States and school districts to meet the immediate educational and social service needs of homeless children displaced by Hurricane Katrina.

Encouraging FEMA and the Department of Education to utilize this program to coordinate relief efforts is a commonsense step that can quickly and dramatically improve assistance to displaced children.

I would urge support for the rule and the underlying bill.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Mississippi (Mr. THOMPSON), the ranking member of the Committee on Homeland Security and a victim himself.

Mr. THOMPSON of Mississippi. Mr. Speaker, I rise in opposition to this rule. Twenty minutes per side is not enough to argue a catastrophe of this size. The rule does not allow any amendments from our side. A number of Democratic districts have been affected, those of the gentleman from Mississippi (Mr. TAYLOR), the gentleman from Alabama (Mr. DAVIS), and the gentleman from Louisiana (Mr. JEFFERSON), as well as myself. We do not have an opportunity for input into what relief opportunities we can give in our districts.

This is not right. If this is a democracy, we ought to have an opportunity to participate in providing for the relief of our particular districts.

The Republican side has taken a position that Democratic input is not needed. This is not the way to go. This is a democracy. We need a rule that allows for the maximum input from both sides.

I am sorry to say that even in this time of devastation, our Republican colleagues have decided that America should not pull together and work for the common good. Unfortunately, the people of Mississippi, Alabama and Louisiana are the ones who will suffer because of this lack of total input from Members of Congress.

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

Mr. Speaker, I think it is important that we realize that in the same fashion in which last week's supplemental legislation was considered under a unanimous consent request, it is the hope and wish of the majority leadership that the next supplemental bill also be considered in that way under unanimous consent.

With regard to additional time for debate or other matters, that could be obviously worked into a unanimous consent agreement like the one that brought forth and permitted debate and permitted passage of the first supplemental.

□ 1100

So what we are voting on today, the rule does not preclude that. On the contrary, as I say, it is the wish of the majority leadership to continue to engage in dialogue and hopefully have a unanimous consent agreement. I wanted to make that clear because sometimes I think the facts are important to be made clear.

Mr. Speaker, we reserve the balance of our time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentlewoman's courtesy in permitting me to speak on this bill.

Mr. Speaker, I have come to the floor of this House repeatedly over recent years using this specific example of New Orleans as a call to arms to change how we do business. I cannot tell my colleagues how disappointed I am that we are having before us today a proposal that does not provide an opportunity for this Chamber to adequately discuss what is at stake and to deal with opportunities.

The devastation of Hurricane Katrina has presented us with an unprecedented opportunity to focus the spotlight of public attention and political concern on how to do not just the best job of helping the victims of this tragic storm but in making it less likely that others suffer needlessly in the future. Preventing future devastation is the best way to honor the memory of thousands who have died and respect the losses of hundreds of thousands or more who are living.

But we are not going to have the opportunity now to come forward with important issues that bear on over \$50 billion. We need to be debating how the Federal Government can use taxpayer dollars to put people, places, and property back in harm's way. We should be working to make sure that citizens are directly engaged in the work of disaster recovery and mitigation, planning the future of their communities and putting them to work immediately, the same way I saw when I was in the tsunami region earlier this year. In just 1 week we were already putting tsunami victims to work on a cash-for-work program restoring their communities.

We need to clarify the role that the Federal Government is going to play in disaster prevention, mitigation, and relief because we are throwing billions of dollars at problems that we could have taken steps to minimize in the beginning. Congress should encourage and support State and local responsibility for disaster prevention, mitigation, and recovery; and we must employ natural solutions wherever possible.

We cannot do that today. There is no reason that we are not able to have a rational discussion. I hope this is the last time the Committee on Rules treats us this way.

Mr. LINCOLN DIAZ-BALART of Florida. Yielding myself such time as I may consume, Mr. Speaker, we will have time for any and all of the measures that are brought forth if this rule passes, under authorization of this rule, for rational and any other kind of debate. I can assure my colleagues of that, Mr. Speaker.

Mr. Speaker, we reserve the balance of our time.

Ms. SLAUGHTER. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Speaker, I would like to thank my colleague from New York for yielding time.

Mr. Speaker, our most important task right now is to help our fellow Americans rebuild their lives. The task of this Congress and the task for this Nation is to restore communities, help people rebuild their lives and have a retrospection of what happened. We must pinpoint the errors made prior to the storm and flooding. Failing to respond in a time of need, when fellow Americans have lost their lives, their loved ones, their homes, failing to respond in a time of need is unacceptable.

Identifying failures is not pointing fingers. It is pointing the way to improve the system for the future. We cannot solve a problem if we do not think we had a problem. We can both help Americans, which is our primary task, rebuild their lives, reestablish their communities, but we must also for all Americans understand what happened here so as it comes to future crises, future natural disasters, we are able and capable of responding. Because saying everything worked well, acting Pollyannish is unacceptable, as much as trying to point fingers and trying to get political advantage in this situation.

We can do this right. The American people ask the Congress to do this right.

What does it mean to help people rebuild their lives? First, there should be universal health care for all children 0 to 18. Second, a \$3,000 education voucher for people going to college, GED, continuing their education. A housing program to get people in the communities back to work building their homes, highways and rebuilding all the infrastructure. Lastly, making sure the recently enacted bankruptcy law does not affect people in that area, freezing their credit at that time so they do not go into bankruptcy.

These are the types of things that Congress needs to do to help those Americans, our fellow Americans, get their lives and their communities back together and also taking the time to look into what happened here so this never, ever, ever happens again.

The American people deserve better; and in a time of crisis, they look to their fellow countrymen and their government, and this Congress must rise to the task to do that. Today, the way this is handled is not the right way. We can do better as we seek ideas from all corners to help our fellow Americans restore their lives.

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

We are considering today, or authorizing consideration, bringing forth today under this rule, the national flood insurance program, assistance for that program for those in need in the

Gulf; the Student Grant Hurricane and Disaster Relief Act, assistance for the people in the Gulf with regard to student grants and disaster relief; the Temporary Assistance for Needy Families Emergency Response and Recovery Act, assistance for those in need under this act, under that law, with that program, through that program.

We are bringing those measures, those specific measures to the floor today, in addition to a significant and substantial supplemental appropriations bill to get aid immediately to those in need.

Mr. Speaker, I yield 5 minutes to the gentleman from Utah (Mr. BISHOP), my distinguished friend and colleague from the Committee on Rules.

Mr. BISHOP of Utah. Mr. Speaker, I appreciate my good friend, the gentleman from Florida, for yielding such time right now.

This is obviously a time of great emotional sadness for all of us, as we are attempting to help fellow Americans who are in a special need, a special time of need. It is a trying time; and, hopefully, it is one where we can keep focus on the true issue, which is how to get emergency relief as quickly as possible to people who desperately need it.

The rule that is being proposed here, and sometimes in our rhetoric on these rules we kind of go far afield from what the issue is, the issue is still the rule, does not prevent any kind of unanimous consent for more time for more issues to be raised at such time in the future, but it does provide a backup to guarantee that the issue at the end of this day will be decided and that relief money can be moved on without any kind of impediments or Congress trying to add extraneous issues to the debate or discussion, unless there is unanimous consent, obviously, for that.

There is precedent for what we are doing. This is not unusual. It has been done before. It will be done again in the future. It does, though, try to state that there is a time and a place for everything that we do. There is a time to try and pass emergency relief and get that relief moving as quickly as possible, to really hit what is human suffering.

This particular request deals with temporary assistance. It deals with providing temporary housing, money for home repairs, medical, dental costs, repair work, cleanup, ensuring that the firemen get their pay. It is emergency equipment.

Much of the discussion we have heard this morning deals with long-range policy issues. I am not saying they are bad, because that policy discussion needs to take place. It should take place. We need to determine what the city of New Orleans did well and what it did poorly; what the State of Louisiana did well, what it did poorly; what the Federal Government did well. We even need to discuss what the United States Congress has done well and poorly in this particular issue.

But those need to be discussed with dispassion in some way so that when we make broad policy decisions, those broad policy decisions can be made with a clear conscience and clear focus on what the issue really is. That takes regular order, and for some who would like to bypass regular order to quickly pass some of these, we are doing a disservice to long-term policy discussions.

The senior member of the Committee on Appropriations from Wisconsin is someone I have enjoyed listening to. He oftentimes will say those things which ring true. What he wants to discuss is significant, but it needs to be done in the regular order, not on top of this emergency bill; and I am sure that will take place.

Mr. Speaker, I would also be remiss if I did not take this opportunity just to say a few things that are positive. Though I do not know what has been happening throughout the entire world, I do know what has been happening in my backyard of Utah where some of these evacuees are presently residing. I guess the State of Utah took the Jazz; we should also take some of the evacuees at the same time.

In addition to those evacuees who are in my State, the State of Utah is also stepping up. There are in the State of Utah 475 volunteers who have been working since Saturday with these evacuees. They have done everything from having a child care center on site, to providing 6,000 meals, to even having a volunteer life guard manning the pool at the base at which these evacuees are staying. \$2 million since Saturday have been donated in Salt Lake City as well; 7,000 people have called asking what they can do. Some of them have been very creative in what they are trying to do.

A Ronna Guidara who lives in Salt Lake City, and actually in Draper, went down there and took trips from the military base where the evacuees are staying into Salt Lake City for sightseeing, for shopping trips.

Steve Gordon had the idea of actually providing as many tickets as he can get to go to the Utah-Utah State game. It may not be what they necessarily wanted to see that Saturday, but it is the best game in town that we have to offer.

People are stepping up from their hearts for this disaster. It is also time for Congress to step up with their hearts and provide the temporary relief, and then use our minds to go back and discuss the policy issues and policy initiatives, but go through the regular order so that we do not jump to conclusions, we do not make mistakes as we go through.

All of these discussions are important, they are there, but the rule at hand is to get emergency relief on the floor to help people right now, and we should not lose sight of that in our efforts to try to expand it into other areas, legitimate discussion areas, but other areas that do not pertain specifically to this point at hand as to how we

get that \$50 billion to help people right here right now.

With that, Mr. Speaker, I appreciate the gentleman's indulgence. I appreciate the time. I support this rule because it is the right thing to do to help people right now and put everything in its proper perspective.

Ms. SLAUGHTER. Mr. Speaker, I yield 2 minutes to the gentleman from Washington (Mr. INSLEE).

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

Mr. INSLEE. Mr. Speaker, this Labor Day weekend I flew from Seattle to Houston to join thousands of Texans to volunteer in the Astrodome to help these evacuees, and there I met an incredible family with such courage and grace, trying to keep their family together on the floor of the Astrodome.

A woman named Penny told me that her mother named Alice was trapped at a specific address on Bell Street in New Orleans, and I pitched in to try to help to get her rescued. For 3 days, the most powerful Nation in the world was incapable of going to a specific address on Bell Street and rescuing this 80-year-old lady named Alice.

While that was going on, a lot of the lower level FEMA people were working hard to effectuate that, but they were handicapped by a lack of senior leadership, senior leadership who failed to anticipate the breaching of the levees; senior leadership who failed to call for help, who waited 5 hours to call for help after landfall of the hurricane; senior leadership that allowed FEMA's job to protect us from hurricanes to be totally overwhelmed by the responsibility regarding terrorism.

This senior leadership led me to conclude, and millions of Americans to conclude, that we cannot have confidence in senior leadership at FEMA today. This is not a matter of finger-pointing or accountability. It is a matter of whether we have confidence in dealing with the next hurricane that is getting ready in the Atlantic Ocean right now. This is the middle. I heard one person say this is the third inning of a nine inning game of the hurricane season. We have to get this problem fixed now.

After the debacle at Pearl Harbor, America did not wait until the end of World War II to fix the problem that led us to be caught with our pants down at Pearl Harbor with such fatality, and we have suffered probably more fatalities here than we did at Pearl Harbor.

We need, on a bipartisan basis, to fix this problem now; and we need to help the President do that because of his attitude of saying, Brownie, you did a great job, it just will not wash with the American people. It is a shame that this rule will not allow Americans to get what they deserve, a working FEMA.

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield such time as he may consume to the gentleman

from California (Mr. DREIER), the chairman of the Committee on Rules.

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

Mr. DREIER. Mr. Speaker, I rise in strong support of this rule for a very obvious reason. It is absolutely essential that we do everything that we can at this moment to ensure that our fellow Americans who are in desperate need have that need met.

□ 1115

What is it we hope to do under this suspension rule? We want to make sure we provide for flexibility when it comes to the flood insurance program. That seems to me to be a strong bipartisan priority that we have.

What else do we want to do? We want to ensure that education assistance for non-Pell grant recipients gets to them.

What else do we want to do? One of the very important programs, the TANF program, Temporary Assistance to Needy Families, we want to make sure we can expedite that aid to these people who have been victimized by this storm just as quickly as we possibly can.

Mr. Speaker, a vote against this rule is in fact a vote which would deny us the opportunity to move as quickly as possible to provide that kind of aid relief.

Now, I know there is a lot of discussion over what it is that we will see for the structure for debate during consideration of this large, multibillion dollar supplemental appropriations bill. Nothing in this rule whatsoever, nothing in this rule whatsoever, Mr. Speaker, will in any way impinge on the ability of the chairman of the Committee on Appropriations, the gentleman from California (Mr. LEWIS), and the ranking minority member, the gentleman from Wisconsin (Mr. OBEY), from striking a unanimous consent agreement that would allow for an extension of debate as they consider that appropriations bill.

We all know how imperative it is that we act as quickly as we possibly can to not only address the three items that I mentioned, but to get the aid to those who need it on the dollar level. Why? Because we know it is quite possible that just this evening, as early as this evening, we could see the \$10.5 billion that we, under a unanimous consent agreement appropriated at the end of last week, run out. And we do not want that to run out. We want to make sure that that continued flow of assistance can flow in as expeditiously as possible. The responsible thing is for us to come together in this time of crisis.

This Sunday marks the fourth anniversary of September 11. Tragically, 3,000 lives were lost in New York City, in Pennsylvania, and here in the metropolitan area. The projections are that as many as three times as many people, maybe even more than that, have lost their lives in this horrible crisis that we have seen take place in

Louisiana and Mississippi. Now, Mr. Speaker, I believe that what we should do is just as we did following September 11 of 2001. We should come together, pass this rule with strong bipartisan support, move ahead with this appropriations bill, and, yes, work on a bipartisan unanimous consent agreement that will allow an extension of debate so that every Member who wants to have an opportunity to be heard on this can be heard. But do not vote "no" and impinge on our ability to meet this very important need.

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume to note that we would be happy to come together if the Republicans will just tell the Democrats where the meeting is.

Mr. Speaker, I yield 1½ minutes to the gentleman from Oregon (Mr. DEFAZIO).

Mr. DEFAZIO. Mr. Speaker, I would suggest to the chairman of the Committee on Rules that more time for words would be great, but what would be better would be action by this Congress to fix a dysfunctional Federal Emergency Management Agency. Dysfunctional at the top, not at the bottom. People at the bottom want to get out there. The first responders want to be out there. They still do not have effective interoperable communications 4 years after 9/11.

Given the befuddled response at the top, I am not confident that this \$51.8 billion we are going to borrow, indebting a generation of Americans of probably another \$100 billion or \$200 billion, will be well and effectively spent and get the relief and the rescue efforts and the rebuilding efforts to the people and the communities that are devastated.

We are not putting in place oversight and protection against crisis profiteering. We are not trying to improve the agency. It is the middle of a hurricane season. What if there is another tomorrow or next week? Will the terrorists wait until we are done with our natural disasters? No. We need to begin the review and oversight now. They say, Oh, you cannot do that in the middle of a crisis.

What is the greatest crisis this country has experienced in the last 100 years? I think it might have been World War II. In the middle of World War II, Harry Truman chaired a committee investigating war profiteering under FDR, the greatest President of the last century, and reforms were put in place. Congress did its job.

We need to improve FEMA. We need a better response. The first responders need better tools. The people that have been affected need effective relief, they need compassion, and they need assistance. Shoveling money at them and more words will not do it. We need to make some changes, and you are not going to allow any changes or any amendments here on this floor today, but you will allow us a few more words. We might get up to \$1 billion a minute instead of \$1.2 billion a minute.

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

What we are doing today, Mr. Speaker, is not shoving words down anybody. We are authorizing consideration for this House to pass assistance for the National Flood Insurance program, the Student Grant Hurricane and Disaster Relief Act, the Temporary Assistance for Needy Families Emergency Response and Recovery Act, and an emergency supplemental bill to continue the assistance to those in dreadful need as we speak.

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

Ms. SLAUGHTER. Mr. Speaker, I yield myself such time as I may consume, and I will be asking Members to vote "no" on the previous question. If it is defeated, I will amend the rule to allow the House to consider an amendment by the gentleman from Wisconsin (Mr. OBEY) to the emergency supplemental bill to reestablish the Federal Emergency Management Agency as a freestanding independent agency.

An amendment would do a number of important things to fix the problems with FEMA. It will reestablish it as an independent agency, allow the director to report directly to the President, require the director to have emergency response experience, limit the director's term to 5 years, and establish a deputy director for disaster relief.

Mr. Speaker, I know all of us in the House were truly stunned and horrified by the terrible and heartbreaking scenes from New Orleans and the other Gulf Coast States that unfolded last week. And to make matters even worse was the failure on the part of the White House and the lead Federal agency on disaster relief to take immediate action that might have saved hundreds of lives and alleviated the immense and immeasurable suffering that was inflicted on so many of our fellow Americans.

Members should be aware that a "no" vote will not in any way prevent the House from considering and approving the desperately needed supplemental for the victims of Hurricane Katrina. We all agree hurricane relief must happen immediately and it will happen today, but a "no" vote will let us debate the serious and urgent matter regarding FEMA's future ability to respond immediately and responsibly to any disaster that occurs on our soil so that we may never see such a thing again as we have witnessed with FEMA's work.

I urge Members to vote "no" on the previous question.

Mr. Speaker, I ask unanimous consent to insert the text of my amendment immediately prior to the vote on the previous question.

The SPEAKER pro tempore (Mr. LATOURETTE). Is there objection to the request of the gentlewoman from New York?

There was no objection.

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

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I yield myself such time as I may consume, and I thank all of our colleagues who have debated this important issue this morning.

I would like again to also thank the two Senators from Louisiana, Senators LANDRIEU and VITTER for their joint bipartisan statement where they say that Congress will have ample time to thoroughly investigate this event and that they plan, as many of us do, to play a major role in those important investigations, but they continue saying, please do not make the citizens of Louisiana a victim once again by allowing our immediate needs to be delayed by partisanship.

Now, we have heard a number of ideas today brought forth, really for sweeping policy changes. They definitely should be considered. And perhaps many of those ideas will become law. But today what we need to do is what we are doing. We are getting the assistance and we are increasing it to those who are in desperate need.

So, Mr. Speaker, I would urge my colleagues to support this rule that brings forth four pieces of assistance, legislation for assistance to those in desperate need, and would also urge, obviously, favorable consideration of the underlying pieces of legislation that we are authorizing being considered today.

Mr. LEVIN. Mr. Speaker, I rise in support of the emergency funding bill that the House will consider later today to continue relief and recovery operations in the aftermath of Hurricane Katrina. We need to approve this measure today with all deliberate speed. I do object to the procedure in which the House will take up this emergency measure, which provides just 40 minutes to debate a \$51 billion appropriation, with no amendments allowed.

I urge the House to reject this procedure and allow Representative OBEY to offer an amendment to strengthen the Federal Emergency Management Agency and re-establish FEMA as a separate, independent agency whose Director reports directly to the President. The Obey amendment would also require that the Director of FEMA have extensive experience in emergency and disaster-related management. The amendment is very similar to the legislation introduced earlier this week by my colleague, Representative DINGELL, which was cosponsored by myself and 64 other members of the House. This is a proposal that should enjoy bipartisan support, since I note that Representative FOLEY and other Republican members have introduced similar legislation.

Let me speak candidly. The response of the federal government to Hurricane Katrina was woefully inadequate. Four years after 9-11, the federal government was not ready to respond to a national catastrophe that has left a major American city uninhabitable. In the weeks and months ahead, we need an investigation of why the federal government's response fell so far short of the mark, and we need accountability. One thing is already clear: the federal agency with lead responsibility for responding to national disasters—FEMA—has lost its way since it was trans-

ferred to the Department of Homeland Security. This is simply not the same agency that responded so effectively to the Oklahoma City bombing in 1995. Since being transferred to the Department of Homeland Security in 2001, FEMA's ability to respond to natural disasters has been eroded.

I believe we need to restore FEMA's status as an independent agency. In addition, the Director of FEMA should be an experienced professional in areas of emergency management, and not the former head of the International Arabian Horse Association with no previous background in disaster relief.

I urge my colleagues to vote to allow Representative OBEY the opportunity to offer his amendment. The next natural disaster could happen next week, and we need to restore FEMA's ability to respond to it. I also ask all my colleagues to join me in voting for the underlying bill.

The text of the amendment previously referred to by Ms. SLAUGHTER is as follows:

At the end of the resolution add the following new sections:

SEC. 2. The amendment specified in section 3 shall be in order at any time during the consideration of a motion to suspend the rules and pass H.R. 3673. Such amendment shall be considered as read, shall be debatable for one hour equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for a division of the question. All points of order against such amendment are waived.

SEC. 3. The amendment by Representative OBEY referred to in Section 2 is as follows:

AMENDMENT TO H.R. _____, AS REPORTED
OFFERED BY MR. OBEY OF WISCONSIN

At the end of the bill, insert before the section containing the short title the following:

SEC. ____ **FEDERAL EMERGENCY MANAGEMENT AGENCY.**

(a) **INDEPENDENT ESTABLISHMENT.**—The Federal Emergency Management Agency shall be an independent establishment in the executive branch.

(b) **DIRECTOR.**—

(1) **IN GENERAL.**—The Agency shall be headed by a Director, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall report directly to the President. The Director of the Federal Emergency Management Agency shall be compensated at the rate provided for at level I of the Executive Schedule under section 5312 of title 5, United States Code.

(2) **QUALIFICATIONS.**—The Director of the Federal Emergency Management Agency shall be appointed from among persons who have significant experience, knowledge, training, and expertise in the area of emergency preparedness, response, recovery, and mitigation as related to natural disasters and other national cataclysmic events.

(3) **TERM OF OFFICE.**—The term of office of an individual appointed as the Director shall be 5 years.

(c) **DEPUTY DIRECTOR.**—

(1) **IN GENERAL.**—There shall be in the Federal Emergency Management Agency one Deputy Director, who shall be appointed by the President, by and with the advice and consent of the Senate. The Deputy Director shall be compensated at the rate provided for at level II of the Executive Schedule under section 5313 of title 5, United States Code.

(2) **QUALIFICATIONS.**—The Deputy Director shall be appointed from among persons who have extensive background in disaster response and disaster preparedness.

(3) **RESPONSIBILITIES.**—Subject to the direction and control of the Director of the Fed-

eral Emergency Management Agency, the Deputy Director shall have primary responsibility within the Agency for natural disasters and non-natural disasters, including large-scale terrorist attacks.

(d) **TRANSFER OF FUNCTIONS.**—There shall be transferred to the Director of the Federal Emergency Management Agency—

(1) the functions (including the functions under paragraphs (3) and (8) of section 430(c) of the Homeland Security Act of 2002 (6 U.S.C. 238(c)), personnel, assets, and liabilities of the Department of Homeland Security relating to the Federal Emergency Management Agency; and

(2) the functions of the Department of Homeland Security under sections 502 (other than paragraph (2)) and 503(1) of the Homeland Security Act of 2002 (6 U.S.C. 312, 313), and the personnel, assets, and liabilities of the Department relating to such functions.

(e) **TRANSITION PERIOD.**—The transfers under this section shall be carried out as soon as practicable, but no later than the 120th day following the date of enactment of this section. During the transition period, the Secretary of Homeland Security shall provide to the Director of the Federal Emergency Management Agency such assistance, including the use of personnel and assets, as the Director may request in preparing for the transfer.

(f) **PERSONNEL PROVISIONS.**—

(1) **APPOINTMENTS.**—The Director of the Federal Emergency Management Agency may appoint and fix the compensation of such officers and employees, including investigators, attorneys, and administrative law judges, as may be necessary to carry out the respective functions transferred under this section. Except as otherwise provided by law, such officers and employees shall be appointed in accordance with the civil service laws and their compensation fixed in accordance with title 5, United States Code.

(2) **EXPERTS AND CONSULTANTS.**—The Director of the Federal Emergency Management Agency may obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code, and compensate such experts and consultants for each day (including traveltime) at rates not in excess of the rate of pay for level IV of the Executive Schedule under section 5315 of such title. The Director of the Federal Emergency Management Agency may pay experts and consultants who are serving away from their homes or regular place of business, travel expenses and per diem in lieu of subsistence at rates authorized by sections 5702 and 5703 of such title for persons in Government service employed intermittently.

(g) **DELEGATION AND ASSIGNMENT.**—Except where otherwise expressly prohibited by law or otherwise provided by this section, the Director of the Federal Emergency Management Agency may delegate any of the functions transferred to the Director of the Federal Emergency Management Agency by this section and any function transferred or granted to such Director after the effective date of this section to such officers and employees of the Federal Emergency Management Agency as the Director may designate, and may authorize successive redelegations of such functions as may be necessary or appropriate. No delegation of functions by the Director of the Federal Emergency Management Agency under this section or under any other provision of this section shall relieve such Director of responsibility for the administration of such functions.

(h) **REORGANIZATION.**—The Director of the Federal Emergency Management Agency is authorized to allocate or reallocate any function transferred under section 201 among

the officers of the Federal Emergency Management Agency, and to establish, consolidate, alter, or discontinue such organizational entities in the Federal Emergency Management Agency, as may be necessary or appropriate.

(i) RULES.—The Director of the Federal Emergency Management Agency is authorized to prescribe, in accordance with the provisions of chapters 5 and 6 of title 5, United States Code, such rules and regulations as the Director determines necessary or appropriate to administer and manage the functions of the Federal Emergency Management Agency.

(j) TRANSFER AND ALLOCATIONS OF APPROPRIATIONS AND PERSONNEL.—Except as otherwise provided in this section, the personnel employed in connection with, and the assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, used, held, arising from, available to, or to be made available in connection with the functions transferred by this section, subject to section 1531 of title 31, United States Code, shall be transferred to the Federal Emergency Management Agency. Unexpended funds transferred pursuant to this subsection shall be used only for the purposes for which the funds were originally authorized and appropriated.

(k) INCIDENTAL TRANSFERS.—The Director of the Office of Management and Budget, at such time or times as the Director shall provide, is authorized to make such determinations as may be necessary with regard to the functions transferred by this section, and to make such additional incidental dispositions of personnel, assets, liabilities, grants, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds held, used, arising from, available to, or to be made available in connection with such functions, as may be necessary to carry out the provisions of this section. The Director of the Office of Management and Budget shall provide for the termination of the affairs of all entities terminated by this section and for such further measures and dispositions as may be necessary to effectuate the purposes of this section.

(l) EFFECT ON PERSONNEL.—

(1) IN GENERAL.—Except as otherwise provided by this section, the transfer pursuant to this section of full-time personnel (except special Government employees) and part-time personnel holding permanent positions shall not cause any such employee to be separated or reduced in grade or compensation for one year after the date of transfer of such employee under this section.

(2) EXECUTIVE SCHEDULE POSITIONS.—Except as otherwise provided in this section, any person who, on the day preceding the effective date of this section, held a position compensated in accordance with the Executive Schedule prescribed in chapter 53 of title 5, United States Code, and who, without a break in service, is appointed in the Federal Emergency Management Agency to a position having duties comparable to the duties performed immediately preceding such appointment shall continue to be compensated in such new position at not less than the rate provided for such previous position, for the duration of the service of such person in such new position.

(m) SAVINGS PROVISIONS.—

(1) CONTINUING EFFECT OF LEGAL DOCUMENTS.—All orders, determinations, rules, regulations, permits, agreements, grants, contracts, certificates, licenses, registrations, privileges, and other administrative actions—

(A) which have been issued, made, granted, or allowed to become effective by the President, any Federal agency or official thereof, or by a court of competent jurisdiction, in

the performance of functions which are transferred under this section, and

(B) which are in effect at the time this section takes effect, or were final before the effective date of this section and are to become effective on or after the effective date of this section,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or revoked in accordance with law by the President, the Director of the Federal Emergency Management Agency or other authorized official, a court of competent jurisdiction, or by operation of law.

(2) PROCEEDINGS NOT AFFECTED.—The provisions of this section shall not affect any proceedings, including notices of proposed rule-making, or any application for any license, permit, certificate, or financial assistance pending before the Federal Emergency Management Agency at the time this section takes effect, with respect to functions transferred by this section but such proceedings and applications shall continue. Orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this section had not been enacted, and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or revoked by a duly authorized official, by a court of competent jurisdiction, or by operation of law. Nothing in this paragraph shall be deemed to prohibit the discontinuance or modification of any such proceeding under the same terms and conditions and to the same extent that such proceeding could have been discontinued or modified if this section had not been enacted.

(3) SUITS NOT AFFECTED.—The provisions of this section shall not affect suits commenced before the effective date of this section, and in all such suits, proceedings shall be had, appeals taken, and judgments rendered in the same manner and with the same effect as if this section had not been enacted.

(4) NONABATEMENT OF ACTIONS.—No suit, action, or other proceeding commenced by or against the Federal Emergency Management Agency, or by or against any individual in the official capacity of such individual as an officer of the Federal Emergency Management Agency, shall abate by reason of the enactment of this section.

(5) ADMINISTRATIVE ACTIONS RELATING TO PROMULGATION OF REGULATIONS.—Any administrative action relating to the preparation or promulgation of a regulation by the Federal Emergency Management Agency relating to a function transferred under this section may be continued by the Federal Emergency Management Agency with the same effect as if this section had not been enacted.

(n) REFERENCES.—Any reference in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or pertaining to a department, agency, or office from which a function is transferred by this section—

(1) to the head of such department, agency, or office is deemed to refer to the head of the department, agency, or office to which such function is transferred; or

(2) to such department, agency, or office is deemed to refer to the department, agency, or office to which such function is transferred.

(o) CONFORMING AMENDMENTS AND REPEALS.—

(1) HOMELAND SECURITY ACT OF 2002.—

(A) SECTION 504.—Section 504(a) of the Homeland Security Act of 2002 (6 U.S.C. 314(a)) is amended by striking “, major disaster,”.

(B) REPEALS.—The following provisions of the Homeland Security Act of 2002 (6 U.S.C. 101 et seq.) are repealed:

(i) Section 2(11).

(ii) Section 503(1).

(iii) Section 507.

(iv) Section 508.

(2) TITLE 5, UNITED STATES CODE.—

(A) DIRECTOR.—Section 5312 of title 5, United States Code, is amended by adding at the end the following:

* * * * *

(B) DEPUTY DIRECTOR.—Section 5313 of title 5, United States Code, is amended by adding at the end the following:

* * * * *

(3) ADDITIONAL CONFORMING AMENDMENTS.—

(A) RECOMMENDED LEGISLATION.—After consultation with the appropriate committees of the Congress and the Director of the Office of Management and Budget, the Director of the Federal Emergency Management Agency shall prepare and submit to Congress recommended legislation containing technical and conforming amendments to reflect the changes made by this section.

(B) SUBMISSION TO CONGRESS.—Not later than 6 months after the effective date of this section, the Director of the Federal Emergency Management Agency shall submit the recommended legislation referred to under subsection (a).

(p) LIMITATION ON STATUTORY CONSTRUCTION.—Nothing in this section shall be construed to limit the primary mission of the Department of Homeland Security set forth in subparagraphs (A), (B), (E), (F), (G), and (H) of section 101(b) of the Homeland Security Act of 2002 (6 U.S.C. 111(b)).

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

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

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

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

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

The Sergeant at Arms will notify absent Members.

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

The vote was taken by electronic device, and there were—yeas 221, nays 193, not voting 19, as follows:

[Roll No. 458]

YEAS—221

Aderholt	Boozman	Crenshaw
Akin	Boustany	Culberson
Alexander	Bradley (NH)	Cunningham
Bachus	Brown (SC)	Davis (KY)
Barrett (SC)	Brown-Waite,	Davis, Jo Ann
Bartlett (MD)	Ginny	Davis, Tom
Barton (TX)	Burgess	Deal (GA)
Bass	Burton (IN)	DeLay
Beauprez	Calvert	Dent
Biggart	Camp	Diaz-Balart, L.
Bilirakis	Cannon	Diaz-Balart, M.
Bishop (UT)	Cantor	Doolittle
Blackburn	Capito	Drake
Blunt	Carter	Dreier
Boehlert	Castle	Duncan
Boehner	Chabot	Ehlers
Bonilla	Chocola	English (PA)
Bonner	Coble	Everett
Bono	Cole (OK)	Feeney

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

Abercrombie	Dingell	Larsen (WA)
Ackerman	Doggett	Larson (CT)
Allen	Doyle	Lee
Andrews	Emanuel	Levin
Baca	Engel	Lewis (GA)
Baird	Etheridge	Lipinski
Baldwin	Evans	Lofgren, Zoe
Barrow	Farr	Lowey
Bean	Fattah	Markey
Becerra	Filner	Marshall
Berman	Flake	Matheson
Berry	Ford	Matsui
Bishop (GA)	Frank (MA)	McCarthy
Bishop (NY)	Gordon	McCollum (MN)
Blumenauer	Green, Al	McDermott
Boren	Green, Gene	McGovern
Boucher	Grijalva	McKinney
Boyd	Gutierrez	McNulty
Brady (PA)	Harman	Meehan
Brown (OH)	Hastings (FL)	Meek (FL)
Brown, Corrine	Hereth	Meeks (NY)
Capps	Higgins	Michaud
Capuano	Hinchey	Millender-
Carnahan	Hinojosa	McDonald
Carson	Holden	Miller (NC)
Case	Holt	Miller, George
Clay	Honda	Mollohan
Cleaver	Hooley	Moore (WI)
Clyburn	Hoyer	Moran (VA)
Conyers	Inslee	Murtha
Cooper	Israel	Nadler
Costa	Jackson (IL)	Neal (MA)
Costello	Jackson-Lee	Obey
Cramer	(TX)	Ortiz
Crowley	Jefferson	Owens
Cuellar	Johnson, E. B.	Pallone
Cummings	Jones (OH)	Pascrell
Davis (AL)	Kanjorski	Pastor
Davis (CA)	Kaptur	Payne
Davis (IL)	Kennedy (RI)	Pelosi
Davis (TN)	Kildee	Peterson (MN)
DeFazio	Kilpatrick (MI)	Pomeroy
DeGette	Kind	Price (NC)
Delahunt	Kucinich	Rahall
DeLauro	Lantos	Rangel

NOES—179

Reyes
 Ross
 Rothman
 Roybal-Allard
 Rush
 Ryan (OH)
 Sabo
 Salazar
 Sánchez, Linda
 T.
 Sanders
 Schakowsky
 Schiff
 Schwartz (PA)
 Scott (GA)
 Scott (VA)

Serrano
 Sherman
 Skelton
 Slaughter
 Smith (WA)
 Snyder
 Solis
 Spratt
 Stark
 Strickland
 Stupak
 Tancredo
 Tanner
 Tauscher
 Thompson (CA)
 Thompson (MS)

Tierney
 Towns
 Udall (CO)
 Udall (NM)
 Van Hollen
 Velázquez
 Vislosky
 Wasserman
 Schultz
 Waters
 Watson
 Watt
 Waxman
 Wexler
 Woolsey
 Wu

NOT VOTING—19

Baker
 Berkley
 Brady (TX)
 Butterfield
 Buyer
 Conaway
 Cubin

Emerson
 Hyde
 Maloney
 McCrery
 Melancon
 Napolitano
 Oberstar

Oliver
 Sanchez, Loretta
 Taylor (MS)
 Weiner
 Young (AK)

□ 1156

Mr. RAHALL and Ms. WASSERMAN SCHULTZ changed their vote from "aye" to "no."

Mr. LANGEVIN changed his vote from "no" to "aye."

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

ANNOUNCEMENT BY THE SPEAKER
PRO TEMPORE

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

Record votes on postponed questions will be taken later today.

NATIONAL FLOOD INSURANCE
PROGRAM ENHANCED BORROWING
AUTHORITY ACT OF 2005

Mr. NEY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3669) to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program.

The Clerk read as follows:

H.R. 3669

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 "National Flood Insurance Program Enhanced Borrowing Authority Act of 2005".

SEC. 2. INCREASE IN BORROWING AUTHORITY.

The first sentence of subsection (a) of section 1309 of the National Flood Insurance Act of 1968 (42 U.S.C. 4016(a)) is amended by inserting before the period at the end the following: "; except that, through September 30, 2008, clause (2) of this sentence shall be applied by substituting '\$3,500,000,000' for '\$1,500,000,000'".

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). Pursuant to the rule, the gentleman from Ohio (Mr.

NEY) and the gentleman from Massachusetts (Mr. FRANK) each will control 20 minutes.

The Chair recognizes the gentleman from Ohio (Mr. NEY).

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

Mr. Speaker, today I rise in support of H.R. 3669, the National Flood Insurance Program Enhanced Borrowing Authority Act of 2005.

This is an important bill. This legislation increases FEMA's borrowing authority for flood insurance by \$2 billion and will go a long way in helping the Department's flood insurance response. This bill will ensure the program has sufficient funding on a cash basis in the short term. It will also allow FEMA to continue payment of the initial claims resulting from Hurricane Katrina while the administration further evaluates the extent of the damage and the most appropriate means to cover all potential claims.

□ 1200

In the aftermath of Hurricane Katrina, the Federal and local governments now face the Herculean task of coordinating the relocation of thousands upon thousands of individuals and families whose lives have been torn apart by devastation and rising floodwaters.

There are more than 78,000 people now in shelters who will be requiring short-term and long-term-range housing solutions. In fact, today we had a roundtable with the gentleman from North Carolina (Mr. MILLER) and the gentleman from Massachusetts (Mr. FRANK) and the gentlewoman from California (Ms. WATERS), and this very issue was talked about and the magnitude of it and the importance of it and the urgency of it.

In addition, it has been estimated that up to 360,000 residential mortgages could be negatively affected by the damage caused by the hurricane across the gulf region. Conservative estimates on residential and commercial property damage are in the range of \$20 billion.

Floods have been and continue to be one of the most destructive and most costly natural hazards to our Nation. During this past year alone, there have been three major floods in my area in Ohio. All three of these incidents qualified for Federal relief, granted by the President. Recent flooding in January this year resulted in historic levels in several local dams, and in Tuscarawas County, a community I represent, 7,000 people were displaced and forced to evacuate. So I have witnessed firsthand what floods can do. But I will tell my colleagues that, of course, the magnitude of what is going on down south is beyond belief.

Last Congress, the Committee on Financial Services spent considerable time and effort on legislation to reauthorize and reform the National Flood Insurance Program. On June 30, 2004, President Bush signed into law the

Flood Insurance Reform Act. This legislation reauthorizes the National Flood Insurance Program, NFIP, through September 2008.

The major goal of the Flood Insurance Reform Act last Congress was to reauthorize and reform the program with an eye toward maintaining the financial viability of the NFIP. While some provisions were included to address administrative and procedural concerns regarding it, we did not focus on issues that were procedural in nature such as the filing of claims, the timeliness of response to the claims filing, policyholder education, and insurance agent sales and training. Consequently, the Subcommittee on Housing and Community Opportunity has continued to review the National Flood Insurance Program in an effort to determine what changes need to be made to address the program's shortcomings.

In addition to a request for a GAO study, our subcommittee has conducted three hearings this year on this important program, including a field hearing 2 weeks ago in rural Ohio. As the damage assessments and insurance claims begin to come in from the gulf coast region, we will be continuing our oversight of the NFIP and to look for possible legislative solutions that make this program as efficient and responsive as it can be.

The National Flood Insurance Program is a valuable tool in addressing the losses incurred to this country due to floods. It assures that businesses and families have access to affordable flood insurance that would not be available on the open market. Clearly, we need to continue our review of this program and to take steps to make sure it is meeting the needs of those for whom it was intended.

In times like these, it is more important than ever for Americans to stand united in helping our fellow citizens. The House of Representatives will continue to stand with the people of the gulf coast and our colleagues who represent those areas throughout this effort, and we encourage Americans who want to help to contact charitable organizations in their areas.

America has overcome challenges in the past. As Members of the House and, specifically, the Committee on Financial Services, we are prepared to roll up our sleeves and do the hard work to overcome this tragedy. Increasing FEMA's borrowing authority for the National Flood Insurance Program is just one step in the process of helping those who have been affected by Katrina's waters.

I would like to thank the gentleman from Ohio (Chairman OXLEY) for his expeditious work in sending this bill to the floor. I would also like to thank the gentleman from Louisiana (Chairman BAKER), the gentlewoman from California (Ms. WATERS), the gentlewoman from Florida (Ms. GINNY BROWN-WAITE), the gentleman from Alabama (Mr. DAVIS), and especially

thank the gentleman from Massachusetts (Mr. FRANK) for helping us to move this legislation.

I urge the adoption of this important piece of legislation.

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

Mr. FRANK of Massachusetts. Mr. Speaker, preliminarily, I yield myself 1 minute just to introduce as our first speaker the gentleman from Oregon (Mr. BLUMENAUER).

The gentleman from Ohio correctly noted that we made our committee and the Congress follow some very substantial improvements from the standpoint both of fiscal responsibility and environmental sensitivity to the flood insurance program. Now, we obviously did not have in mind at that point something of this particular disastrous consequence, but we did put into the law, for the first time really, some of the environmentally important issues that should be there. I am hoping that elsewhere, as we go through the appropriations process, that program will be fully funded, particularly in the proposals for mitigation.

But on our side, it was a genuinely bipartisan issue. The former Member, the gentleman from Nebraska (Mr. Bereuter), collaborated with the gentleman from Oregon (Mr. BLUMENAUER).

Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. BLUMENAUER), who was the main co-author of that important reform in flood insurance.

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentleman's courtesy in permitting me to speak and allowing this to move forward. I appreciate his leadership and partnership with the gentleman from Ohio (Chairman OXLEY) and the gentleman from Ohio (Chairman NEY) for the follow-through on the important flood insurance reform that was, as he mentioned a moment ago, enacted this last year.

The committee has been focused on making sure that the promise of flood insurance reform is, in fact, realized. While our hearts go out to those who have suffered what has happened in the gulf region, I think the spotlight of this terrible catastrophe will help us follow through on the important work that we have started with the committee and in terms of dealing with the flood insurance program.

I acknowledge that what we are doing here today is an important, necessary step. The additional \$2 billion in borrowing authority is unprecedented, but the floods are unprecedented. I think we should acknowledge on the floor that this is just the down payment; that the \$2 billion, by no stretch of the imagination, is likely to be enough. We are probably going to be back asking for another \$2 billion or \$4 billion before we are done, but it is important to allow FEMA to move forward at this point.

I hope that this will enable us to provide a platform for further reform. I

hope, and I appreciate the prodding that the subcommittee did earlier with FEMA and its performance. It is appalling to me that FEMA never pushed forward requesting the mitigation funds that were authorized. Now we have the money in the House version of the appropriations bill, but we need to move forward to see to it that this Congress puts money in place that will move people out of harm's way.

I hope the committee will work with us to look at other adjustments that may be necessary in the flood insurance program. Certainly the notion that people who live protected by levees, and I use the term "levee protection" advisedly, may not need flood insurance. Well, I think we are seeing an example of where, in fact, they probably do need flood insurance.

I think there are other questions that we need to explore. I know the Committee on Financial Services is exploring other aspects; and I appreciate consultation with the gentleman from Massachusetts (Ranking Member FRANK), is about issues in terms of the viability of small financial institutions that have been wiped out. Well, I hope that with the same spirit of necessary reform and accommodation, we can look at how we finance the flood insurance. Can we afford to put \$2 billion, \$4 billion, \$6 billion of additional flood losses on the backs of 4 million policyholders? It seems to me from a distance that that would be both unfair and undesirable.

I hope that this is the first step to be able to move forward with these longer-term reforms. I appreciate the work that the committee is doing. I appreciate moving forward with this expeditiously, but our work has just begun, and I look forward to working with my colleagues on these next important steps.

Mr. NEY. Mr. Speaker, I yield 5 minutes to the gentleman from Virginia (Mrs. JO ANN DAVIS).

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I would like to engage in a colloquy with the gentleman from Ohio (Chairman NEY).

Is it the gentleman's understanding that Congress should and will continue to assess and address ongoing problems with the National Flood Insurance Program?

Mr. NEY. Mr. Speaker, if the gentleman will yield, yes, that is my understanding.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, as the gentleman knows, this legislation will allow FEMA to provide much-needed relief to the residents of the Gulf Coast as they rebuild their homes and their lives, as well it should.

However, many residents in my district are still struggling to rebuild following Hurricane Isabel which struck Virginia in 2003. Some are still living in FEMA trailers and many have been shattered to learn that the flood insurance will not cover their losses. I have spoken to many misled policyholders who have had their claims mismanaged

by the National Flood Insurance Program.

I would like to work with the gentleman to see that my constituents are treated fairly and to fix the system so that victims of Katrina do not have the same problems that we have seen in my district and other districts across the country.

Mr. NEY. Mr. Speaker, I agree with the gentlewoman, and I also want to commend her for her work product and the time that she has put in on the Committee on Financial Services. She has definitely added to and benefited us to be able to work through these programs and to make these reforms, and we have appreciated all of that input from the gentlewoman. It has been invaluable. The gentlewoman's testimony earlier this year regarded the lingering effects of Hurricane Isabel and the numerous problems that her constituents had in processing claims and payments of the National Flood Insurance Program.

I share the gentlewoman's concerns that these problems will increase in the wake of this recent hurricane, no doubt; and I anticipate that we will need to conduct further oversight hearings on FEMA's administration of the program. The committee has already held three hearings on the NFIP this year and, as I mentioned, most recently one in my district in Ohio. We have heard numerous stories about inaccurate flood maps, delayed and inaccurate claim payments, and misunderstandings about the nature and extent of flood policy coverage. I know the gentlewoman has heard about that too and has done her level best to respond to her constituents, which I know they appreciate.

As a result, we have asked the GAO to conduct a study of the NFIP, and I pledge to continue to ensure that the program meets the needs of the people it was designed to assist. I really look forward to working with the gentlewoman to meet those ends to do what is right for your constituents and the Nation when it comes to continuing to reform and work with this program.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I thank the gentleman from Ohio, and I look forward to continuing to work with him on issues related to the National Flood Insurance Program.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I yield myself such time as I may consume.

Obviously, there is a great degree of support in the Congress for getting the money out right away. We have people who were victims of this flood, and they have been victims in a number of ways. This is one small piece of the compensation that goes to them. There will be people who will be uncompensated, people who did not have flood insurance, people who are not able to make the kind of partial payment that is required, but the least we can do is to make this payment.

But as we vote quickly to send this money, we need to work in the next few weeks and months to deal with and resolve some broader questions.

I believe that the country has suffered over the past decade, and it is particularly suffering now, from a philosophy that has undervalued the need for us as a civilized people to come together and work together on some things. We are a society run, to a great extent, according to the principles of the free market of private capital. It is a wonderful system for generating wealth. The goods and services that are produced through the free market system benefit all of us, and that free market system leads to the best possible production.

The problem comes with people who are so enamored of that system that they value it not only for what it does, but for what it does not do, is not supposed to do, and should not be burdened with trying to do. That is, there are in this society a number of very important values that we have as civilized people with a moral commitment to each other's well-being that can only be done if we pool our resources.

Let us take the specific issue we are now talking about: insurance. The insurance industry is a private industry. It is an industry that provides important services to people, that provides jobs for people, that pools resources and provides investment capital. But even in the area of insurance, we have recognized historically, there are some gaps.

The very existence of the Federal Flood Insurance Program, which we are here today financing, is an acknowledgment that there are limits to the private system. Private insurance, we have decided as a society, cannot handle the flood question, so the government must step in. I say that because it has become fashionable to denounce government, to take credit for less government. Well, less government, what does that mean? Less FEMA, less flood insurance, less for the Corps of Engineers?

This is an example. We are here today to provide more government. We are here today to provide public resources, \$2 billion. By the way, this \$2 billion, we are authorizing the flood insurance program to borrow it. They are going to borrow it from the Treasury. They will be borrowing it from the Treasury which will, of course, in turn borrow it from the capital markets, from the American people, from China, and from everybody else who lends us money. That is the second point I want to make.

As we now acknowledge after this terrible disaster and an inadequate response to the disaster, partly caused by a failure to appreciate the importance of our coming together through government to perform important functions, we will be spending a great deal of additional money. We are adding this \$2 billion, I assume, to the deficit, let us be clear.

□ 1215

We are not having any offsets. And this is a very small part of what we are doing. The time has come to recognize that we have over these past years left this Federal Government with too little in the way of resources to carry out our purposes. And we talk a lot about values and about the moral purposes we seek to achieve. I believe strongly that morality ought to be an element of public policy. I believe that we have not fulfilled our moral duty to the poorest people and working people and lower middle income people in New Orleans and elsewhere who have not been treated fairly as they were victimized.

That is a moral question. It is a moral question when people are left behind because they do not have the resources to leave and other people leave. It is a moral question when people are not rescued when they could be rescued. It is a moral question when we let people live now in conditions brought about by this flood that are not decent conditions for human beings.

And part of the answer, not all of the answer, but a necessary part of the answer is for the government to have the resources. And those who subscribe to the view that we must here in this House carry out our moral duty to each other should understand one of our moral duties right now is to go to people in need, to people who are frail, who are ill, who are young, who are old, who are in good health, but who have been reduced by physical forces to circumstances that no one of us would want to live in.

And only if we come together through this mechanism called government, and only if we give this mechanism called government resources, tax money, because that is where the money comes from, will we have the capacity to discharge our fundamental moral duty. We talk a lot about family values. Let us value the families that have been so badly battered by this hurricane and whose condition was exacerbated by an inadequate response by the rest of the country.

I cannot think of a better demonstration of family values than to go to the families living in Astrodomes and Superdomes and other places, hardly adequate for a family to live in. Let us go show our family values by doing whatever we can. We can never make people whole in the situation, but let us try to alleviate their misery.

Well, again, we are borrowing \$2 billion today, and I am glad we are doing that because we need to get to their aid. But it is a very small part of what we need to do. But I hope that this \$2 billion will not stay borrowed. This \$2 billion, a very small piece of what we need to do, underlines the importance of our, let me put it this way.

We have, I think, a greater recognition of the value of government than we used to. I have not heard anybody today boast about how much they have reduced government. Indeed, I have

heard virtually universal insistence that the government has got to do more in housing. We have got to do a better job with the Corps of Engineers, and we have got to do a better job with the EPA to deal with the terrible environmental problems that will result from this. We have to increase Medicaid funding at the Federal level for some of the States that are receiving people. We have to provide more funding for education. We are going to have to rebuild streets; we are going to have to pay police officers overtime.

There will be enormous demands on this government for money. And what does that mean? It means enormous demands that we recognize our moral obligation to each other and each other's families to alleviate the effects of the disaster. Let us not just borrow that money. Let us not just add it to the deficit. The time has come to say that we have left ourselves inadequately prepared to deal with this.

For anyone, an individual, a company, a nonprofit institution or a government to live deliberately and consciously on the edge is irresponsible, but that is what we have done to ourselves in this country. We have so reduced the resources available to this Federal Government that when this terrible disaster hit, we left ourselves inadequately prepared financially to deal with it. We did not do enough because of financial problems in the past.

But let us now say, okay, we now understand this. There is a war going on in Iraq. I opposed it, but the war is there, and it imposes costs on us. There is still an effort in Afghanistan which I supported. Now we have this disaster. The time has come to recognize that this government, the instrument of our collective moral capacity in this instance, and volunteers will be very helpful, and I salute the volunteers who have done this.

But no one thinks that individual volunteerism is going to resolve this crisis. There needs to be a common effort, coordinated and organized; and that means government. So for those who have joined in the insistence that we spend more, we have spent \$50 billion in the supplemental, \$2 billion here, and then we will do more in housing. And the gentleman from Ohio (Mr. NEY), who has been a great leader for us in the housing area, his committee. As we sit here today and stand here today, in another part of this complex a meeting is going on. The gentleman from Ohio, to his credit, convened all of the groups dealing with housing, low-income advocates, public officials, manufactured housing, homebuilders, people who finance housing. They are giving us an important set of ideas about how to respond.

Now, some of them can be done by cutting red tape and by giving flexibility. They do not all cost money. But some of them cost money. You cannot take people who have lost physical homes and house them decently without money. So we have in every area

virtually where the Federal Government is involved a need to spend more money. The height of irresponsibility would be, it seems to me, to join in this insistence on spending more money and to refuse to address the revenue problems of the government.

How can you be in favor of spending hundreds of billions perhaps, certainly well over a hundred billion extra in addition to everything else we have been spending, but say, oh, and by the way let us cut some more revenue from the government. Let us leave the government less able to do this. And understand that people said, well, it will be a deficit and we can live with a deficit.

This absence of resources puts a constraint on spending. Of course spending should not be wasteful. But it is clear, if you look, I have been here, we have done these appropriations, and appropriations chairman after appropriations chairman has come up and said, you know, I agree, we do not have enough money here. I wish we had more money for housing. I wish we had more money for transportation. I wish we could have done more for medical research. I wish we could have done more for environmental cleanup. But given the budgets, that is all we could do.

In other words, the self-imposed restriction has hurt us. Previously, it was maybe a philosophical debate. Today, it is a moral necessity. It simply is not, it seems to me, morally acceptable, it is not in consonance with family values to continue to deprive ourselves of the resources we need to meet these needs. And so I support this two billion, and I will support many billions more, tens of billions more. But I will also support changing some of the policies of the past.

The wealthiest people in this country, people who make more than \$500,000 a year in income, I think it is reasonable for us to say to them, you know, over the past few years, your taxes have been reduced and you have profited. The time has come for us to undo some of those tax breaks. Leave in place everything up to \$500,000, if that is what you want to do. I would change it even further. But at the very least can we not say that people's incomes above \$500,000 should no longer get the tax reduction they got? None of them will be hurting. None of them will be competing for space in the shelters. None of them will need any reconstruction of their homes. And if we do not do that, no matter how much we say, oh, we do not care, we will just add it to the deficit. We do not care. We will care because nobody is so irresponsible as to totally disregard that deficit impact.

And so if we are going to be true to what we have been saying we want to do, if we are true to our own moral profession, then we have two obligations, one, sensibly, thoughtfully, not wastefully, to spend the resources it is going to take to deal with this problem. And by the way, let us be clear. We do not

want to alleviate this problem by exacerbating others. We do not want people from this area to go and take housing that is already scarce and knock other people out or knock other people's schools out or compete for scarce Medicaid dollars.

We need to increase what we are doing. We need to do a better job of preparing for this in the future. This will take, we all agree, a very large amount of money. It may be fun to spend the money, or at least it is popular. It would not be morally appropriate to spend all this money and to take credit for spending the money without going back and undoing some of the tax reductions so that some of the wealthiest people in this country who have enjoyed great prosperity lose a little of their tax breaks and contributed so at the very least this additional spending will not add to the deficit, will not be a burden for the future; and the fact that it is a deficit will not be a constraint on our willingness to spend what is necessary.

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

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

Mr. Speaker, again, I want to thank the gentleman from Massachusetts (Mr. FRANK) for supporting this and the reforms that we have had. Let me also say something. The gentleman mentioned about what is going on in the rest of the complex. And we are hearing things and looking at a bigger picture in some long-term eyes, but also some short-term eyes. And I think as we go down this path, just to go off of this bill for a second because we are talking about money today and we are going to spend two billion more, but as we also go down this path in the near weeks to come, I think that the Congress is going to have to put its fingerprints, and we are going to work together, but it is going to have to put its fingerprints on some things.

You just take the current system and you throw some money into it and you say here is another X amount of billion dollars, and we do not consider the human need, basic need right now for housing, for transitional housing, to do something about the shelters, the gentlewoman from California (Ms. WATERS) mentioned that today in the meeting. But we are going to have to put our fingerprints on some of it.

We just cannot let it be up to the standard system of here is the money, and the government agency will then decide what it is going to do. Yes, there are certain monies they can do that. There is also going to be certain things that we are going to have to take a good look at and be able to think outside the box for a situation that is very dramatic for people, and it is going to have to be done soon.

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

Mr. FRANK of Massachusetts. Mr. Speaker, I look forward to continuing to work with the gentleman from Ohio

who has been one of the Members who has not been willing to give up our responsibility, and we will work together.

Mr. OXLEY. Mr. Speaker, I rise today in support of H.R. 3669, a bill that would temporarily increase the borrowing authority of the Federal Emergency Management Agency's National Flood Insurance Program.

This bill was introduced by my friend and colleague from Ohio, Mr. NEY, in response to the terrible destruction that has resulted from Hurricane Katrina. Communities across the Gulf Coast from Louisiana, Mississippi, and Alabama have been wiped out. Massive numbers of people are virtual refugees in their own country. And though it will take weeks to determine the full extent of this tragedy, it is likely that thousands of our fellow citizens lost their lives.

For those who survive, the task has turned towards recovery. One of the first things many will be thinking about is whether or not their homes and possessions will be covered by insurance.

Though standard homeowners insurance policies do not cover flood damage, many residents of the areas affected by Katrina were required to purchase flood insurance because their homes were located on a floodplain. As a result, FEMA's National Flood Insurance Program, NFIP, will soon begin the difficult task of assessing damages and paying claims.

Under the National Flood Insurance Act of 1968, FEMA has the authority to borrow up to \$1.5 billion from the Treasury in order to pay flood claims. FEMA has exercised its borrowing privileges in the past and has always repaid the Treasury in full. This \$1.5 billion will be used to ensure that the program has sufficient funding on a cash basis in the short term. Clearly, this will not be enough.

H.R. 3669 will allow the National Flood Insurance Program to borrow an additional \$2 billion, if necessary, to make payments on initial claims while the full extent of the damage is assessed. This borrowing authority is temporary. Like all other such funds requested by the NFIP from Treasury, this money will be paid back in full once the NFIP has had time to recover from the hurricane.

In the meantime, the Financial Services Committee will continue our oversight of the NFIP and work to address any changes that may be necessary in light of Katrina. We in the Congress have put in a great deal of work over the past several years to ensure the viability of the program, culminating in the Bunning-Bereuter-Blumenauer Flood Insurance Reform Act of 2004. This Act expanded the use of mitigation grants and requires homeowners to participate in flood mitigation programs to prevent frequent flood losses. We are now faced with a situation that will surely test the NFIP's ability to quickly verify policies, assess damages, and pay claims. I look forward to working with my colleagues on the Committee, particularly Mr. NEY and Mr. BAKER, to ensure that Americans continue to have access to affordable and effective flood insurance.

I urge my colleagues to join me in assisting Hurricane Katrina victims by supporting final passage of H.R. 3669.

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

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and pass the bill, H.R. 3669.

The question was taken.

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

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

The yeas and nays were ordered.

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

GENERAL LEAVE

Mr. NEY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3669, the bill just considered.

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

There was no objection.

STUDENT GRANT HURRICANE AND DISASTER RELIEF ACT

Mr. BOUSTANY. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3668) to provide the Secretary of Education with waiver authority for students who are eligible for Federal student grant assistance who are adversely affected by a major disaster.

The Clerk read as follows:

H.R. 3668

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 "Student Grant Hurricane and Disaster Relief Act".

SEC. 2. WAIVERS OF STUDENT GRANT ASSISTANCE REPAYMENT BY STUDENTS AFFECTED BY DISASTERS.

Section 484B(b)(2) of the Higher Education Act of 1965 (20 U.S.C. 1091b(b)(2)) is amended by adding at the end the following new subparagraph:

"(E) WAIVERS OF GRANT ASSISTANCE REPAYMENT BY STUDENTS AFFECTED BY DISASTERS.—In addition to the waivers authorized by subparagraph (D), the Secretary may waive the amounts that students are required to return under this section with respect to any other grant assistance under this title if the withdrawals on which the returns are based are withdrawals by students—

"(i) who were residing in, employed in, or attending an institution of higher education that is located in an area in which the President has declared that a major disaster exists, in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170);

"(ii) whose attendance was interrupted because of the impact of the disaster on the student or the institution; and

"(iii) whose withdrawal ended within the academic year during which the designation occurred or during the next succeeding academic year."

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Louisiana (Mr. BOUSTANY) and the gentleman from Michigan (Mr. KILDEE) each will control 20 minutes.

The Chair recognizes the gentleman from Louisiana (Mr. BOUSTANY).

GENERAL LEAVE

Mr. BOUSTANY. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3668.

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

There was no objection.

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

Mr. Speaker, I rise in support of this bill to provide additional relief to students whose higher education plans have been put on hold as a result of the devastation caused by Hurricane Katrina.

Yesterday, the House unanimously approved a bill to ensure that students who were forced to withdraw from college because of a natural disaster are not forced to repay Pell grant aid. I think that bill will provide critical relief to students who are already facing tremendous hardships as a result of this tragedy.

I am pleased today to be taking the next critical step by providing this type of flexibility and protection for students receiving all types of grant aid under title IV of the Higher Education Act.

□ 1230

We need to provide the Secretary of Education the utmost flexibility to meet the needs of students who have lost their homes and communities, and that is exactly what this bill will do.

Each year millions of American students gain access to higher education with the help of Federal student aid. The Federal Government is providing more than \$73 billion in direct financial aid to students for fiscal year 2005 in order to ensure college access for students from all walks of life. I am proud of our tremendous investment in higher education.

Unfortunately, the tragic events of the scope like that which we are seeing on the Gulf Coast were not anticipated in the structure of the Federal student aid programs. The Department of Education lacks the flexibility to waive student aid repayment requirements for students who are forced to withdraw from higher education as a result of a natural disaster.

Waiver authority does exist within student loan programs, and yesterday we provided similar flexibility within the Pell grant program. Today, we are addressing the remaining discrepancy for other types of student financial aid that play a critical role in providing college access to low- and middle-income students.

The bill will protect students from being forced to repay other types of

grant aid under title IV of the Higher Education Act. Some examples of the types of programs protected under this bill would be TRIO, GEAR UP, and the Supplemental Educational Opportunity grants.

Mr. Speaker, this bill is but one small step in what will be a comprehensive, long-term relief effort. However, for many students and families this bill will provide critical relief as they work to rebuild their homes and lives and, ultimately, as they do return to higher education in the future.

Mr. Speaker, I urge my colleagues to join me in support of this bill.

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

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

Mr. Speaker, yesterday I supported the Keller bill to offer relief to Pell grant recipients affected by natural disasters. I rise today to support the Jindal bill to offer relief to those benefiting from other Title IV grant programs like TRIO, LEAP and HEP/CAMP.

It is vital that grant recipients affected by this tragedy be spared the further hardship of repaying a grant they were never able to benefit from. This bill represents a good first step and I am pleased to be a cosponsor.

There is no question that we need to reassess what students and families can actually pay for college after the disaster, since many have lost jobs, homes, resources and valuables. In addition, we must also address the needs of student borrowers stuck paying loans despite job loss, lost income, and other financial hardship.

The 100,000 low- and middle-income students who depend on loans will feel the financial crunch of Katrina. Furthermore, we must address the needs of students with parents in the affected area, but who are attending schools in other parts of the country. Thousands of affected students and graduates will be unable to make payments on their Stafford or Perkins loans.

Currently, Mr. Speaker, students in repayment who are suffering from economic hardship can seek deferment, but we must cut the red tape by allowing any student impacted by a natural disaster to receive an automatic deferment of both the accumulation of interest and the payments.

The Miller/Kildee Katrina College Relief Act does just that. This change would save the average borrower much over the life of their loan.

Graduates already struggling to dig themselves out of their student loan debt must not be penalized because of this tragedy. Enrolled students who are currently receiving Federal aid had their financial aid package calculated based on their expected family contributions, the so-called EFC, which includes parent contributions and contributions of working students. With hundreds of thousands unemployed, including the one in five undergraduates

who were working more than 30 hours a week to support themselves, the calculated expected family contribution may no longer be realistic.

The Miller/Kildee Katrina College Relief Act allows these students to have their EFC student aid packages readjusted to reflect the financial changes the family may have suffered. Affected families have limited resources to aid their recovery.

The little that they do have needs to go toward rebuilding their homes and lives, Mr. Speaker, but this should not mean that their children should have to put their education on the back burner.

Mr. Speaker, I am pleased that the majority leadership has decided to take up the issue of college students impacted by this tragedy. Yet, comprehensive relief is necessary for all students with the financial hardship.

While I support these efforts and commend the majority for doing this, I hope Congress will soon consider a more comprehensive package like the Miller/Kildee Katrina College Relief Act. An extraordinary catastrophe, and this indeed is extraordinary, demands an extraordinary solution. With over 100,000 students from many institutions displaced, Congress must do more.

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

Mr. BOUSTANY. Mr. Speaker, I yield 5 minutes to the gentleman from Louisiana (Mr. JINDAL).

Mr. JINDAL. Mr. Speaker, I want to thank the gentleman from Louisiana (Mr. BOUSTANY) and the gentleman from Ohio (Mr. BOEHNER) for allowing this bill to move so quickly and their time today.

An awful thing happened in my district and an awful thing happened in Louisiana, in Mississippi, and in Alabama. The people of my district, the people of my State, the people of the Gulf Coast have been hit not once but three different times. Many of them that survived the original Hurricane Katrina were then hit by the rising flood waters due to a levee that broke, a levee that is actually located within my district and just a few miles from my home.

Many people that survived the rising flood waters were then victimized a third time by the awful acts of a small number of looters, of people committing violence, and also a lack of basic food, shelter and medicines. We, as a body, owe it to these people to make sure they are not victimized yet again, a fourth time.

That is why I am so proud to be able to sponsor this legislation with so many co-sponsors. That is why I am so proud of my chairman, of the gentleman from Louisiana (Mr. BOUSTANY), and the others that have seen and understood the potentially devastating impact this hurricane might have on thousands of students and their families.

Many students attending colleges and universities when the hurricane hit

have now found it necessary to withdraw from college due to the impact the storm has had on their homes, job, and families. Indeed, many universities in the city of New Orleans are still struggling to figure out how or whether they are going to resume classes in the fall. Not every institution has decided to offer fall classes. So not only are families displaced, not only are many families without their homes, their possessions, many universities and colleges have not yet figured out how they are going to resume or when they are going to resume their instructions.

Indeed, many of these institutions, many of these administrators have not been able to go back and inspect their buildings, inspect the damage, to even know what is left. The records, the buildings, the facilities, many of them are still unreachable and still inaccessible.

Under current law, the Higher Education Act and our Federal financial aid regulations require the schools determine whether students need to refund a portion of the Federal aid they receive in the case of a withdrawal. Our current regulations certainly did not anticipate I think this kind of catastrophe.

The rationale behind the bill we have crafted, my bill, was to do it narrowly and responsibly to protect low-income students who are forced to withdraw from school because of a federally declared natural disaster. My bill would grant the Secretary of Education the waiver authority for purposes of the return of title IV formula funds in the case of a natural disaster in case that natural disaster adversely impacts title IV grant and scholarship recipients and forces them to withdraw from their institution of higher education.

Yesterday, I was proud of this House for passing the Keller bill that grants similar waiver authority for the return of Pell grant funds also in the case of a natural disaster. This bill goes a step further. That is a great first step. This bill builds on that bill. This bill allows us to go a step further and provides waiver authority for additional scholarship and grant funds under title IV.

What do I mean by that? This includes funds like TRIO scholarships, GEAR UP money, Byrd Scholarships, LEAP funds. This bill, in essence, gives the Secretary of Education the ability to exercise the waiver authority in the event of a natural disaster declared by the President. It is the same authority that exists for the student loan program. This waiver authority also exists currently for institutions of higher education; similar waiver authority exists for institutions of higher education that are adversely impacted by natural disasters.

However, even though there is waiver authority for loans, even though there is waiver authority for the institutions, there is currently no authority for the Secretary of Education to work with the Nation's neediest students in

times of catastrophe caused by natural disasters. This authority is important.

It allows the Secretary of Education to ensure that our Nation's neediest students are not put in a worse financial situation where they are forced to withdraw from a natural disaster.

In a previous position, I actually served as the President of the University of Louisiana, the University of Louisiana system. In that system was Delgado Community College. Delgado was located in one of the areas most severely impacted, quite literally in the heart of New Orleans, most severely impacted by the rising waters, by the hurricane.

Also in my system was the Southeastern University, Southeastern Louisiana University, another university located in a region that was hit fairly hard. To their credit, the faculty, the president, the staff have been focused on rescue and recovery efforts. Southeastern has opened up its dorms to house those that had nowhere else to go. They are working with students to welcome them back to campus, sometimes allowing them to bring their families who are otherwise homeless, allowing them to bend the rules to meet human needs.

I think we as a body have an obligation to do the same thing. Instead of just sticking to the red tape, sticking to the rules, we have an obligation to be flexible, to be responsive, to help these neediest students in their time of need.

I am proud of the chairman. I am proud of the different cosponsors. I certainly hope that this passes later today with a unanimous vote from this body to send a strong bipartisan message that we want to help students in need; we do not want them to be victims again. They have suffered through a hurricane. They have suffered through a flood. They have suffered enough. Let us not make them victims a fourth time.

Mr. KILDEE. Mr. Speaker, I commend the gentleman from Louisiana (Mr. JINDAL) for his bill and I look forward to working with him on even broader relief.

Mr. Speaker, I yield 3 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Mr. Speaker, I thank the gentleman from Michigan (Mr. KILDEE) for yielding me time. I also want to commend the gentleman from Louisiana (Mr. JINDAL) for his introduction of this bill, which allows the Secretary of Education to waive grant and scholarships awarded under title IV of the Higher Education Act for students forced to withdraw from classes due to a natural disaster.

By applying to title IV, the bill grants relief to students in the greatest need of financial support in assessing higher education. It also covers students receiving Pell grants, TRIO scholarships, Supplemental Educational Opportunities grants, GEAR UP grants, Byrd scholarships and LEAP funds.

Without action, these students would face incredible financial hardship because they would be responsible for repaying funds at a time of incredible economic and personal difficulty. Without action, we would be erecting barriers in their pursuit of their education.

We need to promote education in every way that we can. And I also support this bill as a first step to helping students overcome the barriers to education imposed by the horrific storm.

In addition, I strongly encourage my colleagues to take additional steps to ease the educational burdens of Katrina. The Miller/Kildee Katrina College Relief Act also grants, and I think it gives us an opportunity to go even further, 6-month deferments to students, and directs the Secretary to recalculate the expected family income that they could contribute to college in light of the catastrophe. These are excellent provisions that would greatly assist the hundreds of thousands of students and families struggling after Katrina.

Again, I want to commend the gentleman from Louisiana (Mr. BOUSTANY) for his introduction of this legislation. I also want to commend the gentleman from Ohio (Mr. BOEHNER), the chairman of the Committee on Education and the Workforce and the ranking member, the gentleman from California (Mr. GEORGE MILLER), for the expeditious manner in which the Committee on Education and the Workforce has addressed the educational needs of students who have been affected by Katrina.

It is a good bill. I support it.

Mr. BOUSTANY. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Ohio (Mr. BOEHNER), the chairman of the Committee on Education and the Workforce.

Mr. BOEHNER. Mr. Speaker, let me thank my colleague from Louisiana (Mr. BOUSTANY) for yielding me time.

I rise in strong support of this bill to provide additional relief to the victims of Hurricane Katrina who have been forced to withdraw from institutions of higher education as they work to rebuild their homes and their community.

The tragedy that has befallen the Gulf Coast region in the wake of Hurricane Katrina, the level of devastation and its impact on American families is truly staggering; and our prayers remain with the residents of that region as well as those who are working on relief and this recovery effort.

□ 1245

We are working closely with the Department of Education to determine how we can best meet the needs of the children, families, teachers, and schools that have been impacted by this tragedy. We have identified an immediate need for action to assist students pursuing higher education who are forced to withdraw because of the

devastation caused by the hurricane, and that is why we are taking action today.

I want to thank the gentleman from Louisiana (Mr. JINDAL) for introducing this bill to provide additional flexibility for students struggling to cope with this unprecedented natural disaster. The bill complements the measure offered yesterday by the gentleman from Florida (Mr. KELLER) to protect students forced to withdraw from higher education as a result of a natural disaster.

This bill will give the Secretary of Education a new flexibility to waive burdensome requirements on students impacted by this or other natural disasters. The bill would ensure students forced to withdraw from higher education because of natural disaster would not be forced to repay their Federal student grant aid, alleviating what could be a major burden for students already coping with this disaster.

This type of waiver authority that we granted yesterday and then again today already exists for the student loan programs and is being provided yesterday by the gentleman from Florida's (Mr. KELLER) bill for Pell grants and then today by the gentleman from Louisiana's (Mr. JINDAL) bill that would allow the Secretary waiver authority for those who may receive grant programs and scholarship programs such as GEAR UP, TRIO, and Supplemental Educational Opportunity Grants.

As we assess the damage in the weeks and months ahead, we will be working with our leadership and our colleagues across the aisle to provide additional resources and additional flexibility to the communities impacted by this tragedy to make sure that all the resources of the Federal Government are available to help each and every American that has been affected.

So, once again, I want to thank the gentleman from Louisiana (Mr. JINDAL), the bill's sponsor, for his work and urge my colleagues to support the bill today.

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

Mr. HOLT. Mr. Speaker, I thank my friend from Michigan for the time.

As we look at repairs of levees and improving public health mechanisms and so forth, many Americans might not realize that there are other things we must tend to. I applaud the gentleman from Louisiana (Mr. JINDAL) for recognizing that we need to help those who are in the midst of their education. This legislation is a good first step on the floor.

I think that the legislation offered by the gentleman from Michigan (Mr. KILDEE) and the gentleman from California (Mr. GEORGE MILLER) and others of us that deals with readjusting what families are expected to pay for college for the current term and making it more than optional for a university to recalculate families contributions and

providing deferment of 6 months for student borrowers, those additional steps I think would be very important. I particularly commend to this body the legislation that is offered by the gentleman from Michigan (Mr. KILDEE) and the gentleman from California (Mr. GEORGE MILLER) and others of us, and I hope that those provisions can be added.

I nevertheless want to strongly support what the gentleman from Louisiana (Mr. JINDAL) has done. It will help many students who are disrupted, whose education would otherwise be disrupted by these activities.

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

Mr. KILDEE. Mr. Speaker, I yield 4 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Mr. Speaker, I thank the distinguished gentleman from Michigan for the time. I might want to take a moment just to say that I cannot thank the gentleman from Michigan (Mr. KILDEE) enough for his commitment to education.

I thank my good friend from Louisiana. It looks like we meet again, trying to improve the lives of so many that I know that you wish we in Texas were not housing, but we thank you so very much for sharing some of the very best people that we have ever had an opportunity to meet.

I want to say that particularly because this legislation is the kind of legislation that I believe should be on the floor every single day as we move toward Thanksgiving. Just imagine what life will be like for these survivors. Thanksgiving, the Christmas holiday, religious holidays that are coming, and literally the town of New Orleans, Biloxi, and places in Alabama have been obliterated by this horrific tragedy.

Many of us have spoken to the issues of an inquiry that we support to find out what happened and when. Many of us have spoken about issues dealing with first responders and why and when and how they could have performed. Many of us have discussed FEMA and discussed the idea of the impact of the military, but all of us are committed to the lives of the victims, those who live, those who have survived; and each step of the way we must move expeditiously to make them the focal point of this business of this Congress.

We may disagree and my colleagues will see us vigorously disagree on the performance of this government, whether or not it collapsed, whether or not we should apologize to the American people; but today, we are going to continue to stand here and unite around a solution.

The Katrina College Relief Act is that solution. It helps the very colleges that are impacted ultimately and the families. We know there are an array of universities in the region. I know of two in particular that impact my community, Dillard and Southern University in New Orleans. We are finding that my university, one of my universities, Texas Southern University, will

be taking in students. The University of Houston will be taking in Tulane students, and others are finding their way across our cities and States across America.

So giving the Secretary of Education authority to waive the amounts of student grants such as Pell and TRIO will be vital in terms of students who have to withdraw from school. Directing the Secretary of Education to immediately readjust how much these families are expected to pay will be vital toward continuing a child's education. Providing student borrowers who live in the affected areas with 6 months of deferment is vital for the survival of these families.

Might I say that I hope we will come to the floor again dealing with the under-21 age group. We know that there are thousands of children in the Texas area, in the Houston area under the age of 15. We have visited in those respective shelters, late into the night, visiting with families, with babies as young as 1 month old, children who are 9 and 10, 13, 14, and 15, who are now living their lives in temporary housing and/or in shelters.

There has to be a focus, possibly of a one-time grant, for the enormous impact on the children of this region, on the children of America.

So this first step dealing with the Katrina College Relief Act, and I applaud the sponsors of this legislation, leaders of this legislation, is just one statement that we are focused on America's children and America's future and that, in fact, those located in Louisiana, Mississippi, and Alabama and the impact regions have our attention. We will not only address the questions of education but we will also fix the provisions that will allow us to directly pay those victims so they can get housing under FEMA and Housing and Urban Development.

This is a good start. It is a plus direction for us to take. It is a unifying direction for us to take; but Mr. Speaker, we have many miles to travel, and I would like to be able to offer ultimately legislation dealing with the children who have been impacted by Katrina.

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

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

First of all, I appreciate very much the very expeditious way in which the majority has approached this problem and look forward to working with them to seek an even more comprehensive way.

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

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

I thank the gentleman from Michigan for his cooperation in this. This bill represents a small, but certain, step toward comprehensive recovery; and I urge its passage.

Ms. JACKSON-LEE of Texas. Mr. Speaker, will the gentleman yield?

Mr. BOUSTANY. I yield to the gentleman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Speaker, I ask to be added as a sponsor of this legislation, and I have to ask before the gentleman finally closes it out, as a cosponsor.

Mr. BOUSTANY. Yes.

Ms. JACKSON-LEE of Texas. I thank the gentleman for yielding.

Mrs. MCCARTHY. Mr. Speaker, I support this bill.

Hurricane Katrina has devastated children, parents, teachers and schools from all over our country.

The school year has just started, and now thousands upon thousands of students have been displaced.

Those which are lucky enough to have been able to begin school in other locations are still dealing with the turmoil of being uprooted not only from their homes but also their community, friends, and classmates.

The instability of their situations must be incredibly difficult and painful to deal with.

Education is one of the most important things we can provide our students with, and it is so important to take care of our young people in this horrible time.

Yesterday we passed a bill which would provide a waiver for Pell Grants.

Today we are going to pass a bill which will waive other Title IV requirements to other programs such as TRIO, Academic Achievement Incentive Scholarship, Child Care Access Means Parents in School (CAMPIS), Supplemental Educational Opportunity Grants (SEOG), Leveraging Educational Assistance Partnership (LEAP/SLEAP), High School Equivalency Program (HEP), College Assistance Migrant Program (CAMP), and the Robert Byrd Scholarship Program.

These are good first starts, but in the coming days we need to do even more.

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

The SPEAKER pro tempore (Mr. RYAN of Wisconsin). The question is on the motion offered by the gentleman from Louisiana (Mr. BOUSTANY) that the House suspend the rules and pass the bill, H.R. 3668.

The question was taken.

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

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

The yeas and nays were ordered.

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

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3650. An act to allow United States courts to conduct business during emergency conditions, and for other purposes.

The message also announced that the Senate has passed a bill of the fol-

lowing title in which concurrence of the House is requested:

S. 1634. An act to allow United States courts to conduct business during emergency conditions, and for other purposes.

TANF EMERGENCY RESPONSE AND RECOVERY ACT OF 2005

Mr. THOMAS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3672) to provide assistance to families affected by Hurricane Katrina, through the program of block grants to States for temporary assistance for needy families, as amended.

The Clerk read as follows:

H.R. 3672

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 "TANF Emergency Response and Recovery Act of 2005".

SEC. 2. ADVANCE PAYMENT OF TANF BLOCK GRANTS FOR THE FIRST QUARTER OF FISCAL YEAR 2006.

(a) IN GENERAL.—Notwithstanding section 405 of the Social Security Act, the Secretary of Health and Human Services shall pay each grant payable under section 403 of such Act for the first quarter of fiscal year 2006, as soon as practicable after the date of the enactment of this Act.

(b) EXTENSION OF THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES BLOCK GRANT PROGRAM THROUGH DECEMBER 31, 2005.—

(1) IN GENERAL.—Activities authorized by part A of title IV of the Social Security Act, and by section 1108(b) of such Act, shall continue through December 31, 2005, in the manner authorized for fiscal year 2005, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority through the first quarter of fiscal year 2006 at the level provided for such activities through the first quarter of fiscal year 2005.

(2) CONFORMING AMENDMENTS.—

(A) SUPPLEMENTAL GRANTS FOR POPULATION INCREASES IN CERTAIN STATES.—Section 403(a)(3)(H)(ii) of the Social Security Act (42 U.S.C. 603(a)(3)(H)(ii)) is amended by striking "September 30" and inserting "December 31".

(B) CONTINGENCY FUND.—Section 403(b)(3)(C)(ii) of such Act (42 U.S.C. 603(b)(3)(C)(ii)) is amended by striking "2005" and inserting "2006".

(C) MAINTENANCE OF EFFORT.—Section 409(a)(7) of such Act (42 U.S.C. 609(a)(7)) is amended—

(i) in subparagraph (A), by striking "or 2006" and inserting "2006, or 2007"; and

(ii) in subparagraph (B)(ii), by striking "2005" and inserting "2006".

(c) EXTENSION OF THE NATIONAL RANDOM SAMPLE STUDY OF CHILD WELFARE AND CHILD WELFARE WAIVER AUTHORITY THROUGH DECEMBER 31, 2005.—Activities authorized by sections 429A and 1130(a) of the Social Security Act shall continue through December 31, 2005, in the manner authorized for fiscal year 2005, and out of any money in the Treasury of the United States not otherwise appropriated, there are hereby appropriated such sums as may be necessary for such purpose. Grants and payments may be made pursuant to this authority through the first quarter of fiscal year 2006 at the level provided for such activities through the first quarter of fiscal year 2005.

SEC. 3. REIMBURSEMENT OF STATES FOR TANF BENEFITS PROVIDED TO ASSIST FAMILIES FROM OTHER STATES AFFECTED BY HURRICANE KATRINA.

(a) **ELIGIBILITY FOR PAYMENTS FROM THE CONTINGENCY FUND.**—Beginning with the date of the enactment of this Act and ending with August 31, 2006, a State shall be considered a needy State for purposes of section 403(b) of the Social Security Act if—

(1) cash benefits under the State program funded under part A of title IV of the Social Security Act have been provided on a short-term, nonrecurring basis, to a family which—

(A) has resided in another State that includes an area for which a major disaster has been declared under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) as a result of Hurricane Katrina; and

(B) has travelled (not necessarily directly) to the State from such other State as a result of the hurricane; and

(2) the State has determined that the family is not receiving cash benefits from any program funded under such part of any other State.

(b) **LIMITATION ON FUNDING.**—Subject to section 403(b)(3)(C)(i) of the Social Security Act, the total amount paid under section 403(b)(3)(A) of such Act to a State which is a needy State for purposes of section 403(b) of such Act by reason of subsection (a) of this section shall not exceed the total amount of cash benefits provided as described in subsection (a)(1) of this section, to the extent that the condition of subsection (a)(2) of this section has been met with respect to the families involved.

(c) **NO STATE MATCH REQUIRED.**—Sections 403(b)(6) and 409(a)(10) of the Social Security Act shall not apply with respect to a payment made to a State by reason of this section.

SEC. 4. AVAILABILITY OF ADDITIONAL TANF FUNDS FOR HURRICANE-DAMAGED STATES.

(a) **CERTAIN STATES MADE ELIGIBLE FOR LOANS.**—Beginning with the date of the enactment of this Act and ending with the end of fiscal year 2006:

(1) The States of Louisiana, Mississippi, and Alabama shall be considered loan-eligible States for purposes of section 406 of the Social Security Act.

(2) Notwithstanding section 406(d) of the Social Security Act, the cumulative dollar amount of all loans made to such a State under such section by reason of this section shall not exceed 20 percent of the State family assistance grant payable to the State under section 403 of such Act for fiscal year 2006.

(b) **FORGIVENESS OF LOANS.**—Notwithstanding section 406 of the Social Security Act, a penalty may not be imposed against any of the States of Louisiana, Mississippi, or Alabama for failure to—

(1) repay a loan made to the State under such section on or after the date of the enactment of this Act and before October 1, 2007; or

(2) make any interest payment on such a loan.

SEC. 5. AVAILABILITY OF UNSPENT TANF FUNDS TO PROVIDE BENEFITS AND SERVICES TO SUPPORT NEEDY FAMILIES AFFECTED BY HURRICANE KATRINA.

A State or tribe may use a grant made to the State or tribe under part A of title IV of the Social Security Act for any fiscal year to provide, without fiscal year limitation, any benefit or service that may be provided under the State or tribal program funded under such part to support needy families affected by Hurricane Katrina.

SEC. 6. WORK REQUIREMENTS AND TIME LIMITS UNDER TANF PROGRAM NOT TRIGGERED BY RECEIPT OF TEMPORARY TANF BENEFITS BY FAMILIES AFFECTED BY HURRICANE KATRINA.

Benefits provided on a short-term, non-recurring basis under a State program funded under part A of title IV of the Social Security Act, during the period that begins with the date of the enactment of this Act and ends with the end of fiscal year 2006, to meet a subsistence need of a family resulting from Hurricane Katrina shall not be considered assistance for purposes of sections 407 and 408(a)(7) of the Social Security Act.

SEC. 7. WAIVER OF TANF PENALTIES IN HURRICANE-DAMAGED STATES.

The Secretary of Health and Human Services shall not impose a penalty on any of the States of Louisiana, Mississippi, or Alabama under any of paragraphs (2) through (6), or (8) through (14) of section 409(a) of the Social Security Act with respect to a failure to comply with a provision of part A of title IV of such Act during the period that begins with the date of the enactment of this Act and ends with the end of fiscal year 2006, if the Secretary determines that the failure resulted from Hurricane Katrina or reasonable conduct of the State in addressing needs of victims of Hurricane Katrina.

SEC. 8. EMERGENCY DESIGNATION.

Each amount provided in this Act (other than in section 2) is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. THOMAS) and the gentleman from Washington (Mr. McDERMOTT) each will control 20 minutes.

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

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

Mr. Speaker, I want to thank the gentleman from Louisiana (Mr. McCRERY) and the gentleman from Louisiana (Mr. JEFFERSON), the committee members of the Committee on Ways and Means who are obviously dealing with that very difficult situation in their districts, for their input on this emergency legislation.

This is the first response from the Committee on Ways and Means, and it is designed to deal with immediate relief. We will have additional pieces of legislation that we will work with our colleagues on the other side of the aisle dealing with recovery and reconstruction, and these will come in a timely fashion over the next several weeks.

The reason we want to move this legislation as quickly as we can is because it will provide immediate payment of TANF's funds. We have included the extension of TANF to the first quarter of 2006, which immediately frees up \$4.2 billion in flexible funds to assist those families affected by the hurricane. In addition, it makes additional TANF funds available to the States devastated by the hurricane. We have a de facto contingency fund, and we have a loan fund. This turns the loan fund into, in essence, a contingency fund to provide even additional money.

Also, we do not want anyone worried about costs that are incurred as States adjacent to the disaster areas are pro-

viding assistance, and we are going to hold States harmless for costs incurred to immediately assist evacuees.

There are additional funds that are unused, and we make sure we maximize the flexibility available to States for providing assistance to families impacted by the hurricane.

□ 1300

In addition to that, although there are specific rules for receiving the funds, we want to make sure that during this assistance period that those rules do not become a barrier and that we will waive program rules for hurricane victims receiving the short-term TANF assistance.

Especially, for those States who do provide various supports, we want to make sure that where there may have been penalties triggered by decisions made, those certainly would not be applicable either.

We believe that with expeditious movement by the Senate and not extended debate on what we do or do not do, this will free up literally billions of dollars available to assist those people directly affected by the hurricane and those States and others who are assisting them with funds otherwise unavailable to them.

As I said, this is the first step. We will look at the recovery and the reconstruction phases, which will entail a more detailed examination of the Tax Code and assistance in a timely fashion.

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

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

Mr. Speaker, let me set the stage of this discussion. When it comes to Hurricane Katrina, its impact and aftermath, especially on the poor, disadvantaged and the children, our most vulnerable population, let me sum it up. We do not know what we do not know.

Before us today is the TANF Emergency Response and Recovery Act. It is a marker, modest at best, meant to buy some time. I hope that is what it is.

We certainly stand with Representatives McCRERY and JEFFERSON, two friends and colleagues who are at ground zero at this tragedy. We want to be as helpful as possible. I know that Mr. JEFFERSON is working on a comprehensive program for what is necessary in his district, and I think that will come forward as we go down the road a little bit.

It is going to be overwhelming, but in the process, we cannot act like we have done enough. The American people have had their fill of that kind of false rhetoric since this tragedy first roared on shore. As ranking member of the Human Resources Subcommittee, as a medical doctor and child psychiatrist, let me say we had better use the precious few months we are buying today to find out what we do not know and then address the real needs of real people. Band-Aids alone will not heal this wound.

We have more questions than answers, and we must act actively and aggressively to find out what we need to comfort the afflicted, heal the sick and mend the tattered bodies and minds.

First, we ought to add the word "temporary" to the title of this legislation. Here is why.

The legislation extends TANF, Temporary Aid for Needy Families, for 3 months. The 7th of December, it goes away. We are not sure we will even have a complete casualty count in the next 90 days.

This bill increases TANF funding for Louisiana, Mississippi and Alabama by 20 percent in the next fiscal year. The truth is, we do not know what the real cost will be, and 20 percent may well become the proverbial drop in the bucket.

This is a time when people and local governments expect leadership out of the Congress. Arbitrarily increasing funding by 20 percent had better be a sign of our initial commitment, not a cap on our already inadequate leadership.

We are going to completely reimburse neighboring States that provide short-term TANF assistance. Not only is that the least we can do, we should not tell States in this legislation that the meter is running and will run out in 3 months. What about Arkansas, all the people that went up there? There is no mention in here about them. We do not need any more confusion and missed opportunities than we already have.

This legislation waives some TANF requirements and penalties. Let me ask everyone something: Who in the world thinks this is the time to add more bureaucracy? We ought to be waiving every requirement and penalty for the indefinite future. We do not even know where the people are yet; this aid bill could end up hurting, not helping, people who need America more than ever.

We ought to add another word to this legislation, "incomplete."

There may be as many as 10,000 foster kids somewhere in the disaster region. Words like "displaced," "abandoned," and "alone" come to mind, and that ought to mobilize the conscience of the Nation. We do not know if these kids are safe, we do not know where they are, and we do not know if they are getting the services they need. We do know they have witnessed unspeakable horrors.

As a child psychiatrist, I know something about what these children are going through.

We ought to have a separate piece of legislation before us that focuses on these children. They will need grief counseling. They will need food, shelter, clothing and love. They will need guardians, and we do not even know today where they are.

The sad fact is that the current child welfare program dramatically limits services, including mental health, that these children can receive once they

are located. Does anyone think we need another bureaucracy for that?

Early estimates from the Congressional Budget Office tell us that a half million workers will likely qualify for unemployment compensation as a result of the hurricane. The Federal program was short-sighted and underfunded before. What will we tell these people when their benefits run out, their communities have been washed away, what, go look for a job?

This is not a time to wash away the Federal response. Benefits should be there as long as they need to be, period. How long is that? The answer to that is how long it will take to raise and restore these communities. Within 6 weeks, something like 11,000 people are due to lose their unemployment benefits. Let us not compound last week's disastrous Federal response by ignoring another human disaster which we know is on the horizon. Those 11,000 people are out there right now getting their last check in the near future.

Mr. Speaker, we do not know what we do not know, but there is something we had better face up to. The poor, the disadvantaged, and children deserve an America of equal measure to the rest of the population.

For 10 years, the burden of care and compassion has been shifted away from the Federal Government by the Republican majority who wanted to create an ownership society by disowning those who needed us most. Programs like TANF and a host of other Federal programs that address human needs were cut, blocked, and shifted by Republicans who believed it was someone else's responsibility.

For 10 years, the burden of care and compassion has been shifted from the Federal Government by the Republican majority who wanted to create an ownership society by disowning those who need it most. And is owning something more valuable than going to work every day and playing by the rules?

For 10 years, we have aimed to shift the lifeline for all Americans on the local institutions. Therefore, today there are different TANF and unemployment and foster care programs in each one of the 50 States and they provide varying levels of support that are too often inadequate.

I heard from the gentleman from Arkansas (Mr. BERRY) that children brought from Louisiana wind up in Arkansas needing health care because they were in an institution down there, and Medicaid in Louisiana says we will not pay for them when they are in Arkansas. So a Congressman has to intercede on the basis that he has to move the bureaucracy in the middle of this mess. That is what you get when you get 50 programs, all different.

America's poor should be entitled to support no matter where they go in this country. They are an American. They are not a Mississippian or an Alabamian or a Louisianan. They are Americans, and we have got to get back to the principle that these should

be national programs that reach the entire country.

We do not know where the next tragedy will be, but for us to stand here and figure we are going to make these little minor adjustments here today, and we are going to vote for it, we will all be for this, but there is a lot more work that needs to be done out there.

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

Mr. THOMAS. Mr. Speaker, I yield myself such time as I may consume, and I want to first of all take a deep breath before I begin addressing that diatribe.

The gentleman well knows that Medicaid is a program within the Committee on Energy and Commerce, that it is not within our jurisdiction, and we obviously are working with other committees.

The gentleman also knows that the program that he just denigrated was signed into law by President Clinton, and the vote in this House was more bipartisan than the vote on Medicare in 1965. In addition, we have an unemployment law that has been on the books since FDR that provides the 26 weeks.

Mr. Speaker, I said in my opening statement that this was the first, immediate response and we will have additional legislation addressing unemployment. And the extension of unemployment is obviously going to be in the next piece of legislation.

I do want to urge my colleague from Washington to join me at lunch so that he perhaps could have something other than sucking lemons for lunch prior to coming to the floor to address this House.

I will also respond to his comment about the fact that Arkansas is not mentioned. In the legislation on page 4, line 14, it says "a State," and it defines any State that responds to the needs. It does not name State by State. If in fact the circumstances are provided, given the facts, then that State receives the programmatic changes that we are offering in this legislation.

I do appreciate the gentleman's last sentence in which he said he plans to vote for the legislation.

Mr. Speaker, I yield 3 minutes to the gentleman from California (Mr. HERGER), the chairman of the Subcommittee on Human Resources of the Committee on Ways and Means.

Mr. HERGER. Mr. Speaker, I rise in strong support of H.R. 3672. First, let me echo the sentiments of so many of my colleagues that have already been expressed here today to the victims of this terrible tragedy. Please know that our thoughts and prayers are with all of you. You will continue to be in our prayers as you work to recover from the devastation this hurricane has wrought and to rebuild your communities. We hope the steps we take here today will provide a measure of help in that incredibly trying process.

This legislation is designed to assist States provide for the immediate financial needs of thousands of families

affected by Hurricane Katrina. I am honored to support this bipartisan bill introduced by my colleagues, the gentleman from Louisiana (Mr. McCRERY) and the gentleman from Louisiana (Mr. JEFFERSON). Unfortunately, the gentleman from Louisiana (Mr. McCRERY) cannot be with us here today since he is in Louisiana with the Vice President, helping coordinate the ongoing response to the hurricane.

The purpose of this legislation is simple: to clear any obstacles that stand in the way of quickly getting money into the hands of the hurricane victims. The legislation before us now addresses the needs of families who either have been on welfare or might need to go on welfare as a result of the hurricane. It ensures that States have the resources to help them, and it removes the bureaucratic obstacles that might otherwise stand in the way.

In terms of funding, this bill immediately makes available more than \$4 billion in Federal welfare funds which States would otherwise have to wait until October to access. So States have that money to spend now when so many families are in need in the region.

It provides additional Federal funds for the hard-hit States of Louisiana, Mississippi, and Alabama, and it reimburses other States for the cost of providing emergency benefits to the many families that have left the States directly in the path of the hurricane.

To ensure families can focus on getting their lives back together and States can focus on providing immediate help, this legislation also waives program rules that might otherwise tie States' hands in providing for the immediate needs of affected families.

Mr. Speaker, these changes provide more State flexibility in meeting the needs of families, including for basic cash assistance right away. And as communities start to get back on their feet, this flexibility can and should be used to help parents find and keep new jobs to support their families.

Mr. Speaker, I urge the House to support this important legislation.

□ 1315

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Mr. Speaker, let me thank the gentleman from Washington (Mr. McDERMOTT) for yielding me this time.

Mr. Speaker, when you have underfunded programs that have too many mandates on the States to use the funds with too many restrictions, what ends up is that people who are vulnerable, who are at risk are the most likely to get hurt by these underfunded programs. Hurricane Katrina showed us in graphic detail the people who were victimized because we did not adequately fund programs and government.

I support this legislation, but much of what is in here should have been

done prior to now. For example, this will be the 11th temporary extension of the TANF program. We should have reauthorized the TANF program well before this day. We talked about a 20 percent increase in funding in certain States. Well, just the cost-of-living changes since when this bill was first enacted in 1996 would have eaten up that amount. We should have adjusted the amounts well before this, not just for the affected States but for all the States in this Nation.

I am pleased to hear the chairman of the Committee on Ways and Means indicate that there will be other legislation, because I agree with the gentleman that the unemployment insurance issues, with 11,000 people running close to the exhaustion of benefits, need to be addressed; and I look forward to working with the chairman so we can deal with the unemployment insurance, which was not necessarily anticipated except by this storm.

Let me say in regards to the foster care children, which are also under the jurisdiction of our committee, foster children are our responsibility. They are now being scattered to many States around the Nation. We have a responsibility to make it easier for these foster children to be cared for during this period. I say to the chairman, I hope we will be able to work on a bill related to foster care.

Let me lastly mention child care, because there are not going to be enough funds available to our States to take care of the increased needs for child care in our communities. I hope our committee will also deal with that issue.

Mr. THOMAS. Mr. Speaker, I am pleased to yield 2 minutes to the gentleman from Florida (Mr. SHAW), a senior member of the Committee on Ways and Means and the chairman of the Subcommittee on Trade.

Mr. SHAW. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I want to bring to the attention of the body an example that I think is citing a very fine example in my own congressional district. In the city of Palm Beach Gardens, they are putting out feelers in order to hire people out of these shelters, hire people out of the stricken areas, to bring into the city of Palm Beach Gardens, hire them and give them meaningful jobs. This is something that I think we should be looking at all across the country.

These poor people in the stricken areas of the hurricane are going to go home to find there are no jobs to go home to. There are going to be business failures, small businesses. People are going to be losing property to mortgages because of the loss of income.

So this is something where I think we can bring these stories back to our own hometowns all across this Nation, that there is a huge pool of talent out there which is just going to be idle. They are not going to have jobs, and I think that some recruiting going into

this area would be very helpful, and it would certainly be in the great tradition of this country.

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from Massachusetts (Mr. NEAL).

Mr. NEAL of Massachusetts. Mr. Speaker, I thank the gentleman from Washington for yielding me time.

Mr. Speaker, I am pleased to stand in support of this legislation for Temporary Assistance to Needy Families, indeed, the neediest families.

We are witnessing right now how the national principle in America plays out. If there is an earthquake in California, the rest of the American family comes to the assistance of those in need. If there is a hurricane in the gulf, the rest of the American family helps those in need. If there is a blizzard in New England, the rest of the American family comes to their assistance.

In fact, this legislation makes good initial progress in adjusting the TANF program to the needs of families affected by Hurricane Katrina. But it does not get us all the way there, and we know that. It does make a respectable first step.

It provides a 3-month extension of TANF funding for the entire country and allows States to receive advanced payments. It also includes a provision to increase fiscal year 2006 funds for Louisiana, Mississippi, and Alabama by 20 percent. It alleviates some of the strain on neighboring States. Let me say a good word about those citizens across the country who have reacted so favorably to those in need in other States. It also provides an opportunity to extend in the future a discussion at least about the whole notion of unemployment benefits. I think that is going to be terribly important as well.

More broadly, we are going to have to examine the safety net programs to make sure they are poised to catch the families before they fall even more, especially in the areas of unemployment benefits, child care assistance, and foster care. This bill, while silent on those issues, I know will be addressed in coming days and weeks.

Let me say something else as well. The reason we should have kept the surplus we had as a cushion was for three reasons: international conflict, in which we are engaged in two wars; a devastating natural disaster like this hurricane; and what is surely going to be the need in the near future to help those families who find themselves in a horrific situation through no fault of their own. That is the reason the surplus should have been maintained. That is the reason there should have been a cushion that was kept, rather than what we will do now by going off budget for many proposals down the road.

So we all stand in support of our friends and family members in this stricken area of the country. It does, as I indicated a moment ago, highlight the national principle that makes America special.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 3 minutes to the gentlewoman from Connecticut (Mrs. JOHNSON), a senior member of the Committee on Ways and Means and the chairman of the Subcommittee on Health.

Mrs. JOHNSON of Connecticut. Mr. Speaker, I thank the chairman for yielding me time. I want to congratulate the gentleman from California (Mr. THOMAS) of the Committee on Ways and Means and also the subcommittee chairman, the gentleman from California (Mr. HERGER) for bringing a very important bill to the floor very promptly.

In spite of the comments of my friend, the gentleman from Washington (Mr. McDERMOTT), the ranking member of this subcommittee, TANF has reduced poverty among minority children in America more than any program ever adopted by Congress. It has been an enormous success in helping families get into the workforce, raise their incomes, and reduce the poverty level among children in our country.

So now to open TANF for those families devastated, devastated, by this natural disaster, is extremely important, because these are families now, like so many of our own children, living paycheck to paycheck, who have no paycheck and no assets. And that is today's problem. By bringing them immediately into TANF, they can get a paycheck. They can get cash assistance.

But, better than that, though nothing is better than that when you have no cash and you have a bunch of kids, but equally important is that it brings them into a system that is set up, that is structured, that is skilled, that is dedicated, that has people in it that know and understand it, who can help them with employment, who can help them with day care vouchers, who can give them transportation vouchers, who know what it takes to help a family get on its feet economically. And that is the challenge they face.

So this is a very important component of responding to the immediate needs of the families wiped out by this unprecedented, devastating hurricane.

Mr. Speaker, I am delighted that we are doing this right now. We are going to hold the States who open their TANF system to refugees harmless to the costs. We will be able to fund that from the contingency fund we have already put in place. We will be able to do this, meet immediate needs, and help those families to respond to opportunities like the gentleman from Florida (Mr. SHAW) just mentioned.

This is exactly what we need right now. We cannot see the whole problem yet; and it would be irresponsible to do anything but use the resources already at our disposal, resources that are experienced, savvy, and directly meet the needs for both cash assistance and opportunity for these families to rebuild their lives and receive the services they need.

Mr. Speaker, I thank the gentleman for this good piece of legislation, and I urge my colleagues to support it.

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Speaker, I want to express my sorrow for the tragedy that has struck the people of Louisiana, Mississippi, and Alabama; but I also want to express my sorrow that we are not learning from this tragedy. Have we not seen firsthand this week just how much help is needed for the most vulnerable people in our Nation? We are seeing it as they are victims of Katrina: the elderly, the disabled, the poor, particularly children. Of course, we must do everything we can to help overcome the challenges in the short term. But we must also address the long-term needs of the most vulnerable in this Nation.

This bill is short term. I will support it, but it leaves so very much undone. Of course, we need to give States immediate access to funds, funds that they otherwise would not have received until October 1. We need to provide emergency funds for Louisiana, Mississippi, and Alabama; and we need to reimburse other States for emergency cash assistance that they are providing for evacuees. This bill does those things.

But there are many things it does not do. For example, it does not address the pressing needs of children in foster care, the unemployed and parents who need child care, and it does not address child care needs that are even more critical than ever for parents of young children, parents who are trying to find jobs.

As I said, I will support this bill, but I am concerned that we are responding to Katrina with this bill, and others, both literally and figuratively, by helping the victims bail out the water, but not fixing the holes in the infrastructure that lets the water in. We need to do both, Mr. Speaker.

Mr. THOMAS. Mr. Speaker, it is my pleasure to yield 2 minutes to the gentleman from Pennsylvania (Mr. ENGLISH), a member of the Committee on Ways and Means.

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I want to thank the chairman for bringing to the floor so promptly this very important stop-gap legislation.

Mr. Speaker, I rise in strong support of the TANF Emergency Response and Recovery Act. This legislation provides immediate critical assistance to the families who have been gravely facing the overwhelming hardships in the aftermath of the worst natural disaster in our history. The States which have been affected under this bill would see a 20 percent boost in TANF funds through 2006. This is an increase of \$83 million for Louisiana, Mississippi, and Alabama. As a Pennsylvanian, I think that is only fair.

In the last few days we have seen an outpouring of support from every re-

gion of the country. This legislation immediately releases \$4.2 billion in TANF funds for payments to all States, funds which would not normally be available until the first quarter of fiscal year 2006.

The legislation waives current spending restrictions for all States when delegating unspent prior-year TANF funds. This means that the States affected by the hurricane and the States lending a helping hand will have the flexibility to spend their funds on what they need at this particular time. States will also have access to \$2 billion in TANF contingency funds so that they can provide emergency cash assistance to evacuees.

We are also providing that the affected areas would be available to adapt by waiving the work requirements and time limits for hurricane victims receiving short-term TANF assistance. By waiving these program rules, families will be able to focus on rebuilding their lives.

We recognize that the number one priority for the families devastated by this hurricane is to make sure that their families are safe, that they have even the basic necessities of life. The number one priority for us in Congress is to provide the necessary relief to make this happen, and this legislation moves that process forward.

Mr. McDERMOTT. Mr. Speaker, I yield 2 minutes to the gentleman from New Orleans, Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Mr. Speaker, I thank the gentleman for yielding me time, and I thank the chairman and the members of our committee who have brought this legislation forward.

□ 1330

Louisiana and New Orleans, in particular, and the entire Gulf Coast region face a horrific set of challenges. They can all only be met by extraordinary action by this House and by its Members. The compassion that Members have shown, the prayers that have been extended, the helping hands across the country have been absolutely unheard of before; and the level of support that we are getting in New Orleans we are thankful for.

This TANF program is going to provide some flexibility that we need now to help reach the needs of our people for cash assistance and for other assistance, for the flexibility that we will need to take care of our evacuees and some of the areas and families that have been so devastated by the hurricane.

But as the President said, and as I think we all know, this effort, while it is good and while it is necessary and while it is timely, is a down payment of what we have to do here because the devastation has been so extensive.

So everything now that we do we must think outside of the ordinary. We must think outside of the usual set of issues we face in disasters, and we must think differently, more deeply,

more broadly, more innovatively, and more compassionately than we ever have before to make these programs work for people who are living lives they never thought they would have to face, people displaced from home, having no connection to their home place at all. The psychological trauma, the mental stress that they are under, apart from the disconnection from families, all of these are matters which are deeply distressing and disturbing and unusual.

So I thank the Congress for taking the steps it is taking today. I thank Members on this side. I thank the Republicans on the other side. I thank all, without regard to party, for stepping up to work on this matter today. And I look forward to all of us remaining engaged on these issues so that we can find a way to really address the needs of people, many of whom were very disadvantaged starting out and of course are simply disadvantaged beyond all belief now.

So I thank them for what they are doing. We look forward to it, and I hope all will understand that we will have to come forward with a full recovery plan for our area that I hope this Congress will embrace.

Mr. THOMAS. Mr. Speaker, I yield 3 minutes to the gentleman from Arizona (Mr. HAYWORTH), member of the Committee on Ways and Means.

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

Mr. HAYWORTH. Mr. Speaker, this morning's Arizona Republic carries encouraging news amidst the horrific challenges encountered by the colleague who preceded me on the floor and so many fellow Americans. It is the story of Doyle Smith and family. Doyle has six children, and yesterday he walked through and was given the keys to a five-bedroom home donated rent free to his family for the next 6 months. He says, "This is going to be the beginning of a beautiful start. It really is." And his 6-year-old daughter, Annalyce, walked from room to room saying, "I love it. I haven't been in a big house like this."

Mr. Speaker, America has never encountered a natural disaster as big as this, but what has been reaffirmed from coast to coast is that Americans have big hearts and Americans step up to help other Americans. That has been demonstrated by the people of the Fifth Congressional District of Arizona who have called me personally, who have called our district office, who have called our Washington office saying, How can I help? I want to step forward. And it happened also to an Arizona couple, Jeff and Marie Whiting, who had purchased a guest house, saw a need, and decided to donate this house rent free to the Smith family. This is what Marie says: "We are actually making a difference. If we reach across America and touch each other's hands, we can meet needs."

Mr. Speaker, as representatives of Americans here in the people's House,

we stepped forward to meet the needs of those who are the neediest among us. This legislation, H.R. 3672, the TANF Emergency Response and Recovery Act of 2005, gives the States, States like my home State of Arizona, where we see people reaching out to their fellow citizens, the flexibility needed to get benefits into the hands of these who have suffered from the hurricane so that those needy families can get back on their feet without long delays because the State might fear it would not be reimbursed for the funds spent.

We have put in place, or we will put in place, with this legislation even greater flexibility so that we step forward on a greater magnitude to take the actions that the people of our Nation demand as a compassionate society. This legislation puts the funds forward, has the flexibility there, and the accountability necessary.

Is this an imperfect world? Yes. Has it been the goal of our Founders and now our generation to form a more perfect Union? Yes. Will this legislation help those who need the help? Yes.

Support this important legislation.

Mr. McDERMOTT. Mr. Speaker, I yield 1 minute to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Mr. Speaker, I rise in support of this legislation, but I would beg our committee to also give flexibility to the States for people who are not victims of the hurricane. And let me tell them why.

I come from the State of Ohio where the city of Cleveland was deemed the city with the highest poverty rate in the Nation, and the State of Ohio has \$1.14 billion left in their TANF fund as a surplus. There is something wrong here if we have the largest city with the highest poverty rate in a State with all this money. There is either something wrong with the administration by the Republican-led Governor's office or the stringencies of the requirements do not allow them to be flexible enough to take care of the poorest people in the State of Ohio.

I am for helping all the people who are victims of the hurricane, but this is a clear example of how poverty in the United States runs rampant and there is money there to help them, but somebody is not using it right.

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

Mr. McDERMOTT. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. BECERRA).

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

Mr. Speaker, this is a much needed piece of legislation; so let us pass this bill and then move on to the more pressing question of how to craft a long-term solution as part of a full recovery plan for all those affected in the gulf States. We need to do more to try to provide flexibility to the States so they can use these funds quickly, but at the same time we have to make sure that we are not hampering these States

from doing what they believe is best for all of the victims that have suffered as a result of Hurricane Katrina.

I hope that we are able to work in a bipartisan fashion to move forward legislation which will address the needs of people who are unemployed today, they were unemployed before the hurricane, and now will suffer even more difficult times trying to find work, along with those who have now been displaced as a result of the hurricane.

I hope that we will deal with the fact that there are many legal immigrants in this country on their way to becoming citizens who, under the current law, would be constrained from being able to be assisted by these TANF dollars unless we provide the States with flexibility to do so.

Everyone is a victim regardless of their color, regardless of where they came from. If they were there, they are a victim. And I hope that this Congress can move quickly not just to do what is needed now but into the future.

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

Mr. McDERMOTT. Mr. Speaker, I yield 1 minute to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Speaker, I would like to thank the Committee on Ways and Means and all of those who helped to move this bill to the floor. This is very important, but it is but a beginning by our government in an attempt to meet the needs of this awesome disaster. More must be done, and I am hopeful that everybody understands that we have got to keep working.

I have traveled to these shelters in Baton Rouge, Lafayette, Alexandria, Opelousas, and New Iberia; and I ran into many of these welfare recipients, who, of course, as the Members know, live day to day and did not have money at the end of the month oftentimes, and they are really frightened. They do not know what is going to happen to them. And this will help. This will help with some cash assistance.

But I want the Members to know there are a lot of other questions about what is going to happen to them, for example, those who would be rolling off welfare because they are at the fifth year. That is not addressed here. Some other things are not addressed.

Again, I am very grateful for this. I am going to support it. But I will certainly be here helping to provide another voice to say that there is more that must be done. Mr. Speaker, as we do this, let us all remember that they are in these shelters. Some people are living with 5,000 other people. We have got to get them out, welfare recipients and other people who are there. This work is awesome, but we can do it.

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

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

Mr. Speaker, the chairman seems to think that if somebody is upset by this, they ate lemons for lunch. My belief is when we are dealing with the problems

in the three States with the lowest unemployment insurance rates, the three lowest TANF rates, with a city that had 38 percent of the children living in poverty when this started, we are dealing with a problem which we should have dealt with long ago.

This Band-Aid today is nothing more than that. There should be a comprehensive dealing with this issue, and we should be all ashamed of the fact that that situation exists in this part of the country.

The next issue we are going to have to face, and I have not heard a single person mention it, is the cost of gasoline. If we can give food stamps to people in this country, we ought to begin a gas stamp program so that poor people who have to drive to work can afford to fill the tank and get there.

GENERAL LEAVE

Mr. THOMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the subject of the bill we have under consideration.

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

There was no objection.

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

Mr. Speaker, I will say for the third time during this debate this is the first piece of legislation 2 days after we came back. We are responding with the maximum flexibility for money available on an immediate-relief basis. Clearly over the next several weeks as we examine the problems and are able to write legislation responsive to those problems, we will continue to bring legislation to the floor.

I would urge my colleagues, as they express their concern about what has not been done, that they should urge their colleagues on the other side of the Capitol not to engage in an exchange of legislation in which, on this initial humanitarian relief provision, they want to try to outdo each other. The most important thing is to get this out of here and make it available as soon as possible.

Over the next several weeks, we will be working with those Members and on this committee, principally the gentleman from Louisiana (Mr. MCCRERY) and the gentleman from Louisiana (Mr. JEFFERSON), who have already provided invaluable assistance and who are very supportive of this legislation, with additional legislation. I look forward to working with colleagues on the other side of the aisle who are willing to come forward in constructive ways in making adjustments.

I do want to underscore the fact that we are nearer to the beginning of the hurricane season than we are the end of the hurricane season.

□ 1345

No one wishes another hurricane to touch the United States, but no one

knows for certain that that will not happen, that as we are assisting those individuals who have had a very tragic occurrence, we are laying the groundwork for the possibility that we have to repeat this more than once.

I want to thank those colleagues who will help us move this expeditiously and in advance of the assistance on additional legislation dealing with more fundamental revisions in the Tax Code and extensions of various deadlines. I thank them for their cooperation, and I look forward to producing additional legislation that will be available for my colleagues' consideration.

Let me underscore, we need the other body to move immediately and not engage in attempts on this very first effort to expand and explore more fundamental changes in programs. So I plead with my colleagues here and on the other side of the Capitol, we have had enough talk, let us show some action.

Mr. BOEHNER. Mr. Speaker, I rise in support of this bill, which would provide assistance to the victims of Hurricane Katrina whose employment and training have been disrupted as a result of this tragedy.

The level of devastation we are witnessing in the Gulf Coast region is truly staggering. Our prayers are with the residents of the region, as well as all those working on the relief and recovery effort. All of our colleagues from the region—including two of my own on the Education & the Workforce Committee, Mr. JINDAL and Mr. BOUSTANY, as well as Mr. MCCRERY, the author of the legislation we are considering today—should know our thoughts are with them and their communities as well.

I commend the gentleman from Louisiana, Representative MCCRERY, for crafting this important legislation in short order. It will make a world of difference for many families in the region as they struggle to retain some sense of financial stability.

In order to deliver the quickest possible economic assistance to families in need across the country, the measure before us provides all States immediate access to their next quarter's Temporary Aid to Needy Families (or TANF) funds. That means \$4.2 billion in flexible funds would be distributed to all States right away, rather than waiting precious weeks until the start of the next quarter. This legislation also would provide welcome relief for affected states in the form of a 20 percent TANF increase for the coming fiscal year.

This bill also takes the prudent step of waiving work requirements and time limits for residents in need of short-term TANF benefits as a result of the hurricane. Or primary concern right now is ensuring that families in that region can focus on putting their lives back together, as well as allowing States to focus on providing immediate assistance to those in need. Scores of families in the Gulf Coast region have endured enough pain and worry already, and this measure will provide them the peace of mind that these important benefits will be available when they need it most—and without added burdens when they need them least.

Mr. Speaker, we have made substantial progress over the past week, both in the recovery efforts in the South and in our own legislative efforts here in Washington. This bill marks another step in the long process that

this Congress will undertake over the coming weeks and months to address the needs of all those impacted by the tragedy.

Once again, I thank Mr. MCCRERY for his work and I urge my colleagues to join me in support of this bill.

Mr. LARSON of Connecticut. Mr. Speaker, I rise in support of H.R. 3672, the TANF Emergency Response and Recovery Act. This bill is a modest first step towards assisting the states so severely effected by Hurricane Katrina and the many poor and underserved Americans who rely on the Temporary Assistance for Needy Families program.

This bill will extend TANF in a number of ways that will aid those in need along the Gulf Coast and those states who have taken in the evacuees from this disaster. It will extend TANF funding for the entire Nation for the next 3 months and allow States to receive advance payments. Additionally, it will increase TANF funding for Louisiana, Mississippi, and Alabama by 20 percent. It will also provide flexibility to neighboring states for reporting requirements and in using TANF contingency funds and unspent prior year TANF funding for assisting disaster evacuees. Finally, it waives work requirements and time limits for hurricane victims in need of short-term assistance.

While this legislation is a good first step, its focus is short-sighted and fails to consider the months and years that will be required to return the Gulf Coast to normalcy. It fails to address the need for child care assistance for evacuees trying to find some form of employment to support their families. There are likely to be thousands of children in need of foster care or family support services and this bill fails to address that need. It also does nothing for the roughly 11,000 jobless workers in the Gulf Coast region who are within 6 weeks of exhausting their regular unemployment benefits.

The haunting images we have seen on the news should be a wake up call to Congress that millions of Americans are still stuck in a cycle of poverty. Just last week, the Census Bureau released data that showed income for the typical American family fell by \$1,670, 5.4 million more people slipped into poverty, and 6 million more joined the ranks of the uninsured. These are the issues that should be at the top of our priority list in Congress.

We are taking a positive step today to help the victims of Hurricane Katrina in the next few months. However, we need to think long term about the cost and efforts needed to lift up the people in the Gulf Coast. I hope to never see again the images of people too poor or too sick to evacuate their homes in times of an emergency. Nor do I wish to see a response so slow or inept that thousands lived in squalor for days. We should never forget those images and that memory should spur us to improve the TANF program to ensure that no American ever feels forgotten by the United States Government and the people it represents.

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

The SPEAKER pro tempore (Mr. FORBES). The question is on the motion offered by the gentleman from California (Mr. THOMAS) that the House suspend the rules and pass the bill, H.R. 3672, as amended.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

EXPRESSING SINCERE GRATITUDE OF THE HOUSE OF REPRESENTATIVES TO FOREIGN ENTITIES THAT HAVE OFFERED ASSISTANCE AND SUPPORT TO THOSE AFFECTED BY HURRICANE KATRINA

Mr. LEACH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 428) expressing the sincere gratitude of the House of Representatives to the foreign individuals, organizations, and governments that have offered material assistance and other forms of support to those who have been affected by Hurricane Katrina.

The Clerk read as follows:

H. RES. 428

Whereas Hurricane Katrina struck the Gulf Coast of the United States with devastating effect on August 29, 2005;

Whereas the United States has a long history of humanitarian response to other countries that have experienced disasters of similar magnitude;

Whereas soon after the scope of the destruction became evident, assistance was offered by foreign individuals, organizations, and governments; and

Whereas numerous messages of condolence and support for the people of the United States have been sent to the President and Congress and to government authorities in the affected area: Now, therefore, be it

Resolved, That the House of Representatives expresses its sincere gratitude to the foreign individuals, organizations, and governments that have offered material assistance and other forms of support to those who have been affected by Hurricane Katrina.

SEC. 2. The Clerk of the House of Representatives shall transmit enrolled copies of this resolution to the Secretary of State with a request that the Secretary transmit the copies to the foreign governments described in this resolution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. LEACH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa (Mr. LEACH).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, today I rise to express the gratitude of the American people for the tremendously generous offers of support and expressions of condolences that have poured in from around the world to those who have been affected by Hurricane Katrina.

Katrina will be remembered as one of the most catastrophic natural disasters to ever hit our shores. At this point, it would appear that thousands of victims, perhaps tens of thousands, have perished in our gulf coast region. Hundreds of thousands have been displaced without knowing where to go or how they will reestablish a permanent residence. Hundreds of thousands of jobs and businesses have been lost. Infrastructure has been destroyed. It will take years to rebuild these areas that were hit hardest by the hurricane.

However, in spite of the dark hours which we witnessed during the storm and its immediate aftermath, the spirit and will of the people most affected are beginning to shine through as a result of the support which they have received from the American people and from our friends and neighbors around the world. Nearly 100 countries have offered over \$1 billion in monetary and other forms of tangible assistance. Even Sri Lanka, horribly victimized by the recent tsunami, has generously offered assistance. Such gestures will not be forgotten.

As Americans, we have a long record of providing humanitarian aid to many countries around the world that have suffered from natural and other disasters, but we have never found ourselves in this type of situation before. The compassionate offers of assistance from our global friends are welcome, and as reflected in this resolution, we accept them with heartfelt gratitude.

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

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

Mr. Speaker, I rise in strong support of this legislation, and I urge all of my colleagues to do so.

The United States is the largest provider of humanitarian assistance in this world. Whether in the aftermath of Hurricane Mitch or the devastation of the Asian tsunami, the United States and our military have been in the front lines of responding to the needs of starving and destitute victims of nature's fury. It is only fitting, therefore, Mr. Speaker, that when we face devastation from a deadly hurricane that overwhelmed our own disaster plans, countries around the globe should respond to our own needs with offers of assistance.

Let me join my colleagues on the other side of the aisle in expressing our gratitude for these offers.

I am not, however, satisfied with the reception of these offers by some branches of our own government. I want to commend Secretary Rice and the Department of State for making significant and successful efforts to catalog these offers from abroad, but we learned from press reports that the Federal Emergency Management Agency was unable to process them and to determine what would be of assistance and what would not. Let me give my colleagues an example.

The Swedish Government has offered water purification equipment. No item

is more desperately needed in Louisiana than water purification equipment. They have also offered a cellular phone network which could have done much to ease the communications challenges on the gulf coast. As of yesterday, these offered items remain in Sweden.

It took a week for our government to accept the offer of four Canadian rescue vessels.

A German communications company was willing to provide an integrated satellite and cellular phone system that could handle 5,000 calls at once. The company waited for days for any response.

This area is just one more example of the failures of executive agencies tasked with disaster relief in responding to this, the greatest natural disaster ever to confront our Nation.

It is simply shameful that FEMA did not realize the scope of this disaster and failed to trigger its most significant response until the end of the day when the levees broke in New Orleans. It is simply shameful that there was not a way for FEMA to accept offers of assistance from our own military as well as citizen States across the Nation. It is simply shameful that the poor and the sick and the elderly were left without supplies and protection from the marauding gangs that seeped in and around New Orleans.

I am sure that there is plenty of blame to go around in unraveling the bureaucratic bungling that contributed to this unacceptable response, but one thing, Mr. Speaker, is clear: FEMA's leadership failed, and I call on its director to resign today.

Let us find a better way to accept offers of assistance from our friends abroad, from our fellow citizens, and from our own military.

In order to address all these shortcomings, I strongly urge the appointment of a truly independent bipartisan commission made up of public figures of distinction and integrity and experts on disaster relief to investigate the failures that have cost the lives of so many. An investigation launched by the administration or dominated by one party will never be able to get to the bottom of what went wrong. We cannot afford such a flawed investigation. We need to get this right.

Mr. Speaker, I urge all of my colleagues to support this resolution.

Mr. BURTON of Indiana. Mr. Speaker, I rise in strong support of House Resolution 428, expressing the sincere gratitude of the House of Representatives to the foreign individuals, organizations, and governments that have offered material assistance and other forms of support to those who have been affected by Hurricane Katrina. To date, I understand that some 95 countries have come forward with offers of assistance.

Bangladesh, one of the world's poorest nations, offered \$1 million in aid.

Thailand—still mourning its 8,000 missing and dead people after the tsunami—offered 60 nurses and shipments of rice.

Israel, the largest recipient of U.S. foreign aid, is returning the favor by donating tents and first-aid kits.

Oil-wealthy nations, such as Kuwait, have offered over \$500 million in oil and relief.

European nations, such as Spain, have focused on sending military and rescue gear.

Both Djibouti and Georgia, relatively smaller countries, have offered \$50,000 each.

Sri Lanka, the small country off the coast of Africa and one that is about \$600 million in debt, offered \$25,000 in cash.

There has been some criticism that we have been slow to accept the offers pouring in. The fact is that our greatest challenge has been to match the generous offers with the needs of the American people. The last thing we need is for someone to offer us assistance that can't really be utilized. For example, Russia, made us offers and our State Department told the Russians what we needed most urgently were MREs, (Meals-Ready-to-Eat), so they sent us MREs. We did the same thing with Germany. We took the MREs.

The first aid we took, because, as the President said, it was the easiest to manage was cash. And the cash donations came in and quickly went out to Red Cross and others.

As Chairman of the Western Hemisphere Subcommittee, I would like to particularly acknowledge the outpouring of sympathy and solidarity we have witnessed from our friends and neighbors in Latin America. All the figures are still being compiled but I'd like to highlight a few examples, but by no means all examples of the support we have received from our friends in the Western Hemisphere.

Honduras has offered to send 135 flooding and sanitation experts.

Peru has offered to send a medical team of up to 100 members.

A Mexican ship loaded with supplies set sail Monday from the Gulf Coast port of Tampico.

Venezuela has offered 1 million barrels of gasoline, \$5 million in cash and more than 50 tons of canned food and water.

Even Cuba has offered to send 1,100 doctors, and;

The Organization of American States approved the contribution of the maximum amount allowed under the statutes of the Inter-American Emergency Assistance Fund, and the establishment of a specific fund for the victims of Hurricane Katrina.

These are just a few examples of the aid being offered. What is most important to remember in this situation is not the actual amount of aid offered, who offered what, and who may have offered nothing; what is important to remember, is the willingness of other nations, big and small, to come and give while we are vulnerable. It is important to appreciate the principle behind the gift.

In closing, I want to offer my personal thanks to the entire international community for their help, their thoughts and their prayers for the people of the United States who have suffered and lost friends and loved ones in this terrible tragedy. The spirit of compassionate generosity and solidarity that we have witnessed from the international community is extremely comforting and gives me great hope for the future.

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

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

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH)

that the House suspend the rules and agree to the resolution, H. Res. 428.

The question was taken.

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

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

The yeas and nays were ordered.

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

RELATING TO THE TERRORIST ATTACKS AGAINST THE UNITED STATES ON SEPTEMBER 11, 2001

Mr. LEACH. Mr. Speaker, I move to suspend the rules and agree to the resolution (H. Res. 427) relating to the terrorist attacks against the United States on September 11, 2001.

The Clerk read as follows:

H. RES. 427

Whereas on September 11, 2001, while Americans were attending to their daily routines, terrorists hijacked four civilian aircraft, crashing two of them into the towers of the World Trade Center in New York City, and a third into the Pentagon outside Washington, D.C., and a fourth was prevented from also being used as a weapon against America by brave passengers who placed their country above their own lives;

Whereas four years later the country continues to, and shall forever, mourn the tragic loss of life at the hands of terrorist attackers;

Whereas by targeting symbols of American strength and success, these attacks clearly were intended to assail the principles, values, and freedoms of the United States and the American people, intimidate the Nation, and weaken the national resolve;

Whereas four years after September 11, 2001, the United States is fighting a Global War on Terrorism to protect America and her friends and allies;

Whereas recent deadly attacks in London, Madrid, and Sharm el-Sheik, Egypt, remind all Americans that the forces of evil that attacked the Nation four years ago remain committed to terrorist attacks against free peoples;

Whereas because of the skill and bravery of the members of the United States Armed Forces and due to the constant vigilance of our Nation's first responders, the United States homeland has not been successfully attacked by terrorist forces during the four years since September 11, 2001; and

Whereas while the passage of four years has not softened the memory of the American people, resolved their grief, or restored lost loved ones, it has shown that Americans will not bow to terrorists: Now, therefore, be it

Resolved, That the House of Representatives—

(1) extends again its deepest sympathies to the thousands of innocent victims of the September 11, 2001, terrorist attacks, their families, friends, and loved ones;

(2) honors the heroic actions and the sacrifices of United States military and civilian personnel and their families who have sacrificed much, including their lives and health, in defense of their country in the the Global War on Terrorism;

(3) honors the heroic actions of first responders, law enforcement personnel, State

and local officials, volunteers, and others who aided the innocent victims and, in so doing, bravely risked their own lives and long-term health;

(4) expresses thanks and gratitude to the foreign leaders and citizens of all nations who have assisted and continue to stand in solidarity with the United States against terrorism in the aftermath of the September 11, 2001, terrorist attacks;

(5) discourages, in the strongest possible terms, any effort to confuse the Global War on Terrorism with a war on any people or any faith;

(6) reaffirms its commitment to the Global War on Terrorism and to providing the United States Armed Forces with the resources and support to wage it effectively and safely;

(7) vows that it will continue to take whatever actions necessary to identify, intercept, and disrupt terrorists and their activities; and

(8) reaffirms that the American people will never forget the sacrifices made on September 11, 2001, and will never bow to terrorist demands.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Iowa (Mr. LEACH) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Iowa (Mr. LEACH).

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, our deliberations today have focused, and rightly so, on the catastrophe that has befallen the people of the gulf coast and our efforts and, indeed, the world's efforts, to ameliorate their situation. We should, however, pause and take note of a somber anniversary, the fourth anniversary of the attacks of September 11, 2001, which will occur this weekend.

I appreciate the fact that the gentleman from Illinois (Chairman HYDE) and the gentleman from California (Ranking Member LANTOS) have worked out a text to recognize this anniversary which incorporated language from the gentleman from California (Mr. DOOLITTLE), and that the House leadership has encouraged us to bring it to the floor in a timely manner.

One year ago, we were involved in the middle stages of the efforts to pass the intelligence reform legislation recommended by the 9/11 Commission. Now we must oversee the implementation of that law and determine what additional improvements to our government's structures or substantive policies need to be made.

The resolution before us recalls the events of nearly 4 years ago, notes that the attacks were intended to assail our principles, values, and freedoms, and weaken our national resolve. It recalls

our worldwide efforts against terrorism and notes that those who have attacked us in New York, at the Pentagon, and in the skies over Pennsylvania have continued their efforts in London, Madrid, and Sharm el-Sheik, although they have thus far been prevented from successfully again carrying their fight to our homeland.

It is time to again extend our sympathies to the families and the victims, to salute those who placed themselves in harm's way, often at the risk of their lives, and to honor those who are involved in the struggle against terror. We state that this struggle is not a struggle against any people or faith. We assert that we will continue to do whatever is necessary to identify, intercept, and disrupt terrorists and their activities, and that we will neither forget the sacrifices of September 11 nor ever yield to terrorists and their ideologies.

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

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

Mr. Speaker, 4 years ago, as our Nation came to recognize the magnitude of the struggle we were starting in earnest against the enemies of tolerance and progress, we had the most sobering and moving debate that I witnessed on the floor of this Chamber in the quarter century I have had the privilege of serving as a Member. That debate resounds even today, as Congress continues to muster the resources and to rally our compatriots to carry on in the ongoing war on terrorism.

□ 1400

With this fourth anniversary of the terrorist mass murder of September 11, we honor the victims, we honor the heroes, and we contemplate the lessons. We are still engaged in the global battle against terrorism. We have made progress, but we are a long way from victory.

Indeed, this point has been brought home to us and to civilized people everywhere yet again these past few months. On July 7, suicide bombers attacked the London subway and bus system, killing 52 people and injuring scores more. Two weeks later, another attempt on London's public transportation system created panic. And just 2 days after that, more than 80 people were killed in a series of terrorist attacks at the Egyptian resort town of Sharm al-Sheikh, not far from the Egyptian resort where over 30 people were killed a few months earlier in a similar terrorist bombing. And let us not forget that Israel, our only democratic ally in the Middle East, has been a longtime victim of terrorist attacks; and it continues to be the target of extremist Islamic violence.

Our hearts go out to the families of the victims who continue to be senselessly maimed and slaughtered in such vicious attacks of global terrorism.

And so the struggle goes on. We may differ about specific tactics, but I think

all Americans agree on at least one broad goal: we must do all we can to assure that terrorists do not acquire weapons of mass destruction, particularly nuclear weapons. As we know from the events 4 years ago, they would not hesitate to use such horrendous weapons against us or against the innocent people of any other country on this globe.

To prevent that unthinkable atrocity, the United States must do all it can to prevent state sponsors of terrorism from acquiring weapons of mass destruction. We have achieved a remarkable success in convincing the Government of Libya to voluntarily abandon its pursuit of such weapons, but the threat that Iran and North Korea may acquire nuclear weapons is one of the most serious issues facing our Nation.

Teheran's ayatollahs have consistently supported terrorist groups that have shown no reluctance to use every weapon available to them in order to create mayhem in their fanatical zeal to destroy those standing in their way. Nuclear weapons in the hands of Iran could end up in the hands of terrorists.

At the same time, we must find innovative ways to carry on this global struggle against terrorism so that it becomes not a war in a conventional sense, but a united worldwide effort to eliminate the conditions that give rise to terrorism.

This is as much a battle of ideas as a battle against armies. The extremists and their protectors fear the freedom that we cherish. They seek to destroy it wherever it thrives. The war on terrorism is a common struggle among all democracies to preserve democracy itself, and we can only achieve true victory in this epic struggle when we bring democracy to all the corners of the globe. This means encouraging democracy and respect for human rights in places where they have not taken root, and where terrorists breed in the darkest corners of Egypt and Saudi Arabia, and many other places throughout the world.

Mr. Speaker, the struggle against terrorism goes on, 4 years after our Nation awakened to the urgency of this fight. But let us ensure that the soul searching and resilience that marked our deliberations in September 2001 do not merely echo in this Chamber today. Let the debate instead be amplified and our convictions deepened as we recommit to the fight against fanatical Islamic terrorists capable of perpetrating such an atrocity.

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

Mr. LEACH. Mr. Speaker, I yield 5 minutes to the distinguished gentleman from New Jersey (Mr. FRELINGHUYSEN).

Mr. FRELINGHUYSEN. Mr. Speaker, on Friday, September 6 of 2002, before a commemorative joint meeting of Congress at Federal Hall in New York City, the then poet laureate of the United States, Billy Collins, dedicated the fol-

lowing poem to the victims and survivors of the September 11, 2001 terrorist attacks. The poem was called "The Names," and I would like to read it:

"I lay awake in the palm of the night. A soft rain stole in, unhelped by any breeze, and when I saw the silver glaze on the windows, I started with A, with Ackerman, as it happened, then Baxter and Calabro, Davis and Eberling, names falling into place as droplets fell through the dark. Names printed on the ceiling of the night. Names slipping around a watery bend. Twenty-six willows on the banks of a stream.

"In the morning, I walked barefoot among thousands of flowers, heavy with dew like the eyes of tears, and each had a name: Fiori inscribed on a yellow petal, then Gonzalez and Han, Ishikawa and Jenkins. Names written in the air and stitched into the cloth of the day. A name under a photograph taped to a mailbox. Monogram on a torn shirt, I see you spelled out on storefront windows and on the bright unfurled awnings of the city.

"I say the syllables as I turn a corner: Kelly and Lee, Medina, Nardella, and O'Connor. When I peer into the woods, I see a thick tangle where letters are hidden as in a puzzle concocted for children. Parker and Quigley in the twigs of an ash, Rizzo, Schubert, Torres and Upton, secrets in the boughs of an ancient maple. Names written in the pale sky. Names rising in the updraft amid buildings. Names silent in stone or cried out behind a door. Names blown over the Earth and out to sea.

"In the evening: weakening light, the last swallows. A boy on a lake lifts his oars. A woman by a window puts a match to a candle, and the names are outlined on the rose clouds: Vanacore and Wallace, let X stand, if it can, for the ones unfound. Then Young and Ziminsky, the final jolt of Z. Names etched on the head of a pin. One name spanning a bridge, another undergoing a tunnel. A blue name needled into the skin. Names of citizens, workers, mothers and fathers, the bright-eyed daughter, the quick son.

"Alphabet of names in a green field. Names in the small tracks of birds. Names lifted from a hat or balanced on the tip of the tongue. Names wheeled into the dim warehouse of memory. So many names, there is barely room on the walls of the heart."

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

Mr. KUCINICH. Mr. Speaker, it is appropriate that we remember 9/11, the victims, the aftermath of 9/11 and the policies which have been put in place as a result of that day of great tragedy. It is also appropriate that our remembering not be selective so as to preclude America from taking a path of truth and reconciliation.

Immediately after the attacks upon our Nation, all across the world people responded in solidarity with America,

much as we are seeing at this moment in response to the unfortunate disaster of Hurricane Katrina. The world is always ready to embrace America and to share in our highest aspirations.

Unfortunately, sadly, decisions were made by some in the administration to use 9/11 as an opportunity to advance a longstanding ideological desire, with financial incentives to invade Iraq and overthrow its government.

Whenever we remember 9/11, and we should, we must also remember that some in the administration used 9/11 as an excuse to wage an illegal war against a nation that did not attack us, that had nothing to do with 9/11, that did not have the capability or the intention of attacking us, and that had no weapons of mass destruction.

9/11 could never be justified, nor should any attack upon this Nation ever be justified. But I think America lost a moment after 9/11 to come together as a national community in search of ways that we could take new directions to meet an emerging challenge of terrorism with new strategies, new initiatives, because we are learning the limitations of trying to solve our difficulties through armed force.

9/11 was a tragedy, and it was compounded by the war in and against Iraq. That war has separated us from many of our friends in the international community. It has drained our resources. It has cost us the lives of over 1,900 American servicemen, servicewomen, and has cost the lives of countless Iraqis who are innocent.

We need to heal our Nation. We need to come together as Americans so that we can assert our commonalities, our common interests in the general welfare of our countrymen and countrywomen. But in order to do that, we need to go back through that tunnel of 9/11, and the only way we can do that is to be guided by truth.

We still need to heal the Nation, but we will not be able to do it with arms. We can only do it by seeking the truth. And I contend that at this moment, when we stand united to pass this resolution, that we should also highly resolve that violence is not going to be the means that we use in the future to solve the differences that we have with nations.

Next week, Members of this House will come together to introduce legislation to create a Cabinet-level Department of Peace and Nonviolence, which recognizes that the path of peace can be active, can be firm, can have resolve, and can help us achieve a new world.

Ms. PELOSI. Mr. Speaker, 4 years ago, our Nation suffered the worst attack in our history, and Americans were forever transformed. What happened on September 11 was not simply an attack against America, it was an assault on our democracy. In the immediate aftermath, we saw Americans overcome grief and devastation to demonstrate that the values that unite us are greater and more enduring than anything that divides us.

That is what we do again today. This week, we come together in the spirit of unity and ac-

cord to memorialize the people lost and the families shattered on 9/11, in public ceremonies and private remembrances. I hope that it offers a small sense of comfort to those who lost loved ones and those who were injured in the attacks, that so many people in our country and throughout the world remember their loss and their suffering and continue to pray for them.

But the best memorial we can offer to the victims of 9/11 is not words, but deeds. We must bring a laser-like focus to our responsibility to make America safer. The threat that we did not recognize clearly enough 4 years ago confronts us still. The need to be prepared, as Hurricane Katrina so clearly showed, is one of our most critical responsibilities.

Four years after the attacks, Americans have to ask: has enough progress been made? The answer, sadly, is no. Security at our ports, on commercial airliners, on our transit systems, and along our borders has not been a priority. Our first responders still do not have the ability to communicate quickly and effectively.

September 11 is hallowed ground, and the actions of this Congress must be guided by that recognition. Our debates, our votes, our laws, must be worthy of the sacrifice that was made on that day. And so, in the name of the victims, we pledge again today: united as a country, we will seek to keep alive the indomitable American spirit that was displayed on September 11, and keep Americans safe from harm.

Mr. CARDIN. Mr. Speaker, the tragedy of September 11, 2001 has been seared in our Nation's consciousness forever. On this fourth anniversary of the attack on our Nation, I want to take this opportunity to remember the brave men and women who lost their lives at the World Trade Center, the Pentagon, and in a deserted field in the Pennsylvania countryside. That day, 3,000 Americans died at the hands of terrorists who would see our country destroyed. These fellow citizens were casualties in our Nation's continuing effort to maintain liberty, safety, and freedom for all Americans.

While we suffered a grievous loss that day, we must remember that we are a strong and determined Nation that will defeat those who would harm us. We join together to make it clear to the world that our Nation is united and resolved to defend our freedom against any enemy.

Today, we stop to remember those who perished on 9/11 and to remember their families with a special prayer. We also pause to reflect on the heroism of the firefighters, police officers and city officials who died in the line of duty trying to save others. Each of us is personally affected by September 11. While we might not know anyone personally who died, we still grieve for them. And we hold the members of their families close to our hearts.

Mr. STARK. Mr. Speaker, I rise today in opposition of H. Res. 427.

I cannot vote for a resolution supporting a "global war on terrorism" because there is no such thing. The only war the United States is engaged in is the misguided Iraq War. To support a resolution simply so President Bush can continue to carry out actions in the name of this false global war of terrorism only encourages this Administration to lead this country into additional unnecessary military actions.

Instead of honoring the victims of 9/11 and their families, this resolution only encourages

the President to sacrifice more American lives for wars that have nothing to do with terrorism or the events of that tragic day.

When the House leadership presents a resolution that truly honors the victims of 9/11, I will vote for it. Until that happens, I urge my fellow Members of Congress to vote against this resolution and others that endorse President Bush's misguided foreign policies.

Mr. LARSON of Connecticut. Mr. Speaker, I rise today to mark the fourth anniversary of the September 11, 2001 terrorist attacks and to remember those who lost their lives that day, especially the residents of Connecticut and of my district.

As each year passes, it becomes even more important for us to remember the victims who died on September 11, 2001 and honor those who continue to serve as the Nation's first lines of defense against acts of terrorism and disaster. Their memory should keep us vigilant against threats and thankful for the many blessings we have as citizens of this Nation.

We thank the selfless firefighters, police officers, and emergency medical workers who confronted chaos and terror 4 years ago and lost their lives trying to save their fellow Americans in New York, Pennsylvania, and the Pentagon. This reminder is all too vivid in the wake of the recent tragedy on the Gulf Coast caused by Hurricane Katrina. Some of the very same first responders who assisted in the time following the terrorist attacks are down in Louisiana, Mississippi, and Alabama helping those families rebuild their lives. We owe them our eternal gratitude for their service and compassion.

However, as we have seen in the Gulf Coast states, we still have much work to do to respond to threats, both from terrorists and nature. We must focus our resources as a nation to ensure that first responders can act rapidly and communicate seamlessly with Federal, State, and local officials.

Terrorists still remain a threat to our Nation and other free and democratic societies. We were all shocked and saddened by the bombings in London on July 7, 2005. The images we saw in London that day were all too familiar to the images we will never forget from 4 years ago. Our deepest sympathies went out to our friends in Great Britain who have stood so strongly by the United States in our war on terror. These bombings and the memories of September 11 further strengthen our convictions to defeat terror throughout the world.

As Congress works to reauthorize the PATRIOT Act, our immediate response to the terrorist events that stunned our Nation, we must learn from the subsequent 4 years that have passed. To curtail the freedoms of Americans in the name of fighting our enemies would be a disservice to the memory of September 11 and every American who has given their life or put themselves in harm's way to defend this Nation and its people.

As we pause to reflect this September 11 and remember those whose lives were lost that day, let us also remember the things that make our Nation great: our freedom, our liberty and our democracy. These memories will give us the will to be better citizens and build a stronger nation.

Mr. MENENDEZ. Mr. Speaker, today we remember the victims of one tragedy as we work to help the survivors of another.

In my district and in the State of New Jersey, we know the experience of tragedy personally and the sympathy of those in New Jersey extends at the deepest level to those who lived through Hurricane Katrina.

Four years ago on September 11th, 700 of our friends and neighbors from my state of New Jersey never returned home from work and never returned to their families. The smoking ruins of the Twin Towers were visible for my entire district to see and many of the police and emergency response people that responded so heroically to the attacks were from New Jersey.

I can't tell you how many memorial services I attended for people in my own district, nor describe in words the sympathy and sorrow I felt for family members who lost loved ones from all over the country.

That is why I committed that very day to taking every action to make sure that our Nation and her citizens never have to go through what we did on that terrible day four years ago. And since we know the enemy seeks to attack again, I have worked to ensure that our country is as prepared as we can be for a future attack and ready to respond once it does occur.

That is also why I support this resolution as an expression of my deepest sympathy to families and friends of the thousands of victims of that fateful day.

I support it as an expression of our Nation's gratitude and pride in our men and women in uniform who have performed with brilliance and valor in the war on terror and Operation Iraqi Freedom. To date, almost 1,900 Americans have made the ultimate sacrifice in support of our country, in Iraq, while many others have done so around the world in the fight against terror.

For me personally, I cannot walk outside into a crystal, clear, cloudless blue sky in September like we have today without remembering the very same sky on that tragic day in September. I cannot walk outside remembering the contrast between the beauty of that sky and the terror which came from it.

To those who survived and to the families who lost their loved ones, I know that four years has not taken away the pain.

To those who survived and to the families, I know that you will have to live with the consequences of that tragedy for the rest of your lives.

To those who survived and to the families, I say that we will never forget those innocent people who were murdered in cold blood and that we honor you for your courage, your will to survive, and for the strength you have shared with our Nation.

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

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

The SPEAKER pro tempore (Mr. BASS). The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the resolution, H. Res. 427.

The question was taken.

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

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

The yeas and nays were ordered.

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

□ 1415

REQUEST FOR GENERAL LEAVE ON H.R. 3673

Mr. LEWIS of California. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on H.R. 3673.

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

Mr. OBEY. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

SECOND EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

Mr. LEWIS of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3673) making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.

The Clerk read as follows:

H.R. 3673

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2005, namely:

DEPARTMENT OF DEFENSE—MILITARY OPERATION AND MAINTENANCE OPERATION AND MAINTENANCE, DEFENSE-WIDE (INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Operation and Maintenance, Defense-Wide", \$1,400,000,000 for emergency hurricane expenses, to support costs of evacuation, emergency repairs, deployment of personnel, and other costs resulting from immediate relief efforts, to remain available until September 30, 2006: *Provided*, That the Secretary of Defense may transfer these funds to appropriations for military personnel, operation and maintenance, procurement, family housing, Defense Health Program, and working capital funds: *Provided further*, That not to exceed \$6,000,000 may be transferred to "Armed Forces Retirement Home" for emergency hurricane expenses: *Provided further*, That funds transferred shall be merged with and be available for the same purposes and for the same time period as the appropriation or fund to which transferred: *Provided further*, That this transfer authority is in addition to any other transfer authority available to the Department of Defense: *Provided further*, That upon a determination that all or part of the funds transferred from this appropriation are not necessary for the purposes pro-

vided herein, such amounts may be transferred back to this appropriation: *Provided further*, That the Secretary of Defense shall, not more than 5 days after making transfers from this appropriation, notify the Committees on Appropriations in writing of any such transfer: *Provided further*, That the amounts provided herein are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

DEPARTMENT OF DEFENSE—CIVIL

DEPARTMENT OF THE ARMY CORPS OF ENGINEERS—CIVIL OPERATION AND MAINTENANCE

For an additional amount for "Operation and Maintenance" for emergency expenses for repair of storm damage to authorized projects in the Gulf states affected by Hurricane Katrina, \$200,000,000, to remain available until expended: *Provided*, That the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide, at a minimum, a weekly report to the Committees on Appropriations detailing the allocation and obligation of these funds, beginning not later than September 15, 2005: *Provided further*, That the amount provided herein is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for "Flood Control and Coastal Emergencies", as authorized by section 5 of the Flood Control Act of August 16, 1941 (33 D.S.C. 701), for emergency expenses for repair of damage to flood control and hurricane shore protection projects in the Gulf states caused by Hurricane Katrina, \$200,000,000, to remain available until expended: *Provided*, That the Chief of Engineers, acting through the Assistant Secretary of the Army for Civil Works, shall provide, at a minimum, a weekly report to the Committees on Appropriations detailing the allocation and obligation of these funds, beginning not later than September 15, 2005: *Provided further*, That the amount provided herein is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

DEPARTMENT OF HOMELAND SECURITY

EMERGENCY PREPAREDNESS AND RESPONSE DISASTER RELIEF

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for "Disaster Relief", \$50,000,000, to remain available until expended: *Provided*, That up to \$100,000,000 may be transferred to and merged with "Emergency Preparedness and Response—Public Health Programs" for the National Disaster Medical System to support medical care as authorized by the Public Health Security and Bioterrorism Preparedness and Response Act of 2002 (42 U.S.C. 300hh-11): *Provided further*, That \$15,000,000 shall be transferred to and merged with "Departmental Management and Operations—Office of Inspector General" for necessary expenses of the Office of Inspector General for audits and investigations as authorized by law for Hurricane Katrina response and recovery activities: *Provided further*, That the Secretary of Homeland Security shall provide, at a minimum, a weekly report to the Committees on Appropriations detailing the allocation and obligation of these funds, beginning not later than September 15, 2005: *Provided further*, That the amounts provided herein are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

GENERAL PROVISION

SEC. 101. For procurements of property or services determined by the head of an executive agency to be used in support of Hurricane Katrina rescue and relief operations—

(1) the emergency procurement authority in subsection 32A(c) of the Office of Federal Procurement Policy Act (41 U.S.C. 428a(c)) may be used; and

(2) the amount specified in subsections (c), (d) and (f) of section 32 of the Office of Federal Procurement Policy Act (41 U.S.C. 428) shall be \$250,000.

This Act may be cited as the "Second Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From the Consequences of Hurricane Katrina, 2005".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from California (Mr. LEWIS) and the gentleman from Wisconsin (Mr. OBEY) each will control 20 minutes.

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

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, it was less than 1 week ago that Congress approved \$10.5 billion in disaster aid to begin providing immediate assistance to the people of the gulf coast. That emergency supplemental bill was the first of what will likely be several supplementals addressing the urgent needs of our citizens affected by Hurricane Katrina.

I plan to be very brief in my remarks.

The human needs in the gulf region are all too apparent. The President has promised an unprecedented level of assistance and, once again, Congress is backing that promise with the funding and resources to keep the aid flowing.

This is a straightforward supplemental providing \$51.8 billion for emergency response and recovery needs associated with this disaster. Our effort today will ensure that there is no disruption in funding for needed relief efforts. We fully expect to be approving still more assistance once we have an assessment of the full scope and costs of this disaster.

It is important for our Members to know that we are insisting on proper oversight for those appropriated dollars to ensure that funds are being spent wisely. Specifically, we have added a provision allowing the transfer of up to \$15 million from FEMA's Disaster Relief Fund to the Homeland Security inspector general. Congress also will provide that every dollar needed is spent to rebuild, but we will require accountability for every dollar that is spent.

The destruction along the gulf coast will require months and even years of intense effort to recover and rebuild. Congress and the Bush administration are fully committed to the rebuilding process.

One final thought in closing. I recall vividly the scene of Republicans and Democrats standing on the steps of the Capitol singing "God Bless America" on the evening of September 11, 2001. We stood not as partisans or political opponents, but as American citizens united in our grief and resolve. We would all do well to follow that model of comity and civility. Our success in rebuilding in the wake of this natural

disaster demands that we tone down our political rhetoric and weigh our words and actions carefully.

The lives and livelihoods of hundreds of thousands of people are at stake. The temptation to point fingers is great in the aftermath of a tragedy of this magnitude. Regardless of party affiliation, we must all resist this temptation to point fingers when our citizens are suffering and in need. There will be plenty of time to assess how and why this disaster occurred, but not today, not now. We must stand together as we did on 9/11, united as Americans, to assist our citizens in need.

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

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

Mr. Speaker, 19 times this year the majority party has asked me as the ranking member of the Committee on Appropriations to help them with procedural waivers of House rules so they could accelerate the passage of their appropriations bills, and we provided that cooperation.

Today, under consideration of this bill we on the minority side asked for three things. We asked, first of all, that since the last money that was provided to the hurricane region was provided with virtually no real debate, we asked that this bill be brought to the floor under an open rule so that Members could offer amendments trying to increase the efficiency of the money which is going to be delivered to the stricken area. The majority party said "no."

The majority party then insisted on bringing this bill up under suspension despite the fact that their own caucus rules indicate that no bill should be brought to the floor under suspension, which means no Member has a right to amend. Their own rules say that they should not be brought to the House floor unless the bill is under \$100 million. This is a \$50 billion bill.

Thirdly, because we had 17 Members who wanted to comment or ask questions about it, we asked if they were going to consider it under a closed rule that they give each side of House 1 hour to discuss the matter. We have been turned down.

Lastly, we asked the majority to provide for us an opportunity for at least one amendment so that we can correct the fact that right now FEMA has been used as a political dumping ground for patronage by the White House, and as a result we have a dysfunctional and chaotic agency. We were not even allowed to offer that amendment.

So I simply want to put the gentleman from California (Mr. LEWIS) on notice. He need not bother me asking me for any further procedural considerations for the rest of the session. If the gentleman wants to stick to the rules, we are going to stick to the rules.

I agree with the gentleman that it would be nice if we could follow on the model of 9/11 when we had bipartisan

consideration of these matters. The reason we had bipartisanship is because the gentleman from Florida (Mr. YOUNG) and I worked together. We were consulted equally. We met in the Speaker's office and the minority had some opportunity for input in the product.

We have been given no such opportunity by the White House, by your leadership, or by you yourself under those circumstances. I think the gentleman needs to expect to receive the same kind of cooperation which he has extended.

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

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Louisiana (Mr. ALEXANDER).

Mr. ALEXANDER. Mr. Speaker, I want to thank the gentleman for yielding me time.

Mr. Speaker, I want to personally thank all of the Members of the House for the help that they have given us, for their kindness, for their prayers for the State of Louisiana.

What I am going to ask of Members today is if Members cannot vote for this measure, find a reason other than the Governor of Louisiana. I served with the lady 20 years ago in the State legislature. She had some criticism for me when I changed parties last year, but I understand that. But she is a decent lady and does not deserve to have her name mentioned in the same column with the word "corruption."

I would appreciate it if Members would refrain from throwing stones at this particular time. We have some devastation down there and a lot of hurt people, but please, if Members would find another reason other than that.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, we are now entering a new phase of this recovery effort. Although my Louisiana district did not suffer significant damage from the hurricane, we now face the enormous challenge of sheltering and supporting numerous evacuees now in southwest Louisiana.

In Lake Charles, Louisiana, a small community, we have an estimated 25,000 evacuees in need. In Lafayette, my hometown, there are an estimated 40,000 evacuees. We basically doubled our population. Funding appropriated in this installment today is critically needed to begin the transition from emergency shelter to a more permanent solution for housing of families of the gulf coast that are affected by this disaster.

The resources of local communities providing for these evacuees are being stretched ever so thinly now. The Cajundome in Lafayette, my hometown, continues to house nearly 5,000 individuals at a cost of nearly \$60,000

per day. In a mere 30 days we will deplete the budget allocated for that facility for the entire year, so we need help.

Local community organizations are stepping up to help, but have limited resources. The recovery process will be long and expensive. The Federal Government must continue to step in and bring its full resources to the effort and Congress must provide proper oversight.

The visual images of all of this have been just horrific and the human stories are unbelievable to hear. And I have been frustrated with some of the delays, but we must get the job done.

This is not the time to point fingers. This is not the time to cast blame. This is the time to get to work. We have an enormous amount of work to do in front of us, and it has to be done in a bipartisan fashion. I ask Members on both sides to use restraint in the debate. Accountability will come as we move forward.

I know Congress will look into the disaster, and I urge my colleagues to rise above the vicious rhetoric that does not provide for the thousands of children in my district who need school supplies and uniforms.

Displaced small businesses with help to get back on their feet; opportunities for families to reunite; housing for those without, or, seniors with medical care and comfort.

This emergency supplemental is the next installment in the long road to establishing the industries and communities of the Gulf Coast. I would like to thank the House leadership and my colleagues for their continued support.

Mr. Speaker, I urge passage of the supplemental.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. KIRK), a member of our committee.

Mr. KIRK. Mr. Speaker, I thank the gentleman for yielding me time.

Mr. Speaker, I rise in support of this legislation. I also want to point out that the chairman and ranking minority member have quite wisely repeated a precedent that we set in previous large supplementals of enhancing the capabilities of the Inspector General's office with new resources and new investigators to make sure that the assistance reaches those who are in need.

This legislation that we are considering is three times larger than any previous domestic disaster assistance legislation that we have considered. We were advised last night by OMB that the Federal Government is spending at the rate of \$2 billion a day, and that rate will likely continue for some time. In spending the taxpayers' resources that quickly, we want to make sure that we are still reaching those in need. We have seen in previous large supplementals, enhancing the Inspector General's Office creates a positive environment of making sure everybody knows that they are just in the office next door and if something uncared for is done, they could face consequences.

This legislation has that protection in it for the taxpayers.

□ 1430

Mr. OBEY. Mr. Speaker, I yield 1½ minutes to the gentleman from Rhode Island (Mr. KENNEDY).

Mr. KENNEDY of Rhode Island. Mr. Speaker, we have talked a lot about making sure that we not overlook those who have been affected by this terrible tragedy. Today, Mr. Speaker, I rise to support this bill, but also just to say we should make sure that we do not overlook those significant numbers of people that have been traumatized by this terrible event.

The mental health impact of this horrifying event, it cannot be measured in dollars. If trauma can disable even those who are trained for battle, we have seen police officers commit suicide already because of what they have witnessed, who can begin to even calculate the fallout on those who are most vulnerable, those who suffered trauma in the past, those who deal with mental illness every single day?

In addition, there is an extreme need for those with mental illnesses who have become evacuees themselves. Untreated, their diseases can be debilitating or even fatal under extreme stress. I know that efforts are under way by SAMPHSA and FEMA and many private organizations to meet the mental health needs today and in the future, but I also know that there are never enough resources when it comes to mental health, even in the best of times.

So I look forward to working with the committee to make sure that these and other needs are met in this bill.

Mr. LEWIS of California. Mr. Speaker, I yield 3 minutes to the gentleman from Alabama (Mr. BONNER).

Mr. BONNER. Mr. Speaker, the events we have witnessed during the past 2 weeks on the gulf coast have been nothing short of tragic. Never in my life could I have imagined the scale of devastation which has come to pass in Alabama, Mississippi and Louisiana as a result of Hurricane Katrina.

The endless stream of video on national television networks and cable stations has provided us with images that until recently we had only seen in devastated Third World countries in other parts of the world.

My district in south Alabama was severely impacted by this monstrous storm. In some areas, such as Bayou La Batre and Dauphin Island, entire neighborhoods and businesses have simply been washed away. As horrific as this impact has been on my constituents, it is only a small part of the overwhelming destruction covering 90,000 square miles along America's gulf coast.

Ninety thousand square miles. To put that in perspective, in the area commonly known as Ground Zero in New York City affected by the terrorists on September 11, it totaled just 16 acres.

As everyone in this Chamber is aware, particularly our friends in Louisiana and Mississippi, the recovery time facing us will be long and dif-

ficult. It will require determination, strength of mind, spirit and body; and it will require a sense of unity.

In the days since the storm, we have seen all of these qualities in great abundance, in the people doing such large things as providing housing, jobs and hot meals for displaced families, and those doing such small things as providing a hug to someone in need.

But this recovery will also require one other thing. It will require a tremendous amount of funding. The emergency supplemental measure under consideration here today will provide much-needed funding from local, State, and Federal agencies to continue the seemingly insurmountable task of rebuilding lives, communities, and States.

It is difficult to know what the final cost will be in rebuilding after Hurricane Katrina. However, the \$10.5 billion in emergency funding approved by this body last week was a good start, and the \$51.8 billion measure we are considering today will provide even more vital funding for the rebuilding of America's gulf coast.

I thank the gentleman from California (Mr. LEWIS) for his leadership in this very difficult, yet important, matter. On behalf of my home State of Alabama, I want to especially thank President Bush for his assistance to the impacted region and for his tremendous display of support to those affected by this storm. I am also most grateful to the leadership of this House for responding so rapidly to the great challenges that this emergency funding will help address.

Let me close by urging my colleagues to support this measure and, in so doing, show their support and compassion for the millions of women, men and children impacted in countless ways, both great and small, by this storm. Hope is something Americans should never lose. Let us, by both our words and actions, continue to provide that hope.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Minnesota (Mr. SABO), the ranking member on the Subcommittee on Homeland Security.

Mr. SABO. Mr. Speaker, I thank the gentleman for yielding me time, and I rise in strong support for this bill and this supplemental appropriation. The Congress clearly needs to pass it as quickly as we can, but let me make just a few random comments.

I think it is obvious to most of us, or at least to me and some others, that the Federal Government probably would have responded more quickly and in a more professional manner to this crisis if FEMA existed as it existed before the creation of the Department of Homeland Security, and I think that is an issue at some point we have to deal with.

Secondly, I think it is appropriate that we deal with this bill quickly and as a supplemental appropriation today and do it quickly so we can meet real

urgent, current needs. However, at some point, as this need and the need for a supplemental grows, at some point we should follow regular order and have the administration respond to our committees and respond to questions and to build their case for what their plans are on what I expect will be a significantly larger amount of money that is being spent.

So while we proceed today, clearly we should plan, I would hope, the next time we face a bill, at least some committee hearings where Members can ask questions and the administration is required to provide some more detailed plans.

Thirdly, clearly the administration, we and everyone is guessing at what some of the needs are going to be, but one concern I have, what is lacking and that I have heard no discussion of, is we have dealt with kids in college, but we have thousands of kids in elementary and secondary education who have been uprooted from their homes, been uprooted from where they were planning to go to school a very short time ago and scattered throughout the country. They are going to have some very unique problems, and I have heard no discussion by the Department of Education of providing any additional funding for these kids in whatever school districts they end up around the country.

I think that clearly should be the responsibility of the Federal Government. I think they are going to have unique needs in terms of counseling, and it is going to put additional burdens for additional students on school districts; but if there are any plans for doing it, they have escaped me. So I would hope the administration, the Department of Education would move very quickly to develop some realistic plans on how we deal with kids who are going through great turmoil and are going to face the uncertainty of being in schools that they were not planning on.

So we need to pass this bill, but we have got lots more work to do.

Mr. LEWIS of California. Mr. Speaker, I yield 2 minutes to the gentleman from Kentucky (Mr. ROGERS), the chairman of the Subcommittee on Homeland Security.

Mr. ROGERS of Kentucky. Mr. Speaker, I thank the chairman for yielding time and, more importantly, for the work that he has been doing these past several days trying to come to the aid of colleagues in the South.

One year ago, this Congress responded to an unprecedented event, four hurricanes striking a State within 2 months in Florida. Little did we know that a year later this Nation would be tested beyond what we saw in Florida. Not quite 2 weeks ago now, we saw the fury and destruction that Mother Nature can unleash; and we all watched as not just homes and communities were destroyed but entire cities.

The images on television were horrific. I do not know a single heart in

America that is not breaking as we watch hundreds of thousands of our fellow citizens become victims to the worst natural disaster in the Nation's history.

There has been much debate, finger-pointing in the press about who is to blame for problems with relief efforts, about who allowed such a human disaster to happen. This is an important question and one to which we must find answers, but at the appropriate time. Right now, it is time to finish the job of rescuing human beings from harm's way, to comfort those that have lost all of their possessions, and to help them find a sense of comfort and normalcy.

This bill will provide the beginnings to do just that. We do not know yet what the total disaster costs will be, but we want to assure the victims and the Nation that we will do everything in our power to help them recover.

Just an idea, Mr. Speaker, in World War I we had a thing called Liberty Bonds. I think it is time we thought about perhaps having Katrina Bonds. A lot of people are wanting to help across the Nation. This would be a way for every individual, if they chose, to find a way to help the victims of this great, horrible disaster. So I recommend that we think of that, establishment of K savings bonds.

Mr. OBEY. Mr. Speaker, I yield 3 minutes to the distinguished gentleman from Louisiana (Mr. MELANCON). We have seen him in his efforts in his own district after this disaster.

Mr. MELANCON. Mr. Speaker, after a week and a half of difficult days, today is one of the toughest for me.

This morning I had to leave the devastation and overwhelming need of the people that were affected by Katrina to come to the House to do my duty as a Member of Congress, to see that they are taken care of in the near term and in the long term. I hope we can bring some real help to Louisiana and the gulf region.

First, we can make a difference in the form of today's supplemental appropriations to provide immediate relief for all that have suffered directly in this tragedy.

Second, we can commit today that the problems that plagued the Katrina response will never happen again in future disasters.

Beginning today, we can start a tough and honest assessment of our emergency response capability and how we deal with disasters like Katrina. With new legislation I have introduced, I am calling for creation of the Katrina Commission, an independent and bipartisan commission that will cut through the partisan finger-pointing and give us some real answers.

We all need answers, Mr. Speaker. Louisianans, and my district in particular, need answers to what went wrong; and the rest of America needs answers to how we are going to better be prepared in the future in the case disaster hits them.

We need to know why, when New Orleans was a nightmare, we sat and watched instead of helping the places we could help. I can tell my colleagues, because I have been there, that some of the hardest hit places were ignored and abandoned and even now are not getting the attention they need.

There is a sense in my district, in places like St. Bernard and Plaquemines Parishes, that the Federal Government, our government, Mr. Speaker, has completely failed them. It is this point I have a lot of trouble telling them that they are wrong.

As their Congressman, it is painfully ironic that the help I have been able to give them has not been from the Federal Government at all. I have had to work around the system, identifying needs and coordinating resources myself, much of it from private and unofficial sources.

The system was broken long before Katrina hit, and just because we can turn on the television today and no longer see thousands of people in immediate peril does not mean we have somehow fixed it.

As we move forward, we must remember that there are success stories in all of this, and there is much to be proud of. First responders, charitable groups, thousands of volunteers have given more than we could have ever asked.

Local officials like State Senator Walter Boasso of St. Bernard Parish and the Plaquemines Parish sheriff and parish president worked together as a team on the ground to deliver for their people and protect their property. Why on their own? Because for days there was no help coming from the Federal Government.

In the last week, Louisiana has had help and had support from all over the country. We have been grateful for law enforcement from New York, food and clothing donations from Phoenix, and so much more from everywhere else in this country.

□ 1445

We also owe a debt of gratitude to the States and cities that have opened their doors to hundreds of thousands of Louisiana citizens who have had to flee their homes. Your generosity is a testament to the strength of our American spirit, and your support has allowed us to continue on when we were not sure we could.

I thank America, and I particularly thank this body for the support that I have received from its Members through calls and shipments.

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

Mr. OBEY. Mr. Speaker, I yield 2¾ minutes to the distinguished gentleman from Maryland (Mr. HOYER), the minority whip.

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

Mr. Speaker, hundreds of thousands of our fellow citizens in our gulf coast

region have been devastated and displaced by the worst natural disaster in our Nation's history. The needs of the survivors and affected communities are great and our willingness to respond must match the challenge. This great Nation must respond in a manner that the American people expect and demand.

I have every expectation that every Member of this House will vote today for this emergency supplemental appropriation because our paramount concern must be to assist the victims of this catastrophe, our brothers and sisters in the gulf States. But it pains me to say, Mr. Speaker, that once again we have abrogated our obligation to conduct real, meaningful, effective legislative oversight of the executive branch. We want to help, but we have an obligation to assure ourselves that the help is going where it is needed.

Ten and one-half billion dollars by unanimous consent; I was for that. Fifty-two billion, plus; I am for that. No hearings, no oversight, no questions. No examination of when and how and where and who will spend the money and who will get it. As I understand it, neither the chairman nor the ranking member of the Committee on Appropriations was consulted in the drafting of this legislation.

The unfortunate truth is, Mr. Speaker, this compliant Congress has acted more like an adjunct to this administration than the co-equal branch that the Constitution demands we be.

Now, more than ever, the American people deserve honest answers to hard questions about the inadequate Federal response to this disaster. For example, why did Federal agencies and officials fail to appreciate the magnitude of this disaster, even as they were being warned by hurricane experts of the potential devastation? We all watched it on television being reported to us. Why was the Federal response too slow and initially too inadequate?

As the columnist David Broder wrote on Sunday, "The majority of Republicans see themselves first and foremost as Members of the Bush team and do not want to make trouble by asking hard questions."

I close, Mr. Speaker, by simply saying that, of course, we are going to support this, but, Mr. Speaker, I urge us to have oversight. Fifty-two billion dollars is a lot of money, and we are going to spend whatever is needed, but let us make sure we spend it right and let us make sure the right people get the money.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume to mention, as I did in my opening statement, that we have changed this a bit by adding \$15 million to make sure our inspector general is assisting us in making sure that every dollar that will be spent, and it is necessary to help those people who have been affected by this tragedy, that indeed it is our intention to ensure to the American public that every dollar is spent well.

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

Mr. OBEY. Mr. Speaker, I yield 1¾ minutes to the gentleman from Minnesota (Mr. OBERSTAR).

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

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

My colleague from Minnesota (Mr. SABO) a moment ago cited the plight of elementary and secondary schoolchildren and the need to invest in education requirements to help them through this traumatic period. My area in our Committee on Transportation and Infrastructure is the highways, the bridges, the water and sewer systems, the port facilities, the Coast Guard and, indeed, FEMA itself. We should understand, as I said last Friday on passage of the first increment, that this is a down payment. That \$10.5 billion is a down payment. This \$52 billion is a down payment on the needs of the gulf, the need for restoration of the wetlands, the buffers that slow the advance of storms, that prevent the erosion of the coastline.

But there is also a need to restore the buoys in the harbor, to replant the sandbars and the channels in the harbor and the riverway. There is a need to invest more in the Corps of Engineers to reevaluate the levees and the protective systems, the riprap along the coast of the river banks of the Mississippi River and Lake Pontchartrain.

The causeway is under severe difficulty. The roadways throughout the Louisiana, Mississippi, and Alabama gulf areas are in serious difficulty. The storm surge has taken those out. We are going to need a huge investment in highways, bridges, water and sewer and sewage treatment facilities in the city of New Orleans and in other communities.

Our committee stands ready to address those issues, but we will need a comprehensive plan to address these issues, and I urge the Committee on Appropriations and the Office of Management and Budget to address that very issue of laying out a plan, so we think constructively into the future.

Parallel to the tragedy of human and physical disruption in the aftermath of Katrina, is the obvious disarray of the Federal Government's response. FEMA should have been in charge—but they didn't seem to be. For a long while, no Federal agency appeared to be in charge, coordinating the recovery efforts.

I predicted that this would happen when the Department of Homeland Security was created, with FEMA included in it. I argued against the inclusion of FEMA and offered an amendment to delete FEMA from the proposed new department during floor consideration of the DOHS bill.

I include at this point in the RECORD my remarks from the RECORD of July 25, 2002, in support of my amendment.

Mr. OBERSTAR. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, the Brookings Institution studied this proposal for a Department of

Homeland Security and reached the same conclusion as former FEMA Director James Lee With with this observation:

"There is very little day-to-day synergy between the preventive and protective functions of the border and transportation security entities in the Department and the emergency preparedness and response functions a consolidated FEMA contributes. There is, therefore, little to be gained in bringing these very different entities under the same organizational roof. And the costs are not insignificant.

"FEMA," the report says, "would likely become less effective in performing its current mission in case of natural disasters, as time, effort, and attention are inevitably diverted to other tasks within the larger organization."

Prior to the time when we enacted the Stafford Act which statutorily established FEMA in 1979, after we had shed its disaster, civil defense role, the Federal Government had had no coordinated or effective response to natural disasters, but FEMA became that response agency.

Now, if we move this really effective agency into a big bureaucracy, we know what happens. We all know in this Chamber what happens when a small agency gets into a big department and the big appetite for more money to be shuffled around with fungible dollars that can go from one agency to the next and suddenly, FEMA's will just dissipate and fritter away.

Mr. Chairman, I am in the enviable position of rising in support of the unanimous position of the Committee on Transportation and Infrastructure in reporting out our responsibilities toward homeland security, and that is the committee reported out recommendation to keep FEMA as an independent agency.

All right. This is July 2002. Let us fast forward to July 2003. The majority has prevailed. FEMA is a box in the mammoth bureaucracy of the Department of Homeland Security. Flood waters are swirling around your city. You call for help. You get the Department of Homeland Security. The switchboard sends your call to the Under Secretary's office which looks up "disaster" on their organizational chart and sends you to the Congressional Liaison Office, which then promises to get a message back to you in 24 hours. Eventually, they find FEMA, by which time you are stranded on the roof of your house waving a white handkerchief and screaming for help. FEMA, the word comes back, sorry, is looking for suspected terrorists some place in the hinterland of America and will get back to you as soon as we can.

This Department of Homeland Security is a bureaucracy in search of a mission. Do not give them FEMA's mission. It is too important to waste on this misguided department. There is that old barnyard saying, "if it ain't broke, don't fix it." FEMA ain't broke. Don't fix it by ruining it and sending it into the Department of Homeland Security. It is nimble, quick, lean, effective as an independent agency today. Keep it that way. Help your city, help your State, help yourself, help your firefighter by keeping FEMA as an independent, agency where it belongs and has been effective.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Illinois (Mr. MANZULLO).

Mr. MANZULLO. Mr. Speaker, I rise in support of H.R. 3673, but as chairman of the Committee on Small Business I want to raise an issue of potential concern regarding one provision included in the bill that raises the micropurchase threshold from \$2,500 to \$250,000

for goods and services used in support of Hurricane Katrina rescue and relief.

We understand the need for giving relief and aid to the victims as quickly as possible. I also understand that was the reason the administration requested inclusion of this provision in the supplemental.

While the provision in the bill only deals with the immediate rescue and relief operations, I am concerned that, moving forward, we ensure that small businesses, particularly those in the impacted gulf areas, are able to play a significant role in the recovery.

I would ask the chairman if he would be willing to work with me and the administration to ensure that our small businesses are fully utilized and that we maintain appropriate controls over contracting.

Mr. LEWIS of California. Mr. Speaker, will the gentleman yield?

Mr. MANZULLO. I yield to the gentleman from California.

Mr. LEWIS of California. Mr. Speaker, I first want to say that I appreciate the gentleman bringing this to our attention, as chairman of the Committee on Small Business. Indeed, I will be happy to continue working with the gentleman over time regarding this matter, and I look forward to that effort.

Mr. OBEY. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, we have all seen the damage done when FEMA is run by incompetence and when FEMA itself is a disabled agency. We must depoliticize and professionalize the leadership at FEMA, and I hope we will have an opportunity to do that very soon, because until we do, this money is being spent by a disabled agency.

One other point. The news media has talked often about those who were left behind in New Orleans. They are easy to see because the cameras are there and we can see the dead bodies floating in the water. But there are millions of other Americans in and outside of the region who are also being left behind in our schools. They are being left behind in health care. They are being left behind on Medicaid.

I would hope that this Congress would have the decency to set aside its plans to provide billions of dollars in additional tax cuts for the most wealthy and the most prosperous and comfortable among us while the needs of so many are so apparent and while so many Americans are indeed still being left behind in the affected area and in other regions of our country.

Mr. Speaker, I would also hope that we could come to an agreement that in a matter this serious, the most serious disaster that has ever affected this country, this Congress would find a way to deal with these issues in a bipartisan and consultative fashion. If you want cooperation, you need to extend cooperation. This is too important for this business to be handled any other way.

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

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

Mr. OBEY. Mr. Speaker, I yield 2 minutes to the distinguished gentleman from Louisiana (Mr. JEFFERSON).

Mr. JEFFERSON. Mr. Speaker, I thank the gentleman for yielding me this time, and I thank the gentleman from California (Mr. LEWIS) for his fine gesture and for the work they have done on this appropriations matter.

We have all seen the devastation in the news of my home district and my State of Louisiana and the gulf coast, but that is only a pale reflection of the destruction my constituents have experienced. Hundreds of thousands of my constituents have been uprooted from their homes. More than 100,000 businesses have been shuttered. And hundreds, possibly thousands, of lives have been lost due to the ravages of Hurricane Katrina. So words do not describe the damage.

Just last week, this House convened in emergency session and appropriated \$10.5 billion to begin the recovery from this natural disaster. And, remarkably, less than a week later, most of that has been spent or committed. Accordingly, we come together today for another \$50 billion or so to continue what is a long, hard recovery throughout the gulf coast, but particularly in my hometown of New Orleans.

With the passage of this supplemental appropriation bill, we have committed almost \$63 billion to the recovery and reconstruction efforts. But I want to sound the alarm today, lest the House become the victim of Hurricane recovery fatigue.

In normal circumstances, \$63 billion would be a lot of money for recovery and reconstruction. But Hurricane Katrina was no normal hurricane, and her effects are unprecedented. So I want to make sure that this House and this Congress understand that these monies are just the beginning, what the President has called a down payment on the long-term commitment to the recovery and revival of the areas decimated by Hurricane Katrina.

Reliable economic estimates suggest that the total Federal cost of the reconstruction and recovery of the affected areas will be in the neighborhood of \$225 billion, with \$100 billion required to clean up, reconstruct, resettle and revive my hometown of New Orleans. In other words, the almost \$52 billion we are allocating today, while needed and wonderful, and we are grateful that we are doing it, and I appreciate everything that is being done here, it is just a down payment.

I wanted to say one other thing today that concerns me, and I hope we can fix it up later. The bill, as it is presently set up, raises the cap on government emergency micropurchases from \$15 million to \$250 million. This may work to the detriment of small businesses and prevent them from participating in this program. This is something we cannot let happen, and I hope we will fix this up as the bill moves along.

But I am grateful to the House for its quick action on this matter. Our people need it.

Mr. LEWIS of California. Mr. Speaker, I yield 1 minute to the gentleman from Pennsylvania (Mr. FATTAH), a member of the committee.

Mr. FATTAH. Mr. Speaker, I rise to recognize the fact that Americans have, through their private contributions, given more in terms of responding to this disaster than any other disaster in the country's history, well over \$500 million to date.

□ 1500

I recognize the sobering work of our committee in coming to grips with this supplemental and putting forth tens of billions of dollars to respond to this crisis. I agree with my colleague from Louisiana that there will be a need for us to do more, and I, for one, know that our committee is prepared to stand and to respond to this crisis.

It is unfortunate that our response was not as it should have been. As the President said, the results were inadequate. But I think it is appropriate that the Congress today take this action, and I want to thank the chairman and the ranking member for their ability to work together to bring this bill to the floor and to move it so expeditiously in this process.

Even though imperfect, I hope it will be made more perfect as we go forward.

Mr. LEWIS of California. Mr. Speaker, I yield for the purpose of making a unanimous consent request to the gentleman from Georgia (Mr. GINGREY).

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

Mr. GINGREY. Mr. Speaker,

I rise today to express my serious concerns for the process, let me repeat, the process under which these supplemental appropriations are being considered.

First, I want to emphatically express my full support for aiding those lives and those cities devastated by Hurricane Katrina. Having been to Baton Rouge, having physically worked with the victims, there is no doubt in my mind that these people need our help.

However, Mr. Speaker, we should help them in a responsible and thoughtful manner. There is no question that time is of the essence, but we are not talking about pocket change, \$50 billion is not pocket change, Mr. Speaker, and fellow members of this body, we have a Constitutional duty to spend the people's money very carefully and with deliberate consideration. Even in times of crisis, a blank check does not guarantee results and can often lead to wasteful spending. Wasteful spending will not save one life. Wasteful spending will not rebuild one destroyed house, will not clear one single road, and will not feed one starving child.

Furthermore, Mr. Speaker, I urge my colleagues in both this House and especially in the Senate to refrain from tacking on any pork. This supplemental should not be a gravy train for any special or individual interests.

Every member of this body should condition their support of this supplemental upon strict oversight and follow up with sound policy

changes. We cannot just throw billions of dollars at this catastrophe or any catastrophe for that matter.

Mr. Speaker, we need to follow-up these dollars with thorough oversight and investigation to make sure that every penny, I repeat, every penny goes to help the victims. And, we need to cut down every unnecessary piece of red tape in the process, such as suspending the requirements of the Davis-Bacon Act to help the reconstruction of this devastated area. Let's untie the hands of those who are ready to help and rebuild. We have enough obstacles to overcome as it is. We don't need any kind of bureaucratic surcharge on saving lives.

Mr. Speaker, I want to again caution my colleagues. Let's get help to the people in need but let's do so in a responsible and sound manner. The American people expect no less of us, and we owe them no less.

Mr. OBEY. Mr. Speaker, I yield the balance of my time to the gentlewoman from California (Ms. PELOSI), the distinguished minority leader.

The SPEAKER pro tempore (Mr. BASS). The gentlewoman from California is recognized for 1 minute.

Ms. PELOSI. Mr. Speaker, this is indeed a solemn occasion for Congress, when we come together to help people in our country who have suffered greatly in a way that will take a very long time to repair. What they expect of us is for us to perform our Federal role in a manner that would honor the social compact between the Federal Government and the people in need in our country.

I just heard on the news, and it is very sobering, that about 14 bodies were found at Memorial Hospital in New Orleans. Last night we heard that 30 bodies were found at the nursing home there as well. These, and many, many other deaths, are a sad tragedy for our country, for those people, of course, and for their families. So it would be my hope that we could send out the best possible message to the people of our country, that the Congress is coming together in the manner that we did after 9/11 to work in a non-partisan way, a bipartisan way, to help meet their needs.

We had an opportunity to do that today. Sadly, it was a missed opportunity, because there was not a chance for amendment to the legislation that is on the floor now. The opportunity would have been there to subject FEMA to the scrutiny that it should be subjected to and to take action to correct the situation.

FEMA is the link between the Federal Government and the American people and the social compact. Unfortunately, this time it was a weak link. But there is something that can be done about it. It can be moved from the Department of Homeland Security to be an independent agency, as it was before; and it could have the proper leadership running FEMA.

I call upon the President to remove Michael Brown, the current director, and put in there a person of capability and credentials, perhaps someone from

the military who knows organization and leadership, not someone who has absolutely no credentials for the job. This is important. It is not a question of criticizing, it is a question of changing the situation so that we can better meet the needs of the people who are suffering out there, and to do it before we have more unnecessary suffering.

I believe that we had two disasters: one, a natural one; the second one, a man-made disaster, a disaster made by the mistakes of FEMA following Hurricane Katrina.

This is something we can do immediately. This is something we can do immediately because here we are on the floor of Congress appropriating \$50 billion to an agency which has a record of poor performance and a leadership without qualifications for the job. If you need any further evidence of the lack of performance, you need only look to last week.

So why could we not have had legislation come to the committee of jurisdiction, the committee of the gentleman from California (Mr. LEWIS), and the ranking member, the gentleman from Wisconsin (Mr. OBEY), where the considerable talent on both sides of the aisle could have subjected this request to scrutiny, how is this money being sent, what is the accountability of it?

This is \$50 billion on top of \$10.5 billion last week, which was brought to the floor with 5 minutes of debate on each side. That is all that was allowed before the bill was voted on. What are we afraid of? What are we afraid of? What is this Congress afraid of, that we will not allow our congressional committees to review the request, to establish accountability, to bring its expertise to bear on it?

So, obviously we are all going to vote for this. It is very, very important for people to understand that whatever our differences on how the money gets to them that those differences do not stand in the way of probably what will be a unanimous vote in this House. But it is a lot of money, and it is not the end. We will be having more requests from the administration, I am sure, and when we do, I hope that they will have the confidence in their request to send their request to the committee of jurisdiction, so that there can be appropriate congressional review, public comment and, again, the accountability and oversight that Congress has the responsibility to perform.

This is a democracy, the United States of America, the greatest democracy in the history of the world, and we are being governed by decree. The President decides on a figure, he sends it over, we do not even get a chance to look at it much before we are called upon to vote on it, again bypassing the committees of jurisdiction. I cannot imagine that is okay with the Committee on Appropriations. As a longtime member of the committee, I certainly hope it is not.

But the bigger issue, the bigger issue, is how we do the job for the American

people. In order to do that job, there are so many people who are so much more important than Members of Congress in all of this: public employees, firefighters, police officers, health care professionals, public and private sector people out there, who are great heroes, great heroes. They saved lives, and some of them gave their lives to help others.

Responding to the Gospel of this past Sunday, the 23rd Sunday after Easter, the Gospel of Matthew about the commandment where Matthew says, "the greatest of these is love, to love thy neighbor as thyself." We will be tested on these as we go ahead to see if we are smart enough to help people in a way that enables them to take control of their lives as soon as possible.

We have proposals the Democrats would have liked to offer today to cut the red tape, to improve the performance of FEMA, for there to be job creation in the region, to stop price gouging at the pump for gasoline and to have qualified, qualified, leadership in the roles.

So this is all a question of our judgment. Is the performance that we saw last week up to standard for us? I do not think so, because it did not meet the needs of the American people.

When we are little, I think it was high school, but now it is probably grade school, that children are reading John Donne, "No Man is an Island," "For Whom the Bell Tolls." But I thought of it so much as we see these lasting impressions of Mississippi, just obliterated on its coastline, and New Orleans inundated and Alabama so affected, and even parts of Florida, and the incredible generosity of all of the States receiving evacuees as guests in their State.

I think the optimism, the goodness, the compassion of the American people is the greatest force for good in our country, and God bless them for their goodness.

But, again, for whom the bell tolls, as we look at the tragedy in the gulf coast States, it is clear that we are seeing a mirror of our country; and if ever there was an occasion where the bell was tolling and we would ask the question for whom the bell tolls, it does toll for each and every one of us, because every one of those deaths does diminish, as the poem goes, every one of us.

So I hope the families in America know that the staggering numbers are just appalling to us, but we think of them one family at a time and want to make decisions that address their needs one family at a time.

Mr. Speaker, with that, I will vote for this. I would hope, again, that future appropriations requests for Katrina will be presented in a timely fashion that will enable us to review them, to have some accountability from FEMA on how this money is spent, so that we can honor our oath of office that we take to protect and defend the Constitution, yes, but to provide for the safety of the American people.

Mr. LEWIS of California. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as I go about introducing my final speaker, I was very impressed by the gentlewoman's comments and her willingness to work in a bipartisan way regarding the challenge ahead of us.

I wanted to mention to her we have been looking very seriously at the problems in the region of the gulf for a long time. In the last 5 years, the Congress has appropriated some \$1.9 billion for flood control in Louisiana. I might mention only \$1.4 billion has been appropriated for all of California, seven times the population. So we have been truly focusing upon that region.

Just last Friday, as you know, we passed a \$10.5 billion package for this immediate crisis, and today we have over a \$50 billion package before us. So the Congress is attempting to focus upon this very real challenge.

I am very happy that the gentlewoman recognizes that we do need to work together in terms of finding the why of all of this, but right now it is most important to respond to the challenges and needs of the American people in danger.

Mr. Speaker, I yield 1 minute to the gentleman from Texas (Mr. DELAY), the majority leader of the House.

Mr. DELAY. Mr. Speaker, I thank the gentleman for yielding me time, and I appreciate him and the gentleman from Wisconsin working together on this package and bringing it to the floor. It is incredibly important to a lot of people that are suffering.

I have to begin my remarks by telling a little bit about myself and what I have been doing, to give you an idea that I know from what I speak. I was raised on the gulf coast. I have been through many hurricanes. I have watched responses to many hurricanes. I have watched the ability to respond to many hurricanes. I understand what the response is supposed to be.

I also in this particular case come from Houston, Texas, and I am incredibly proud of my fellow citizens in the Houston-Galveston region in opening their arms and their compassion and wallets and resources and homes to those that are in need, especially our brothers and sisters from Louisiana.

But we also consider that the third disaster. The first disaster was the hurricane, the second disaster was the floods in New Orleans, and the third disaster was what do you do with over 2 million people in a very short period of time? And in just days, Houston put together a virtual city for 60,000 people.

Then I went through the same frustrations that many of those on the ground in New Orleans and Mississippi and Louisiana and Alabama went through, because you are dealing with the same things; you are dealing with the same people, FEMA, the Federal Government, State government, city government, all governments, and you run into the same frustrations.

So, as is normal about me, I decided to do something about these frustrations, and I went to Baton Rouge where the control center was. I wanted to see the organization, the system, how was it working, what was going on on the ground.

□ 1515

I get into Baton Rouge, and I quickly realize that Baton Rouge was the biggest brunt of the third disaster because Baton Rouge, which I think is a city of about 500,000 people, all of a sudden saw within one day their population double. Double. And yet they were able to handle it. Sure, there were problems. Sure, there was suffering. But Baton Rouge citizens opened their arms and brought these people in. That was the first place that people could come, coming out of New Orleans.

Then from there they went to Lafayette, and they received another big brunt of the third disaster, and they handled it. Sure, there were frustrations all over the place and there was, frankly, a breakdown in the system.

The system is designed, if it works properly, from the bottom up. The system depends on the local government, whether it be mayor or county, dealing with whatever disaster problem they have; and when they find out they cannot deal with it, they go to the next level of government, to the Governor and to the State to help them out. And then when neither the State nor the locals can deal with it, they come to the Federal Government.

That is how the system is supposed to work. That is how it is set up. And when that breaks down, everything breaks down because we have to realize that every hour is absolutely precious after a disaster. I have seen this my entire life. Every hour certain things have to happen. But when we have a situation where people will not make a decision, we have lost that hour and we are into the next hour, and then we have to circle around and come back into the first hour to clean up the mess while we are trying to handle and catch up to the other hours. And then when it really starts breaking down, entire chaos happens. And in this case, it was not entire chaos. I would describe it as organized chaos. It was pretty messy.

Now, you can look at this disaster two different ways. You can offer nothing constructive except blaming when people need services at the moment and you spend your time and your caring time pointing fingers or making assumptions or calling for complete changes in government, and you spend all your time and energy focused on that.

Or you can understand that there are problems when we have 2 million people or we have three States in dire need as if they were at war and deal with the problems and the frustrations at that time that we find them and find answers immediately and move forward and find ways to fix them and find

ways to take care of these people, find them the clothes, the shoes, the diapers, the food, the water, find them the cots that they need, find them the health care system that they need, find them a military officer or a wonderful soldier to go down and pull them out of a house, find them the Coast Guard helicopter to go and pull them off the top of the house, find the wherewithal in just a day or so to plug up the levees. I mean, you can either point your finger or you can see what happened.

The mirror of America that I saw was the most incredible outpouring of America that I have seen in my lifetime. All over this country, all over this country, people immediately got trucks and filled them up and drove 2,000 miles. One of our own Members did that from Nevada. Two thousand miles. This happened all over the country. Bringing supplies, bringing their hearts, bringing themselves and putting themselves in harm's way, especially in the case of New Orleans. I mean, it was unbelievable.

Our first responders from all over the Nation are down in Mississippi and Louisiana and Alabama. People are opening their doors to the people that need it. Can the Members imagine, and I do not know exactly what the total population of the disaster is, but I would imagine it is around 4 million people, 4 or 5 million people, but this country absorbed 4 to 5 million people overnight. That is an incredible accomplishment. And we ought to be proud of that. And what are we doing in Washington? We are pointing fingers. We are talking about process. We are doing the things that, frankly, disgust people when they see it on television.

Now, we have chosen to push that all aside because there is plenty of time for that later. What is important right now, I mean we are not even out of the save-the-life phase. We still have people in New Orleans that we are finding and pulling out of these houses.

The next phase is called the recovery phase, and we are sort of in that in certain parts of the country, especially in Mississippi and in Alabama. We ought to be focused on that. These people are out in these shelters. Can the Members imagine, in the Astrodome. Look at your television. There are 10,000 people or more on the floor of the Astrodome living next to each other. That is unsustainable. We have to do something with these people. We have to give them hope for the rest of their lives. They are asking the question, What do I do tomorrow? And we have to give them that answer. What do I do next week? What do I do a month from now? How do I get my kids in school? Where do I find my wife? In some cases, where do I find my pet, my dog? What do I do tomorrow? I have no money. My bank is closed. This hit me at the end of the month, and I am out of money. What do I do?

We have got the answer because we are focused on answering those questions. We are focused on giving them

the relief that they need. We have to give them the relief they need so that they can start planning their lives. One does not sit around after a disaster and not have some way of knowing how they are going to get back into a house, how they are going to be able to have a little privacy.

They are living on the floor of the Astrodome with 16,000 other people. There is no privacy on the floor of the Astrodome. They have got to have some way of knowing what is going to happen to them tomorrow. We have focused on that. And bringing this bill to the floor pays for a lot of it.

I know the American people, some of them, are worrying about all this money. Mr. Speaker, 5 million people, 5 million Americans, deserve our finding a way to make them whole. We are not even asking to make them whole. That was a misstatement. What we are asking is to give them a little hope over the next few weeks so that we can take care of their needs and get them back up and running again.

Now, some would say we need to take over their lives and dictate to them and tell them what to do and put them back. That is not what we are talking about here. We are talking about the very essentials that we need for the recovery process and the beginning of the rebuilding process. And it is expensive because there are a lot of people, and there was an incredible amount of damage.

We are not just writing a blank check. We have got some safeguards. We have got safeguards built into this bill, and we have got safeguards built into the law that already exists so that they can only spend money on things that should be spent on and not be frivolous about it and throw it away. Sure, there is going to be wasted money. We cannot deal with 5 million people and not waste some money. But the bulk of the money is going to go to the people and the process and the property that deserve it to get back on their feet.

This is incredibly important, and it is too important to play politics with. It is too important to point fingers at. It is too important to second-guess. It is easy to be a Monday morning quarterback, but you should have been in that control room where those people were making life and death decisions, people that stayed up and got no sleep and very little food for 5 to 6 days straight trying to make the right decisions to save people.

And what happens when we come up here? They point the finger. You did not make the right decision here. You did not take care of needs there. You did not do this; you did not do that. The point is if we look at the big picture, it is a phenomenal accomplishment by everybody involved. It is unbelievable. I am constantly struck by where we are today, just a little over a week from the worst catastrophe that this country has seen, I guess, certainly in recent history. We ought to be proud about that; and, most impor-

tantly, we should be proud of ourselves. We should be proud of our American brothers and sisters.

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

The SPEAKER pro tempore (Mr. THORNBERRY). The question is on the motion offered by the gentleman from California (Mr. LEWIS) that the House suspend the rules and pass the bill, H.R. 3673.

The question was taken.

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

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

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

The Sergeant at Arms will notify absent Members.

Pursuant to clause 8 of rule XX, this 15-minute vote on H.R. 3673 will be followed by 5-minute votes on H.R. 3669, H.R. 3668, H. Res. 428, and H. Res. 427, all by the yeas and nays.

The vote was taken by electronic device, and there were—yeas 410, nays 11, not voting 12, as follows:

[Roll No. 460]

YEAS—410

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite,
Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp
Cannon

Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Choccola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Cunningham
Davis (AL)
Davis (CA)
Davis (FL)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle

Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Evans
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Foley
Forbes
Ford
Fortenberry
Fossella
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)

Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee
(TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel
E.
Lynch
Mack
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McDermott

McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Menendez
Mica
Michaud
Millender-
McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Ortiz
Osborne
Owens
Oxley
Pallone
Pascarell
Pastor
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Ruppersberger

NAYS—11

Barton (TX)
Flake
Fox
Garrett (NJ)

Hostettler
King (IA)
Otter
Paul

NOT VOTING—12

Baker
Berkley
Brady (TX)
Butterfield

Conaway
Everett
Maloney
McCrery

Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda
T.
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Sweeney
Tanner
Tauscher
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Wasserman
Schultz
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (FL)

Sensenbrenner
Tancred
Westmoreland

Oliver
Sanchez, Loretta
Taylor (MS)
Young (AK)

□ 1547

Mr. NADLER and Mr. GILCHREST changed their vote from “nay” to “yea.”

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

NATIONAL FLOOD INSURANCE PROGRAM ENHANCED BORROWING AUTHORITY ACT OF 2005

The SPEAKER pro tempore (Mr. THORNBERRY). The pending business is the question of suspending the rules and passing the bill, H.R. 3669.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Ohio (Mr. NEY) that the House suspend the rules and pass the bill, H.R. 3669, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 416, nays 0, not voting 17, as follows:

[Roll No. 461]

YEAS—416

Abercrombie	Capuano	Emanuel
Ackerman	Cardin	Emerson
Aderholt	Cardoza	Engel
Akin	Carnahan	English (PA)
Alexander	Carson	Eshoo
Allen	Carter	Etheridge
Andrews	Case	Evans
Baca	Castle	Farr
Bachus	Chabot	Fattah
Baird	Chandler	Feeney
Baldwin	Chocola	Ferguson
Barrett (SC)	Clay	Fitzpatrick (PA)
Barrow	Cleaver	Flake
Bartlett (MD)	Clyburn	Foley
Barton (TX)	Coble	Forbes
Bass	Cole (OK)	Ford
Bean	Conyers	Fortenberry
Beauprez	Cooper	Fossella
Becerra	Costa	Fox
Berman	Costello	Frank (MA)
Berry	Cramer	Franks (AZ)
Biggart	Crenshaw	Frelinghuysen
Bilirakis	Crowley	Gallely
Bishop (NY)	Cubin	Garrett (NJ)
Bishop (UT)	Cuellar	Gerlach
Blackburn	Culberson	Gibbons
Blumenauer	Cummings	Gilchrest
Blunt	Cunningham	Gillmor
Boehlert	Davis (AL)	Gingrey
Boehner	Davis (CA)	Gohmert
Bonilla	Davis (FL)	Gonzalez
Bonner	Davis (IL)	Goode
Bono	Davis (KY)	Goodlatte
Boozman	Davis (TN)	Gordon
Boren	Davis, Jo Ann	Granger
Boswell	Davis, Tom	Graves
Boucher	Deal (GA)	Green (WI)
Boustany	DeFazio	Green, Al
Boyd	DeGette	Green, Gene
Bradley (NH)	Delahunt	Grijalva
Brady (PA)	DeLauro	Gutierrez
Brown (OH)	DeLay	Gutknecht
Brown (SC)	Dent	Hall
Brown, Corrine	Diaz-Balart, L.	Harman
Brown-Waite,	Diaz-Balart, M.	Harris
Ginny	Dicks	Hart
Burgess	Dingell	Hastings (FL)
Burton (IN)	Doggett	Hastings (WA)
Buyer	Doolittle	Hayes
Calvert	Doyle	Hayworth
Camp	Drake	Hefley
Cannon	Dreier	Hensarling
Cantor	Duncan	Herger
Capito	Edwards	Herseth
Capps	Ehlers	Higgins

Hinchey	McMorris
Hinojosa	McNulty
Hobson	Meek (FL)
Hoekstra	Meeks (NY)
Holden	Melancon
Holt	Menendez
Honda	Mica
Hooley	Michaud
Hostettler	Millender-
Hoyer	McDonald
Hulshof	Miller (FL)
Hunter	Miller (MI)
Hyde	Miller (NC)
Inglis (SC)	Miller, Gary
Inslee	Miller, George
Israel	Mollohan
Istook	Moore (KS)
Jackson (IL)	Moore (WI)
Jackson-Lee	Moran (KS)
(TX)	Moran (VA)
Jefferson	Murphy
Jenkins	Murtha
Jindal	Musgrave
Johnson (CT)	Myrick
Johnson (IL)	Nadler
Johnson, E. B.	Napolitano
Johnson, Sam	Neal (MA)
Jones (NC)	Neugebauer
Jones (OH)	Ney
Kanjorski	Northup
Keller	Norwood
Kelly	Nunes
Kennedy (MN)	Nussle
Kennedy (RI)	Oberstar
Kildee	Obey
Kilpatrick (MI)	Ortiz
Kind	Osborne
King (IA)	Otter
King (NY)	Owens
Kingston	Oxley
Kirk	Pallone
Kline	Pascarell
Knollenberg	Pastor
Kolbe	Paul
Kucinich	Payne
Kuhl (NY)	Pearce
LaHood	Pelosi
Langevin	Pence
Lantos	Peterson (MN)
Larsen (WA)	Peterson (PA)
Larsen (CT)	Petri
Latham	Pickering
LaTourette	Pitts
Leach	Platts
Lee	Poe
Levin	Pombo
Lewis (CA)	Pomeroy
Lewis (GA)	Porter
Lewis (KY)	Price (GA)
Linder	Price (NC)
Lipinski	Pryce (OH)
LoBiondo	Putnam
Lofgren, Zoe	Radanovich
Lowe	Rahall
Lucas	Ramstad
Lungren, Daniel	Rangel
E.	Regula
Lynch	Rehberg
Mack	Reichert
Manzullo	Renzi
Marchant	Reyes
Markey	Reynolds
Marshall	Rogers (AL)
Matheson	Rogers (KY)
Matsui	Rogers (MI)
McCarthy	Rohrabacher
McCaul (TX)	Ros-Lehtinen
McCollum (MN)	Ross
McCotter	Rothman
McDermott	Roybal-Allard
McGovern	Royce
McHenry	Ruppersberger
McHugh	Rush
McIntyre	Ryan (OH)
McKeon	Ryan (WI)
McKinney	Ryun (KS)

NOT VOTING—17

Baker	Everett
Berkley	Finler
Bishop (GA)	Issa
Brady (TX)	Kaptur
Butterfield	Maloney
Conaway	McCrery

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Sabo	Schakowsky
Salazar	Schiff
Sanchez, Linda	Schmidt
T.	Schwartz (PA)
Sanders	Schwartz (MI)
Saxton	Scott (GA)
Schiff	Scott (VA)
Schmidt	Sensenbrenner
Schwarztz (PA)	Serrano
Schwartz (MI)	Sessions
Scott (GA)	Shadegg
Scott (VA)	Shaw
Sensenbrenner	Shays
Serrano	Sherman
Sessions	Sherwood
Shadegg	Shimkus
Shaw	Shuster
Shays	Simmons
Sherman	Simpson
Sherwood	Skelton
Shimkus	Slaughter
Shuster	Smith (NJ)
Simmons	Smith (TX)
Simpson	Smith (WA)
Skelton	Snyder
Slaughter	Sodrel
Smith (NJ)	Solis
Smith (TX)	Souder
Smith (WA)	Spratt
Snyder	Stark
Sodrel	Stearns
Solis	Strickland
Souder	Stupak
Spratt	Sullivan
Stark	Sweeney
Stearns	Tancred
Strickland	Tanner
Stupak	Tauscher
Sullivan	Taylor (NC)
Sweeney	Terry
Tancred	Thomas
Tanner	Thompson (CA)
Tauscher	Thompson (MS)
Taylor (NC)	Thornberry
Terry	Tiahrt
Thomas	Tiberi
Thompson (CA)	Tierney
Thompson (MS)	Towns
Thornberry	Turner
Tiahrt	Udall (CO)
Tiberi	Udall (NM)
Tierney	Upton
Towns	Van Hollen
Turner	Velázquez
Udall (CO)	Visclosky
Udall (NM)	Walden (OR)
Upton	Walsh
Van Hollen	Wamp
Velázquez	Wasserman
Visclosky	Schultz
Walden (OR)	Waters
Walsh	Watson
Wamp	Watt
Wasserman	Waxman
Schultz	Weiner
Waters	Weldon (FL)
Watson	Weldon (PA)
Watt	Weller
Waxman	Westmoreland
Weiner	Wexler
Weldon (FL)	Whitfield
Weldon (PA)	Wicker
Weller	Wilson (NM)
Westmoreland	Wilson (SC)
Wexler	Wolf
Whitfield	Woolsey
Wicker	Wu
Wilson (NM)	Wynn
Wilson (SC)	Young (FL)
Wolf	
Woolsey	
Wu	
Wynn	
Young (FL)	

□ 1556

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 461, on H.R. 3669, I was in route to my Congressional District on official business. Had I been present, I would have voted “yea.”

STUDENT GRANT HURRICANE AND DISASTER RELIEF ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 3668.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Louisiana (Mr. BOUSTANY) that the House suspend the rules and pass the bill, H.R. 3668, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 414, nays 0, not voting 19, as follows:

[Roll No. 462]

YEAS—414

Abercrombie	Capps	Edwards
Ackerman	Capuano	Ehlers
Aderholt	Cardin	Emanuel
Akin	Cardoza	Emerson
Alexander	Carnahan	Engel
Allen	Carson	English (PA)
Andrews	Carter	Eshoo
Baca	Case	Etheridge
Bachus	Castle	Evans
Baird	Chabot	Farr
Baldwin	Chandler	Fattah
Barrett (SC)	Chocola	Feeney
Barrow	Clay	Ferguson
Bartlett (MD)	Cleaver	Fitzpatrick (PA)
Barton (TX)	Clyburn	Flake
Bass	Coble	Foley
Bean	Cole (OK)	Forbes
Beauprez	Conyers	Ford
Becerra	Cooper	Fortenberry
Berman	Costa	Fossella
Berry	Costello	Fox
Biggart	Cramer	Frank (MA)
Bilirakis	Crenshaw	Franks (AZ)
Bishop (GA)	Crowley	Frelinghuysen
Bishop (NY)	Cubin	Gallely
Bishop (UT)	Cuellar	Garrett (NJ)
Blackburn	Culberson	Gerlach
Blunt	Cummings	Gibbons
Boehlert	Cunningham	Gilchrest
Boehner	Davis (AL)	Gillmor
Bonilla	Davis (CA)	Gingrey
Bonner	Davis (FL)	Gohmert
Bono	Davis (IL)	Gonzalez
Boozman	Davis (KY)	Goode
Boren	Davis (TN)	Goodlatte
Boswell	Davis, Jo Ann	Gordon
Boucher	Davis, Tom	Granger
Boustany	Deal (GA)	Graves
Boyd	DeFazio	Green (WI)
Bradley (NH)	DeGette	Green, Al
Brady (PA)	Delahunt	Green, Gene
Brown (OH)	DeLauro	Grijalva
Brown (SC)	Dent	Gutierrez
Brown (SC)	DeLay	Gutknecht
Brown, Corrine	Diaz-Balart, L.	Hall
Brown-Waite,	Diaz-Balart, M.	Harman
Ginny	Dicks	Harris
Burgess	Dingell	Hart
Burton (IN)	Doggett	Hastings (FL)
Buyer	Doolittle	Hastings (WA)
Calvert	Doyle	Hayes
Camp	Drake	Hayworth
Cannon	Dreier	Hefley
Cantor	Duncan	Hensarling
Capito	Edwards	
Capps	Ehlers	

Herger
 Herseth
 Higgins
 Hinchey
 Hinojosa
 Hobson
 Hoekstra
 Holden
 Holt
 Honda
 Hooley
 Hostettler
 Hoyer
 Hulshof
 Hunter
 Hyde
 Inglis (SC)
 Inslee
 Israel
 Istook
 Jackson (IL)
 Jackson-Lee (TX)
 Jefferson
 Jenkins
 Jindal
 Johnson (CT)
 Johnson (IL)
 Johnson, E. B.
 Johnson, Sam
 Jones (NC)
 Jones (OH)
 Kanjorski
 Keller
 Kelly
 Kennedy (MN)
 Kennedy (RI)
 Kildee
 Kilpatrick (MI)
 Kind
 King (IA)
 King (NY)
 Kingston
 Kirk
 Kline
 Knollenberg
 Kolbe
 Kucinich
 Kuhl (NY)
 LaHood
 Langevin
 Lantos
 Larsen (WA)
 Larson (CT)
 Latham
 LaTourette
 Leach
 Lee
 Levin
 Lewis (CA)
 Lewis (GA)
 Lewis (KY)
 Linder
 Lipinski
 LoBiondo
 Lofgren, Zoe
 Lowey
 Lucas
 Lungren, Daniel E.
 Lynch
 Mack
 Manzullo
 Marchant
 Markey
 Marshall
 Matheson
 Matsui
 McCarthy
 McCaul (TX)
 McCollum (MN)
 McCotter
 McDermott
 McGovern
 McHenry
 McHugh

NOT VOTING—19

Baker
 Berkley
 Blumenauer
 Brady (TX)
 Butterfield
 Conaway
 Everett

McIntyre
 McKeon
 McKinney
 McMorris
 McNulty
 Meek (FL)
 Meeks (NY)
 Melancon
 Menendez
 Mica
 Michaud
 Millender
 McDonald
 Miller (FL)
 Miller (MI)
 Miller (NC)
 Miller, Gary
 Miller, George
 Mollohan
 Moore (KS)
 Moore (WI)
 Moran (KS)
 Moran (VA)
 Murphy
 Murtha
 Musgrave
 Myrick
 Nadler
 Napolitano
 Neal (MA)
 Neugebauer
 Ney
 Northup
 Norwood
 Nunes
 Nussle
 Oberstar
 Obey
 Ortiz
 Osborne
 Otter
 Owens
 Oxley
 Pallone
 Pascrell
 Pastor
 Paul
 Payne
 Pearce
 Pelosi
 Pence
 Peterson (MN)
 Peterson (PA)
 Petri
 Pitts
 Platts
 Poe
 Pombo
 Pomeroy
 Porter
 Price (GA)
 Price (NC)
 Pryce (OH)
 Putnam
 Radanovich
 Rahall
 Ramstad
 Rangel
 Regula
 Rehberg
 Reichert
 Renzi
 Reyes
 Reynolds
 Rogers (AL)
 Rogers (KY)
 Rogers (MI)
 Rohrabacher
 Ros-Lehtinen
 Ross
 Rothman
 Wolf
 Royce
 Ruppertsberger
 Rush
 Ryan (OH)

Ryan (WI)
 Ryun (KS)
 Sabo
 Salazar
 Sánchez, Linda T.
 Sanders
 Saxton
 Schakowsky
 Schiff
 Schmidt
 Schwartz (PA)
 Schwarz (MI)
 Scott (GA)
 Scott (VA)
 Sensenbrenner
 Sessions
 Shadegg
 Shaw
 Shays
 Sherman
 Sherwood
 Shimkus
 Shuster
 Simmons
 Simpson
 Skelton
 Slaughter
 Smith (NJ)
 Smith (TX)
 Smith (WA)
 Snyder
 Sodrel
 Solis
 Souder
 Spratt
 Stark
 Stearns
 Strickland
 Stupak
 Sullivan
 Sweeney
 Tancredo
 Tanner
 Tauscher
 Taylor (NC)
 Terry
 Thomas
 Thompson (CA)
 Thompson (MS)
 Thornberry
 Tiahrt
 Tiberi
 Tierney
 Turner
 Udall (CO)
 Udall (NM)
 Upton
 Van Hollen
 Velázquez
 Visclosky
 Walden (OR)
 Walsh
 Wamp
 Wasserman
 Schultz
 Waters
 Watson
 Watt
 Waxman
 Weiner
 Weldon (FL)
 Weldon (PA)
 Weller
 Westmoreland
 Wexler
 Whitfield
 Wicker
 Wilson (NM)
 Wilson (SC)
 Wolf
 Blackburn
 Woolsey
 Wu
 Wynn
 Young (FL)

bers are advised that 2 minutes remain in this vote.

□ 1605

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 462, on H.R. 3668, I was in route to my Congressional District on official business. Had I been present, I would have voted “yea.”

EXPRESSING SINCERE GRATITUDE OF THE HOUSE OF REPRESENTATIVES TO FOREIGN ENTITIES THAT HAVE OFFERED ASSISTANCE AND SUPPORT TO THOSE AFFECTED BY HURRICANE KATRINA

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 428.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the resolution, H. Res. 428, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 410, nays 0, not voting 23, as follows:

[Roll No. 463]

YEAS—410

Abercrombie	Brown-Waite,	Davis (KY)	LoBiondo	Rogers (MI)
Ackerman	Ginny	Davis (TN)	Lofgren, Zoe	Rohrabacher
Aderholt	Burgess	Davis, Jo Ann	Lowey	Ros-Lehtinen
Akin	Burton (IN)	Davis, Tom	Lucas	Ross
Alexander	Buyer	Deal (GA)	Lungren, Daniel E.	Rothman
Allen	Calvert	DeFazio	McCauly (TX)	Royce
Andrews	Camp	DeGette	McCollum (MN)	Sabo
Baca	Cannon	Delahunt	McCotter	Salazar
Bachus	Cantor	DeLauro	McDermott	Sánchez, Linda T.
Baird	Capito	DeLay	McGovern	Sanders
Baldwin	Capps	Dent	McHenry	Schiff
Barrett (SC)	Capuano	Diaz-Balart, L.	McHugh	Schmidt
Barrow	Cardin	Diaz-Balart, M.	McIntyre	Schwartz (PA)
Bartlett (MD)	Cardoza	Dicks	McKinney	Schwarz (MI)
Bass	Carnahan	Dingell	McMorris	Scott (GA)
Bean	Carson	Doggett	McNulty	Scott (VA)
Beauprez	Carter	Doolittle	Meek (FL)	Sensenbrenner
Becerra	Case	Doyle	Meeks (NY)	Serrano
Berry	Castle	Drake	Melancon	Sessions
Biggett	Chabot	Dreier	Menendez	Shadegg
Bilirakis	Chandler	Duncan	Mica	Shaw
Bishop (GA)	Choccola	Edwards	Michaud	Shays
Bishop (NY)	Clay	Ehlers	Millender	Sherman
Bishop (UT)	Cleaver	Emanuel	McDonald	Sherwood
Blackburn	Clyburn	Emerson	Miller (FL)	Shimkus
Blunt	Coble	Engel	Miller (MI)	Shuster
Boehlert	Cole (OK)	English (PA)	Miller (NC)	Simmons
Boehner	Conyers	Eshoo	Miller, George	Simpson
Bonilla	Cooper	Etheridge	Mollohan	Skelton
Bonner	Costa	Evans	Moore (KS)	Slaughter
Bono	Costello	Farr	Moore (WI)	Smith (NJ)
Boozman	Cramer	Fattah	Moran (KS)	Smith (TX)
Boren	Crenshaw	Feeney	Moran (VA)	Smith (WA)
Boswell	Crowley	Ferguson	Murphy	Snyder
Boucher	Cubin	Fitzpatrick (PA)	Murtha	Sodrel
Boustany	Cuellar	Flake	Musgrave	Solis
Boyd	Culberson	Foley	Myrick	Souder
Bradley (NH)	Cummings	Forbes	Nadler	Spratt
Brady (PA)	Cunningham	Ford	Napolitano	Stark
Brown (OH)	Davis (AL)	Fortenberry	Neal (MA)	Stearns
Brown (SC)	Davis (CA)	Fossella	Neugebauer	Strickland
Brown, Corrine	Davis (FL)	Fox	Ney	Stupak
	Davis (IL)	Frank (MA)	Northup	Sullivan
			Norwood	Sweeney
			Nunes	Tancredo
			Nussle	Tanner
			Oberstar	Tauscher
			Obey	Taylor (NC)
			Ortiz	Terry
			Osborne	Thomas
			Otter	Thompson (CA)
			Owens	Thompson (MS)
			Oxley	Thornberry
			Pallone	Tiahrt
			Pascrell	Tiberi
			Pastor	Tierney
			Paul	Turner
			Payne	Udall (CO)
			Pearce	Udall (NM)
			Pelosi	Upton
			Pence	Van Hollen
			Peterson (MN)	Velázquez
			Peterson (PA)	Visclosky
			Petri	Walden (OR)
			Pickering	Walsh
			Pitts	Wamp
			Platts	Wasserman
			Poe	Schultz
			Pombo	Waters
			Pomeroy	Watson
			Porter	Watt
			Price (GA)	Waxman
			Price (NC)	Weiner
			Pryce (OH)	Weldon (FL)
			Putnam	Weldon (PA)
			Radanovich	Weller
			Rahall	Westmoreland
			Ramstad	Wexler
			Rangel	Whitfield
			Regula	Wicker
			Rehberg	Wilson (NM)
			Reichert	Wilson (SC)
			Renzi	Wolf
			Reyes	Woolsey
			Reynolds	Wu
			Rogers (AL)	Wynn
			Rogers (KY)	Young (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. THORNBERRY) (during the vote). Mem-

NOT VOTING—23

Baker	Everett	Meehan
Barton (TX)	Filner	Miller, Gary
Berkley	Issa	Oliver
Berman	Johnson, E. B.	Sanchez, Loretta
Blumenauer	Lynch	Taylor (MS)
Brady (TX)	Maloney	Towns
Butterfield	McCrery	Young (AK)
Conaway	McKeon	

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

□ 1616

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 463, on H. Res. 428, I was in route to my Congressional District on official business. Had I been present, I would have voted "yea."

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, on rollcall No. 463, had I been present, I would have voted "yea."

MOMENT OF SILENCE COMMEMORATING THE 9/11 ATTACKS

The SPEAKER. In recognition of the approaching anniversary of September 11, 2001, the Chair would ask the Members of the House to stand and observe a moment of silence for the victims of the terrorist attacks that occurred on that date.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Without objection, proceedings will continue with a 5-minute vote.

There was no objection.

RELATING TO THE TERRORIST ATTACKS AGAINST THE UNITED STATES ON SEPTEMBER 11, 2001

The SPEAKER. The pending business is the question of suspending the rules and agreeing to the resolution, H. Res. 427.

The Clerk read the title of the resolution.

The SPEAKER. The question is on the motion offered by the gentleman from Iowa (Mr. LEACH) that the House suspend the rules and agree to the resolution, H. Res. 427, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 6, not voting 26, as follows:

[Roll No. 464]

YEAS—402

Abercrombie	Bachus	Becerra
Ackerman	Baird	Berry
Aderholt	Baldwin	Biggert
Akin	Barrett (SC)	Bilirakis
Alexander	Barrow	Bishop (GA)
Allen	Bartlett (MD)	Bishop (NY)
Andrews	Bean	Bishop (UT)
Baca	Beauprez	Blackburn

Blunt	Foxx	Lofgren, Zoe
Boehert	Frank (MA)	Lowey
Boehner	Franks (AZ)	Lucas
Bonilla	Frelinghuysen	Lungren, Daniel
Bonner	Gallely	E.
Bono	Garrett (NJ)	Mack
Boozman	Gerlach	Manzullo
Boren	Gibbons	Marchant
Boswell	Gilchrest	Markey
Boucher	Gillmor	Marshall
Boustany	Gingrey	Matheson
Boyd	Gohmert	Matsui
Bradley (NH)	Gonzalez	McCarthy
Brady (PA)	Goode	McCaul (TX)
Brown (OH)	Goodlatte	McCollum (MN)
Brown (SC)	Granger	McCotter
Brown, Corrine	Graves	McGovern
Brown-Waite,	Green (WI)	McHenry
Ginny	Green, Al	McHugh
Burgess	Green, Gene	McIntyre
Burton (IN)	Grijalva	McMorris
Buyer	Gutierrez	McNulty
Calvert	Gutknecht	Meek (FL)
Camp	Hall	Meeks (NY)
Cannon	Harman	Melancon
Cantor	Harris	Menendez
Capito	Hart	Mica
Capps	Hastert	Michaud
Capuano	Hastings (FL)	Millender-
Cardin	Hastings (WA)	McDonald
Cardoza	Hayes	Miller (FL)
Carnahan	Hayworth	Miller (MI)
Carson	Hefley	Miller (NC)
Carter	Hensarling	Miller, George
Case	Herger	Mollohan
Castle	Hersteth	Moore (KS)
Chabot	Higgins	Moore (WI)
Chandler	Hinchey	Moran (KS)
Chocola	Hinojosa	Moran (VA)
Clay	Hobson	Murphy
Cleaver	Hoekstra	Murtha
Clyburn	Holden	Musgrave
Coble	Holt	Myrick
Cole (OK)	Honda	Nadler
Cooper	Hooley	Napolitano
Costa	Hostettler	Neal (MA)
Costello	Hoyer	Neugebauer
Cramer	Hulshof	Northup
Crenshaw	Hunter	Norwood
Crowley	Hyde	Nunes
Cubin	Inglis (SC)	Nussle
Cuellar	Inslee	Oberstar
Culberson	Israel	Obey
Cummings	Istook	Ortiz
Cunningham	Jackson (IL)	Osborne
Davis (AL)	Jackson-Lee	Otter
Davis (CA)	(TX)	Owens
Davis (FL)	Jefferson	Oxley
Davis (IL)	Jenkins	Pallone
Davis (KY)	Jindal	Pascarell
Davis (TN)	Johnson (CT)	Pastor
Davis, Jo Ann	Johnson (IL)	Paul
Davis, Tom	Johnson, E.B.	Payne
Deal (GA)	Johnson, Sam	Pearce
DeFazio	Jones (NC)	Pelosi
Delahunt	Jones (OH)	Pence
DeLauro	Kanjorski	Peterson (MN)
DeLay	Kaptur	Peterson (PA)
Dent	Keller	Petri
Diaz-Balart, L.	Kelly	Pickering
Diaz-Balart, M.	Kennedy (MN)	Pitts
Dicks	Kennedy (RI)	Platts
Dingell	Kildee	Poe
Doggett	Kilpatrick (MI)	Pombo
Doolittle	Kind	Pomeroy
Doyle	King (IA)	Porter
Drake	King (NY)	Price (GA)
Dreier	Kingston	Price (NC)
Duncan	Kirk	Pryce (OH)
Edwards	Kline	Putnam
Ehlers	Knollenberg	Radanovich
Emanuel	Kolbe	Rahall
Emerson	Kucinich	Ramstad
Engel	Kuhl (NY)	Rangel
English (PA)	LaHood	Regula
Eshoo	Langevin	Rehberg
Etheridge	Lantos	Reichert
Evans	Larsen (WA)	Renzi
Farr	Larson (CT)	Reyes
Fattah	Latham	Reynolds
Feeney	LaTourette	Rogers (AL)
Ferguson	Leach	Rogers (KY)
Fitzpatrick (PA)	Levin	Rogers (MI)
Flake	Lewis (CA)	Rohrabacher
Foley	Lewis (GA)	Ros-Lehtinen
Forbes	Lewis (KY)	Ross
Ford	Linder	Rothman
Fortenberry	Lipinski	Roybal-Allard
Fossella	LoBiondo	Royce

Ruppersberger	Simpson	Udall (CO)
Rush	Skelton	Udall (NM)
Ryan (OH)	Slaughter	Upton
Ryan (WI)	Smith (NJ)	Van Hollen
Ryun (KS)	Smith (TX)	Velazquez
Sabo	Smith (WA)	Visclosky
Salazar	Snyder	Walden (OR)
Sánchez, Linda	Sodrel	Walsh
T.	Solis	Wamp
Sanders	Souder	Wasserman
Saxton	Spratt	Schultz
Schakowsky	Stearns	Waters
Schiff	Strickland	Watson
Schmidt	Stupak	Watt
Schwartz (PA)	Sullivan	Waxman
Schwarz (MI)	Sweeney	Weiner
Scott (GA)	Tancred	Weldon (FL)
Scott (VA)	Tanner	Weldon (PA)
Sensenbrenner	Tauscher	Weller
Serrano	Taylor (NC)	Westmoreland
Sessions	Terry	Wexler
Shadeeg	Thomas	Whitfield
Shaw	Thompson (CA)	Wicker
Shays	Thompson (MS)	Wilson (NM)
Sherman	Thornberry	Wilson (SC)
Sherwood	Tiahrt	Wolf
Shimkus	Tiberi	Wu
Shuster	Tierney	Wynn
Simmons	Turner	Young (FL)

NAYS—6

Conyers	McDermott	Stark
Lee	McKinney	Woolsey

NOT VOTING—26

Baker	DeGette	Meehan
Barton (TX)	Everett	Miller, Gary
Bass	Filner	Ney
Berkley	Gordon	Oliver
Berman	Issa	Sanchez, Loretta
Blumenauer	Lynch	Taylor (MS)
Brady (TX)	Maloney	Towns
Butterfield	McCrery	Young (AK)
Conaway	McKeon	

□ 1626

Ms. MCKINNEY changed her vote from "yea" to "nay."

So (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FILNER. Mr. Speaker, on rollcall No. 464, on H. Res. 427, I was in route to my Congressional District on official business. Had I been present, I would have voted "yea."

Mr. BASS. Mr. Speaker, on Thursday, September 8, 2005, I regrettably missed recorded vote No. 464, on H. Res. 427.

Had I been present, I would have voted "yea" on this measure.

LEGISLATIVE PROGRAM

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

Mr. HOYER. Mr. Speaker, I rise for the purpose of inquiring of the majority whip the schedule for the week to come. Oh, I am sorry. I was told that the leader was not going to be available, but the leader is available. So I am pleased to yield to the gentleman from Texas (Mr. DELAY), my friend, the leader.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding; and as the gentleman knows, once a whip, always a whip.

Mr. HOYER. Mr. Speaker, reclaiming my time, with all due respect, I hope that is not the case.

Mr. DELAY. Mr. Speaker, I understand. I appreciate the gentleman yielding.

Mr. Speaker, the House will convene on Tuesday at 12:30 p.m. for morning hour and 2 p.m. for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to the Members' offices by the end of the week. Any votes called on these measures will be rolled until 6:30 p.m.

On Wednesday and Thursday, the House will convene at 10 a.m. for legislative business. We expect to consider additional legislation under suspension of the rules relating to the Hurricane Katrina relief. In addition, we plan to consider two bills under a rule, H.R. 889, Coast Guard and Maritime Transportation Act of 2005, and H.R. 3132, the Children's Safety Act of 2005.

Mr. HOYER. Mr. Speaker, I thank the leader for the information.

If I might start with perhaps a general question, I noted in the paper that the leader indicated that he thought we would probably be here through at least the week before Thanksgiving, which is what I related to my Members in the whip's meeting this morning; but I wonder perhaps if he could amplify that. The gentleman has had a few days to discuss it with the leadership and with the administration and perhaps the Senate leadership to have some better idea of where we might be going. Obviously, with Katrina and other challenges, I know it is very flexible, but I appreciate and I know the Members would appreciate getting my colleague's further thought on where he sees the possibilities for the balance of the session.

I yield to my friend.

Mr. DELAY. Mr. Speaker, I appreciate the gentleman yielding, and I appreciate the question because if we look at all the work that we need to do, we could probably get finished earlier.

□ 1630

As the gentleman knows, we are sort of at the mercy of the schedule of the Senate. Conversing with the Senate and looking at our schedules, particularly as the gentleman has mentioned, Katrina has risen to the top priority of this House. It has pushed other issues back a week or two.

We still have to get our appropriation process done. There is the entitlement reform process that needs to be done. There are some other issues we would like to get done. And, at the same time, there are not just short-term issues dealing with Hurricane Katrina, but there are intermediate issues we will have to be dealing with, major policy considerations, and who knows what else the hurricane may give us. And trying to put all that together and on a calendar, it is pretty obvious to me that we will be here until at least, at least, the Friday before Thanksgiving.

Mr. HOYER. Mr. Speaker, I thank the leader for those comments.

On a more immediate basis, next week we are scheduled obviously to come in on Tuesday at 12:30, and Friday is on the schedule. Is it the majority leader's expectation that we will probably be in on Friday or is Friday there if we need to be?

Mr. DELAY. If the gentleman will continue to yield, Mr. Speaker, I would say that it is difficult to predict at this point in time.

Clearly, if the only items of the House for the House to consider next week are the ones I just outlined, then we could complete our work by Thursday afternoon. However, if additional legislation relating to Katrina becomes necessary or a conference report becomes available, Members should be prepared to have votes on Friday.

Mr. HOYER. Mr. Speaker, I appreciate the leader's remarks. We have advised our Members to be available for Friday, and they will be, obviously, if we have a session.

In addition, the gentleman has indicated and just reiterated the possibility of doing further legislation as a result of Katrina and responses to Katrina. Can the majority leader give us an idea of what legislation might be possible in response to Katrina next week?

Mr. DELAY. I thank the gentleman for continuing to yield.

I cannot, obviously, give a list like that. I do not have a list with me. Lists are being worked on, and certainly the gentleman will be included, or his side will be included in discussion of these issues.

These are issues that are incredibly important that need to be addressed immediately so that we can do the recovery work that needs to be done for the victims of Katrina. It is a very expedited process, I might say, as to how we can take these simple bills and get everybody signed off on them and bring them to the floor.

So I do not have a list now, but by this afternoon, or tomorrow certainly, the gentleman and his side will be informed as to what we are thinking about. Any ideas that the gentleman and his side of the aisle might have, we would welcome and would consider those. We are working with both sides of the aisle trying to be as bipartisan as we possibly can in considering everybody's ideas.

Mr. HOYER. Reclaiming my time, Mr. Speaker, I appreciate the leader's observations and his comments. Again, we will certainly respond to that.

We have a lot of ideas on this side, as all the Members have, in trying to respond to this and trying to anticipate what the needs will be in this crisis situation. As the leader pointed out in his closing remarks on the supplemental, we have had literally millions of people whose lives have been adversely affected, displaced, moved, and some whose lives have been put at great disruption; so I am sure Members on all sides have ideas of how we can best respond. So we will do that.

Let me say, Mr. Leader, and I appreciate your remarks about working together on this, that there is not a person on this floor on either side of the aisle who does not want to work together to have an effective response so that we can help our brother and sister citizens who have been traumatized. I would hope that we would have an opportunity on whatever the legislation might be that we come up with over the next 48 hours, or by Monday, to have that perhaps reviewed. And because of the crisis and the need to move expeditiously and quickly, even if it is an hour or two notice to have a subcommittee or committee or, frankly, the bipartisan leadership look at a piece of legislation to discuss what is in it and what could be in it and what should be in it, I think that would be very helpful.

The gentleman observed that the American people want us to act together on this, and I agree with him. Not only do I agree with the gentleman, but we want to do that. So that would facilitate that, and I hope we can do that.

Let me ask something else, and I say to the leader that, unfortunately, there was not the kind of discussion that I think would have helped us on this. I agree with you, and every Member here I think agrees with you, that today or tomorrow or next Monday is not the time to look at what went wrong and how do we make it right. What we need to do is respond, rescue, and recover.

On the other hand, it is hurricane season. We still have threats, as the gentleman knows. There is a tropical storm off Florida right now that is forming, so we do need to ensure that we have the best opportunity to respond in an emergency manner.

The Speaker and Mr. FRIST met yesterday and announced a committee. We believe that perhaps a commission might be more appropriate, with both parties participating equally to respond to this and to see how we can do better. Can the gentleman tell me anything about the status of either the joint committee or commission that the gentleman's side might be thinking about?

Mr. DELAY. Mr. Speaker, I appreciate the gentleman continuing to yield, and as he knows and has said, the Speaker and the majority leader of the Senate announced a joint committee to look into the response before and after Hurricane Katrina. I am not privy. It is the responsibility of the Speaker to make those kinds of appointments for that committee and put together the resolution, if it requires one to create the committee. I do know that the Speaker and his staff are working hard to get that up and going as soon as possible.

The gentleman is right, we should not be bogging down those that are trying to make decisions that affect the lives of these victims. At the same time, and the gentleman understands this, the longer we wait around this

place, the longer things take to happen, and it is incumbent upon us to get this joint committee up and running.

I might say to the gentleman that I know he has suggested a commission, but I feel very strongly that it is our responsibility as a Congress in a bipartisan way to look at these issues and have oversight of these issues. And in accepting and understanding that responsibility, and not being relieved by somebody else or some other commission of that responsibility, this was one of the best ways we knew to do this.

We looked back at precedent, even when the gentleman's side of the aisle was in the majority, and found a precedent for doing this in a bipartisan, bicameral way when the Democrats wanted to do it, and we thought it made sense and so that is exactly what we did.

So we feel strongly that we, in a bipartisan way, are responsible for looking at these issues, and I would imagine by next week we will address this by whatever means is necessary to get it up and going. And also next week, I would assume that the Speaker would make those appointments that are necessary to fill that joint committee.

Mr. HOYER. Mr. Speaker, I thank the leader, and reclaiming my time, I think I have suggested this before, but I believe it would be useful, perhaps at some point in time in the near term, that the Speaker convene the leadership of both sides of the aisle to discuss how we are going forward.

I understand there were precedents for the action that was taken, but it was not taken after discussions with this side of the aisle. And as the majority leaders know, both on the Senate side that was the case and on the House side it was the case.

Again, I agree with the gentleman's proposition that the public wants to see us move ahead together and respond to this crisis together because those who have suffered are our focus, not party politics or ideological differences, but helping those who are hurting and making sure that we protect those who may still yet be vulnerable. I think we can best do that by working together.

On another subject and moving on, can the majority leader tell me where we stand on reconciliation? Press reports indicate that there is a delay in the development of those bills, as called for in the budget resolution, at least for some period of time. Can the gentleman bring us up to date on what the present status of reconciliation is?

Mr. DELAY. I appreciate the gentleman continuing to yield.

Entitlement reform is still one of the highest priorities of the House this fall. However, due to the events of the last 10 days, it has been replaced as the number one priority. Therefore, we will likely postpone consideration of these very important reforms for a number of weeks.

We are still trying to decide when we might approach this issue, based upon

all the issues that are flooding in from all Members of things that we need to do in light of the disaster of Katrina. So I just think it is probably a little early for us to give specific dates as to when we would go to markup and those kinds of things until we get a better handle on what we need to be doing to make sure that we are doing everything that we can to take care of those victims of Katrina.

Mr. HOYER. I appreciate the gentleman's comments, Mr. Speaker. I am sure the gentleman is familiar with the letter that the gentleman from South Carolina (Mr. SPRATT) and Mr. CONRAD and others have sent with reference to reconciliation. We are concerned, of course, because of Katrina and for the exact reason we have postponed reconciliation, we are very concerned that the needs are so large at this point in time that we need to be very careful about the issue of Medicaid and, frankly, the issue of additional tax cuts.

In light of the fact we have just spent \$62 billion additional, which we did not anticipate and which will exacerbate, therefore, our budget deficit, and which absolutely had to be done, everybody, almost everybody supported that effort, including the majority leader and myself, but we hope that we can perhaps have discussions about that issue as well.

Lastly, Mr. Leader, I talked about the long term and Thanksgiving. October. We have a number of holidays in October. Could the gentleman perhaps amplify on what his expectation is of the first 2 weeks in October?

My understanding is the probability is that we will be in Wednesday, Thursday, and Friday of the first week of October, but the second week of October, can the gentleman give us some thoughts on what that might be in light of the Jewish holidays and the Christopher Columbus holiday?

Mr. DELAY. Mr. Speaker, if the gentleman will continue to yield, I would note that the week of October 10, which is the second week of October, and due to the way that Columbus Day and Yom Kippur fall that week, there is only a very narrow window of time when we could be voting. And with the expectation that we could potentially be in session until the Friday before Thanksgiving, we would suggest that the House follow the Senate and adjourn for the entire week of October 10.

As for the week of October 3, Rosh Hashanah will make it very difficult for many Members to return to the Capitol prior to the evening of Wednesday, October 5, and at this point in time we anticipate having votes that week but not before Wednesday night.

We will watch as things unfold with regard to the needs of floor time and we will make further pronouncements as we get closer to that week.

Mr. HOYER. I thank the gentleman for that comment, Mr. Speaker, and presume, therefore, that we are reasonably safe in advising our Members that the second week of October we will

probably not be in session; is that accurate, Mr. Leader?

Mr. DELAY. The gentleman is correct.

Mr. HOYER. Mr. Speaker, I thank the majority leader for his information.

□ 1645

ADJOURNMENT TO MONDAY, SEPTEMBER 12, 2005, AND HOUR OF MEETING ON TUESDAY, SEPTEMBER 13, 2005

Mr. DELAY. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at noon on Monday next, and further, that when the House adjourns on that day, it adjourn to meet at 12:30 p.m. on Tuesday, September 13, 2005, for morning hour debates.

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

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

PERMISSION FOR COMMITTEE ON THE JUDICIARY TO HAVE UNTIL MIDNIGHT, SEPTEMBER 9, 2005, TO FILE A REPORT ON H.R. 3132, CHILDREN'S SAFETY ACT OF 2005

Mr. DELAY. Mr. Speaker, I ask unanimous consent that the Committee on the Judiciary may have until midnight on Friday, September 9, 2005, to file a report to accompany H.R. 3132.

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

There was no objection.

AMENDMENT PROCESS FOR H.R. 889, COAST GUARD AND MARITIME TRANSPORTATION ACT OF 2005

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet next week to grant a rule for the consideration of H.R. 889, the Coast Guard and Maritime Transportation Act of 2005, which may require that amendments be printed in the CONGRESSIONAL RECORD prior to their consideration on the floor.

The Committee on Transportation and Infrastructure ordered the bill reported on May 18 and filed its report with the House on July 28. Members should draft their amendments to the text of the bill as reported by the Committee on Transportation and Infrastructure.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

AMENDMENT PROCESS FOR H.R. 3132, CHILDREN'S SAFETY ACT OF 2005

Mr. DREIER. Mr. Speaker, the Committee on Rules may meet next week to grant a rule for the consideration of H.R. 3132, the Children's Safety Act of 2005, which may require that amendments be printed in the CONGRESSIONAL RECORD prior to their consideration on the floor.

The Committee on the Judiciary ordered the bill reported on July 27, 2005, and is expected to file its report with the House on Friday, September 9, 2005. Members should draft their amendments to the text of the bill as reported on July 27, 2005.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format. Members are also advised to check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

JUDGE JOHN ROBERTS, A QUALIFIED NOMINEE FOR THE SUPREME COURT

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

Mr. WILSON of South Carolina. Mr. Speaker, since President Bush nominated John Roberts to serve on the Supreme Court in July, we have heard countless stories confirming Mr. ROBERTS' character, leadership abilities, and commitment to justice. Throughout his career, he has achieved an accomplished record of government service and has demonstrated his dedication to protecting our rights. The more Americans learn about him, the more they like him.

On Sunday, President Bush nominated Judge Roberts to follow in the footsteps of Chief Justice William Rehnquist as our Nation's highest ranking judge. When the Senate begins its confirmation process next week, I am confident that they will continue to discover that Judge Roberts is well suited for this position. From serving as a law clerk for Chief Justice Rehnquist to arguing 39 cases before the Supreme Court, he possesses a unique wealth of knowledge and experience.

After losing Chief Justice Rehnquist, our judicial system needs a similar leader who will fairly and effectively guide our courts. I strongly believe our Nation has found such a person in John Roberts.

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

PROVIDING FAMILY ASSISTANCE IN THE WAKE OF HURRICANE KATRINA

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, as we offer our sympathy and reflection today to the victims of 9/11, we stand here again looking at another horrific and unspeakable tragedy, Hurricane Katrina.

The numbers are clear that the greatest victims will be children. Some 400 children are homeless, and we know that between one-third and a quarter of them will have a traumatic experience after the end of their journey through Hurricane Katrina. We know that 35 percent of them that experienced this terrible tragedy will have a severe mental illness, and we also know that there are 800 missing children that are now lost or presumed dead through Hurricane Katrina.

I think it is important as we look toward more legislation bills and moving quickly to address the horribleness of this tragedy that we provide for a one-time grant assistance for the children who have been impacted by this hurricane and that legislation be drafted and passed by both bodies to secure their protection and that we provide a structure that will monitor these children through adulthood, through reaching the age of majority.

We have heard from psychiatrists that say that the most vulnerable victims of this tragedy who will suffer a horrific experience will be our children. We must rally around them. It is imperative that this Congress work together to provide them with the financial, social, psychiatric, and, of course, family assistance that is necessary.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. SODREL). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

A WEEKEND IN SEPTEMBER 1900

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

Mr. POE. Mr. Speaker, the devastation of Hurricane Katrina is a vivid reminder to Texans of another hurricane that occurred 105 years ago, the weekend of September 8, 1900, in Galveston, Texas. That hurricane, known to many as "the storm," was the deadliest natural disaster to take place in American history.

In 1900, Galveston was the showplace of the Gulf of Mexico, referred to by

many as the Jewel of Texas and the wealthiest city in the State of Texas. On that weekend in September, as 40,000 residents and vacationers were bidding farewell to summer, weather forecasters were watching closely an unnamed hurricane brewing in the Gulf of Mexico. Having very little of today's weather forecasting equipment, the trackers lost the location of the storm in the gulf after it passed the predicted landfall of Florida.

It began as a tropical storm on August 27, 1900, and no one could imagine what it would become. Twelve days later, in the darkness of the night on September 8, 105 years ago today, it started to rain in Galveston and the water silently and quickly began to rise. It crept and covered the low-lying island. The island was barely above sea level at 5 to 9 feet. There was no time for any evacuation.

The strong winds and rains ravaged the city. Houses were devastated and families were swept away. As the power and phones went out, people started wading through the murky mounting water. They sought shelter in downtown buildings and churches as the gale winds and incessant rain continued to increase.

Nuns in the local orphanage tied a roped around the waists of the children and unsuccessfully tried to lead them to higher ground. Of the 93 children and 10 Catholic nuns, only three boys survived.

No one was prepared or adequately warned for this Category 4 hurricane that hit the city of Galveston. The force of the 140-mile-an-hour winds caused a water surge that covered most of the 3 mile by 30 mile island in minutes.

The nameless hurricane destroyed 3,500 buildings, over half of the city. The loss of life was staggering. It reminds me of the scripture of old, that the rains came down, the waters rose, and the winds blew and beat against the houses. But when the rains stopped and the wind blew no more, over 8,000 people had died. Hundreds more were never accounted for. Nearly everyone on the island knew a friend or relative who had perished.

Isaac Cline, a Galveston forecaster, never believed that the hurricane could ravage this paradise island. After the calm came once more, Cline described the storm's aftermath as "the most horrible sight that was ever witnessed by a civilized people."

When the hurricane finally moved inland, and it did not end its winds until it got to Canada, the task of recovery was overwhelming. Prisoners of the State penitentiary were used in the cleanup to find the dead, buried at sea, only to resurface on the beaches. Bodies were still being found in February of the next year. Since it was not possible to bury the thousands that died, they were eventually cremated.

The story of Galveston's hurricane is a story of death and devastation and ultimate determination.

The survivors in Galveston were committed to protect their city in the future. They dredged the ship channel and the island was literally raised 17 feet by the dredging. It would be an engineering marvel even today. A massive sea wall was built to protect the city from future hurricanes. The economic loss, property loss, and loss of life had a serious impact on the coastal city.

Although the great storm in Galveston was extraordinary, those who survived and pitched in to help rebuild Galveston were just as extraordinary in their grit and character. Those brave Texans who survived faced the challenges head on, and eventually Galveston rose back from that murky mud.

Galveston has come a long way since that weekend in 1900. It is once again a thriving community, rich in history, opportunity; and the citizens are as resilient as they were 105 years ago today. Galveston did lose, however, its title of "wealthiest city" to another place up the bayou called Houston.

Today, as our Gulf Coast neighbors struggle to put their lives back together after the devastating blow they received from Hurricane Katrina, our thoughts and prayers go out to the victims and families. The devastation caused by this hurricane affects the entire Nation, and we must come together to provide for our friends, our relatives and our neighbors in Louisiana, Mississippi, and Alabama during this time.

On the anniversary of the "great storm," the Galveston storm, the people of southeast Texas are ready and showing their compassionate spirit to those devastated by Katrina. I commend them for their kindness in this time of need. Just as Galveston was rebuilt, we remain optimistic that this recent disaster will be overcome by collective efforts of all Americans. As Americans, we are all in this together, Mr. Speaker; and we need to be on the same page in the hymnal. That is just the way it is.

SMART SECURITY AND THE IRAQI CONSTITUTION

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

Ms. WOOLSEY. Mr. Speaker, tonight on the heels of Hurricane Katrina, I cannot help but ask how the victims would have been helped had our National Guard and our military and our Corps of Engineers equipment been made available here at home, not across the world, making trouble instead of fixing troubles here as we responded to Katrina.

Tonight I will discuss what is happening in Iraq since we were last in session 5 weeks ago. For the last 4 years, the Bush administration has often justified the war in Iraq by boasting of the new-found freedoms Iraqi women would

supposedly enjoy thanks to our military intervention.

Many of us remember that staple of the President's stump speech, that the first voter in the Iraqi elections was a 19-year-old woman. In this very Chamber, an Iraqi woman sat with the First Lady during the State of the Union address and flashed the victory sign in celebration of the election that had just taken place.

Well, that was then, Mr. Speaker. That same woman, now Iraq's ambassador to Egypt, is one of several Iraqis now publicly criticizing their nation's draft constitution and its treatment of women's rights.

"When we came back from exile," she said, "we thought we were going to improve rights and the position of women. But look what has happened. We have lost all of the gains that we made over the last 30 years. It is a big disappointment."

In fact, the very second article of the Iraqi Constitution declares that Islam is "the official religion of the state," and that "no law may be enacted that contradicts its established provisions."

You do not have to be a theologian, Mr. Speaker, to know that adherence to strict Islamic tradition is incompatible with equal rights and dignity for women.

□ 1700

Most depressing of all, perhaps, is that this constitution may actually represent a weakening of women's rights from the previous regime. That is right. Women may have fewer legal protections in this new so-called democracy than they had under the rule of that famous feminist and egalitarian Saddam Hussein. Is this what nearly 1,900 American soldiers have died for, so that Iraq could slip into repressive theocracy? Perhaps this is the noble cause, the cause we have been hearing so much about: second-class citizenship for Iraqi women.

The weapons of mass destruction claim was discredited long ago. The Iraq-al Qaeda link is nonexistent. Now it even appears that the spreading-freedom-and-democracy rationale for this war is also a fraud.

Mr. Speaker, this is just one more reason that we must end this occupation and bring our troops home as soon as possible.

One week from Thursday, I will be holding a hearing here on Capitol Hill where we will hear from experts about how we might achieve military disengagement while still playing a constructive role in the rebuilding of Iraq. Bringing the troops home should be the beginning; it should not be the end of a reassessment of our national security policy. It is time to end the reflex impulse of using military force to solve world conflicts and erroneously planned actions based on citizens' fears. This has the appearance of strength; but as Iraq has shown, it often undermines our national security rather than enhancing it.

I have proposed a new approach. It is called SMART Security. SMART stands for Sensible, Multilateral American Response to Terrorism. SMART is based on the belief that war should be an absolute last resort, to be undertaken only under the most extreme circumstances.

But that does not mean that SMART is not serious and smart about protecting America. It is vigilant about fighting terrorism and weapons of mass destruction. But it does so with strong multilateral alliances, improved intelligence capabilities, vigorous inspection regimes, and aggressive diplomacy. SMART would reshuffle our national security budget. No more billions thrown at outdated Cold War weapons programs. That money would instead be invested in energy independence and other efforts that truly are relevant to the modern security threats we face.

SMART also includes an ambitious international development agenda, to help address the root causes of terrorism: Democracy-building that includes women as equals; education for women and girls; addressing resource scarcity—these are key ingredients to building stable societies in Iraq and elsewhere.

It is my hope and belief that the grievous mistakes we've made in Iraq will lead us to this new, smarter national security policy. SMART Security protects America by relying on the very best of American values—our capacity for global leadership, our dedication to peace and freedom, and our compassion for the people of the world, all people, women and men alike.

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

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

EXCHANGE OF SPECIAL ORDER TIME

Mrs. BLACKBURN. Mr. Speaker, I ask unanimous consent to take the Special Order time of the gentleman from Indiana (Mr. BURTON).

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

There was no objection.

HURRICANE KATRINA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mrs. BLACKBURN) is recognized for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, America has really seen a lot, we have been through a lot, in the past week. We have watched Hurricane Katrina from start to finish. We have seen it form in the Atlantic, sweep across Florida, and enter the gulf. And we have watched in horror as it has devastated the southern portions of Louisiana and Mississippi and Alabama.

We have seen some horrific images. We have seen government make some mistakes. We have seen government rescue some folks. And we have watched everyday people perform extraordinary feats.

Like most people, I have been impressed and sometimes sorely disappointed. For me there is a personal element. I grew up 60 miles inland from Gulfport, Mississippi. My family still lives there. I remember Hurricane Camille and the devastation that that storm caused. I was a senior in high school. I remember watching a lot of it play out, and I can tell the Members Hurricane Katrina is worse.

Last week my husband, my children, and I all traveled to Laurel, Mississippi from Tennessee's 7th Congressional District. We took our turns. We took supplies, and we helped with the clean-up. My parents have been long-time volunteers with the American Red Cross, and Laurel is an area where many coastal residents flee when they are trying to outrun the storm.

We knew that those volunteers could use the reinforcements, and absolutely they could. A lot of them had no running water, no electricity, no gas, no gasoline available, no roof over their homes; but they were there at the shelter feeding those that were in need.

That is America, Madam Speaker. That is the America that I grew up in, and that is the country that still today exists.

As incredible as the damage is, what is more amazing to me was the way the local communities were all pulling together, the way Americans were traveling from all over, the way many of our colleagues in this Chamber were traveling from all over to get to the region and to lend a hand. And for all those who could not physically get there, we know they are home sending donations to charities, and they are aiding organizations. They might not be there physically; they are there in spirit.

There is no measuring the generosity and compassion of the American people when they see need. The hurricane has told us that. So I want to thank every town, city, and State for sending help.

As representative for Tennessee's 7th district, I want to take a moment and recognize the work of some of our Memphis and Shelby County organizations that have made it their mission to help any way that they possibly could.

Our Memphis Corps of Engineers is already working to help rebuild the New Orleans levees. We are also thankful that the Bellevue Baptist Church, the Cathedral of Faith Ministries, Christ United Methodist Church, Cornerstone Institutional Baptist Church, the Cummings Street Baptist Church, the Greater Harvest Church of God in Christ and the Greater Praise Church of God in Christ, the Independent Presbyterian Church Grove, the Memphis Union Mission, Mid-South Baptist Association Retreat Center, and the Bap-

tist Children's Home are all working to provide shelter for some of the 15,000 evacuees that are in Shelby County; and that the Friendship Baptist Church, the Germantown Presbyterian Church, the Oakland First Baptist Church are providing shelter and meals; and that the Breath of Life Seventh Day Adventist, the Calvary Episcopal Church, Holy Rosary Catholic Church and School, the Hope Presbyterian Church, Hutchison School, and the Impact Ministries of Memphis are all providing meals.

Madam Speaker, I know there are other organizations that are out there working, and we will be talking about them as we help these evacuees find a place and rebuild their lives.

REHNQUIST, ROBERTS, AND RELATIONS WITH CONGRESS

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

Mr. SCHIFF. Madam Speaker, as we honor Chief Justice William Rehnquist's life, we pause to reflect on his service to our country, a record of service that was colored with honor, dignity, and distinction.

Many commentators are focused on his success ushering in a quiet, conservative revolution on the Court. Another remarkable facet of Rehnquist's legacy, however, is found in a much more understated role of the Chief Justice, that of the judiciary's chief advocate and ambassador. The hallmark of his style, no matter how volatile the issue or context, from abortion to impeachment, was one of respectful debate, a quality that garnered an enormous degree of loyalty and respect among his fellow Justices, litigants, and Court watchers.

But the Chief Justice not only worked to foster respect and collegiality within the walls of the Court; he did more. For the last 2 years of his tenure, Rehnquist turned his focus to a matter that has also been a source of growing concern for many, the deterioration in relations between the Congress and the courts. As the Chief Justice reported in his year-end analysis of the state of the judiciary, and again in his customarily understated way, "During the last year, it seems that the traditional interchange between the Congress and the Judiciary broke down."

This hostility long preceded congressional intervention in the tragic case of Terri Schiavo and has taken many forms beyond the most simple and pernicious, that of defunding the courts. It includes measures stripping the courts of jurisdiction to hear particular cases, condemning the courts for the citation of certain precedent, and splitting circuits out of a dislike for their jurisprudence.

One constitutional amendment would even change the Framers' design-of-life

tenure for lower Federal courts and subject judges to costly campaigns and retention elections. If Members think political campaigning by elected officials and the growth of 527 organizations and other independent expenditure efforts are already out of control, just imagine adding negative attack ads in judicial races around the country: "Call Judge Jones and tell him to stop coddling criminals" or "Call Judge Smith and ask him why he denied relief to widows and orphans." One can just imagine what the judicial ads might look like.

Even though many of these legislative initiatives have yet to pass, we are already witnessing the direct consequences to our court system. In recent years there has been a marked decline in the level of interest and service on the bench among highly qualified attorneys. Judges are leaving the bench to return to private practice. Reckless talk in the House Committee on the Judiciary about the potential impeachment of judges not for unethical conduct but out of a disagreement with their decisions has only added to the chilling effect on the courts and people's willingness to serve.

Ultimately, this protracted war against the judicial branch will only denigrate both Congress and the courts. This is not the first time relations between the two branches have been at a dangerously low ebb, nor was Rehnquist the first Chief Justice to express alarm. Former Chief Justice Charles Evans Hughes admonished the Congress of his day that "in the great enterprise of making democracy workable, we are all partners. One member of our body politic cannot say to another 'I have no need of thee.'"

Increasingly, however, the Congress has been saying just that, and Rehnquist was among the first to spot the danger. When the gentlewoman from Illinois (Mrs. BIGGERT) and I formed a bipartisan caucus to improve relations with the courts, Justice Rehnquist was the first to sit down with us. We invited him to meet with our caucus. He came to the Hill, sat down with us, and it was a very important meeting and interchange. After presiding over the high Court for the last 2 decades, he was clearly disturbed at the turn of events in relations between the branches and the resulting attack upon the independence of the judiciary.

Why does it matter if the Congress and the courts are at war? Because if the separation of powers has eroded and an independent judiciary is impaired, decisions become increasingly politicized. Public confidence in the rule of law erodes and people begin taking law into their own hands: 174 years ago, Supreme Court Chief Justice John Marshall warned, "The greatest scourge an angry heaven ever inflicted upon an ungrateful and sinning people was an ignorant, a corrupt, or a dependent judiciary."

During the confirmation hearings of John Roberts next week, there will be

a great many important questions asked about Roberts' judicial philosophy, his views on individual rights and freedoms. But I hope that at least one Senator will ask whether Roberts, a prodigy of and potential successor to Rehnquist, will aspire to succeed not only his mentor's conservative revolution but his all too solitary work to repair the damage to the historic and vital comity between the Congress and the courts.

ORDER OF BUSINESS

Mr. HUNTER. Madam Speaker, I ask unanimous consent to take my Special Order at this time.

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

There was no objection.

RELIEF EFFORTS FOR VICTIMS OF HURRICANE KATRINA

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

Mr. HUNTER. Madam Speaker, I want to talk a little bit about the wonderful people of Rescue Task Force who are headquartered in San Diego, who have been operating in the disaster area in New Orleans, and use that discussion about them to reflect on all the great private efforts and public efforts to help the victims who have been created by this incredible disaster in New Orleans.

Rescue Task Force is a small group. It is headed up by Wendell Cutting, who is my chief of staff in San Diego and a guy who a couple of years ago was given only 3 months to live with terminal cancer and who has continued to survive and I think survive as an inspiration based on his continued drive and enthusiasm for helping people.

Wendell and Gary Becks have gone around the world in setting up medical clinics, providing food, providing medical services in Afghanistan and Iraq, in Albania, in Central America, and now are providing a helping hand in New Orleans.

A couple of days ago, they allowed me to go along on one of their missions. We went to Houma, Louisiana. I had with me Scott Turner, who is retiring this year after 10 years in the NFL, a wonderful cornerback who played for the Redskins and the Chargers and the Broncos. And along with Scott was Larry Nelson, the mayor of Yuma, Arizona; and Roy Tyler, who is a businessman from San Diego who now has Tyler's restaurants in Yuma, Arizona.

□ 1715

We brought along some help, but we also stopped in Houston.

When we landed in Houston, we had a lot of supplies there ready, and we trucked them into the affected area in Houma. We went to the civic center in Houma with the rescue task force per-

sonnel, and one of the things that they needed was beds because you have literally tens of thousands of people who are living in gymnasium settings; that is, where they go into a civic center or a gymnasium and they may have a blanket or two, but they do not have a bed, a mattress, between them and the ground.

So we had a need there, and rescue task force personnel managed to run down, working with some of the big stores, 1,000 beds for the folks there, and we got those paid for. I got a call yesterday that they, in fact, had been delivered.

Then we delivered lots of baby food and canned food to the various locations.

But I was really impressed when I was at the civic center there, this refugee center, or evacuee center. I was impressed with the people of Louisiana, because they had so many volunteers, they actually were having to turn them away, and they had mountains of clothes that had been donated to the point where they said, do not bring any more clothes.

They had a great medical system set up where people from the disaster were getting, in most cases, more checkups than they had had in years with the doctors and nurses available, and they were getting good, hot meals.

We went in the next day by air boat, into the streets and the communities that were under water in New Orleans, and I want to report that our military personnel, the National Guard folks, the active duty folks, and also lots of other folks from other agencies like ATF and reserve sheriffs' organizations are doing a wonderful job now in providing that very necessary security.

Now, I think it is a shame that we have to spend so much manpower on security and have active duty military forces come in that have to provide that security, but that is a fact of life, and they are doing a great job.

Madam Speaker, along those lines, I think that the real tragedy of this hurricane, aside from those individuals who lost their lives, is not the water and it is not the hurricane itself or the damage, the property damage, because all of that can and will be rebuilt. The real tragedy to me was that group of people, part of that generation of folks who live in New Orleans, which included people who shot at the rescue helicopters, who looted, and who committed crimes against their fellow citizens during this time of tragedy, during and shortly after the hurricane.

I think we need to put together a program or legislation to make sure that we do not reinstitute the projects, the location where people have lived for generations in a system that has not produced a high degree of moral compass and a high work ethic, and all of the other things you need to have for a solid community.

So let us work to rebuild not just New Orleans, but let us build a new generation of young people in New Orleans who will be outstanding citizens.

The SPEAKER pro tempore (Miss McMORRIS). Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

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

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

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

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

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

ADVOCATING FOR SUPPORTING THE VICTIMS OF HURRICANE KATRINA IN A FISCALLY RESPONSIBLE WAY

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

Mr. KING of Iowa. Madam Speaker, I feel compelled to come to the Floor here and make some remarks with regard to Hurricane Katrina, what we have done here from Congress, and what we need to do in the future.

First, I want to say that as I look across the broad expanse of that disaster, the 90,000 square miles, roughly the size of Kansas, and I listen to the description that was delivered by Secretary of Homeland Security Michael Chertoff, that if you were going to do a military assault on a city, that storm did what a military assault would do. It went in on the wind and blew out the electricity and the communications, took the communications systems out, the power grid out, and then it cut off the transportation avenues in and out of the cities by taking out the bridges.

Then, once it had isolated the city, then it attacked, and that was the flood that went in and did such devastating damage, damage that we have not quantified to date and will not quantify for at least some months to come, if not years to come.

The work that was done down there, I know that the National Guard as early as a week ago Wednesday took chain saws and sawed their way into some of the communities. We have 70,000 military on the ground down there providing all of the assistance that they can. There were volunteers that came from everywhere, as the chairman of the Committee on Armed Services has said, so it is a huge human effort on the part of our people in this country. The donations have been flowing in. We have all reached out.

Now, having said that, Madam Speaker, I want to also qualify this

statement by informing this body, Madam Speaker, that I am a flood victim. I lived through the floods of 1993 in Iowa, and I had a business at that time. Actually, it did survive the flood, barely, with four major contracts going on simultaneously that had been under water intermittently throughout all the spring; and by July 9, they were all under water simultaneously, and I was looking at whether I was going to be able to survive as a business or not.

I have gone through this pain. I walked away from my own business and let it sit and went and helped other people on the other side of the State. I am not a person without compassion. I am also not a person without fiscal responsibility.

So when we were requested to support a unanimous consent agreement last week that appropriated \$10.5 billion, I asked some questions on that, and some of the answers that I got were, well, it was \$500 million a day, now it is \$750 million a day, so we need to get FEMA through until next week, and then we can take up this issue in a rational fashion.

Well, we took up this issue in a fashion today, but I do not think it can be defined as a "rational" fashion. The \$750 million a day became \$2 billion a day, and when I asked the director of the Office of Management and Budget for an itemization of how they calculated this, we got asked to vote for \$51.8 billion, with only about three line items in it: \$1.4 billion, and I have it here, for the military; there is a \$15 million set-aside, thankfully, for an inspector general to help audit some of this, but basically, we are looking at \$50 billion in one line item that says, Trust us, we know what we are doing.

Well, after I asked for the line items in this, I got a sheet at 5:34 this morning, no time to drill down through this data. One of the things that we questioned OMB about yesterday was their announcement to us that there were 200,000 trailer homes purchased as part of that first \$10.5 billion, for a cost of \$3.3 billion, \$16,000 a unit, roughly. There are only 30,000 temporary home trailers available for purchase in the United States; the balance of those 200,000 would need to be constructed. Apparently, the Federal Government has signed a contract for the delivery of the 30,000 and the construction of 170,000 units for the price of \$3.3 billion. That is one of the ways that they are spending \$2 billion a day, is to create trailer homes in a region where they may or may not be useful in the long term, approximately 100 miles north of New Orleans on the high ground, the dry ground, as I am told.

That is imprudent early spending of money; it is not disaster spending of money.

In addition, this appropriation that passed this House today has in it also a provision for \$1.6 billion to go for another 100,000 trailer homes, none of which are built, and probably they are not contracted at this point. We do not

have the oversight ability to be going in and spending \$51.8 billion and doing so in an unchecked fashion.

I asked to slow down this appropriation process, do it a week at a time so we could evaluate where we are going. That is why I voted "no."

I am going to be part of this reconstruction effort, I am going to be part of standing with the victims of this flood, but in a fiscally responsible fashion.

THE SHARED SACRIFICES OF WAR

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

Mr. HOLT. Madam Speaker, I would like to take this opportunity to read into the RECORD an insightful article by Dr. Uwe Reinhardt, one of the Nation's leading authorities on health care economics and a distinguished resident of central New Jersey. Dr. Reinhardt is known for his health care economics, but here he articulates the danger of what economists call the "moral hazard" we are currently facing with regard to Iraq.

Economists refer to moral hazard when people, insensitive to the costs of their actions, increase the costs to others. With regard to Iraq, we have a situation in which the vast majority of policymakers and the general public are utterly insulated from the human and financial costs of the war.

Dr. Reinhardt, as the father of a U.S. Marine, personally understands the angst that families feel every day about loved ones serving in harm's way. President Bush has taken to analogizing the war in Iraq to the American Revolution and, most recently, the Second World War. What follows is an opinion article written by Dr. Reinhardt that appeared in the Washington Post last month, in August, entitled "Who is Paying For Our Patriotism?" I will insert the entire article for the RECORD.

Dr. Reinhardt writes, "President Bush assures us that the ongoing twin wars in Iraq and Afghanistan are worth the sacrifices they entail. Editorialists around the Nation agree and say that a steadfast American public was willing to stay the course.

"Should anyone be surprised by this national resolve, given that these wars visit no sacrifice of any sort, neither blood nor angst nor taxes, on well over 95 percent of the American people? At most, 500,000 American troops are at risk of being deployed to these war theaters at some time. Assume that for each one of them, some 20 members of the wider family sweat with fear when they hear that a helicopter crashed in Afghanistan, or that X number of soldiers or Marines were killed or seriously wounded in Iraq. It implies that no more than 10 million Americans have any real emotional connection to these wars.

"The administration and Congress have gone to extraordinary lengths to

insulate voters from the money costs of the wars to the point even of excluding outlays for them from the regular budget process. Furthermore, they financed the wars not with taxes, but by borrowing abroad."

Dr. Reinhardt continues, "The strategic shielding of most voters from any emotional or financial sacrifice for these wars cannot but trigger the analogue of what is called 'moral hazard' in the context of health insurance, a field in which," Dr. Reinhardt says, "I have done a lot of scholarly work. There, moral hazard refers to the tendency of well-insured patients to use health care with complete indifference to the costs they visit on others. It has prompted President Bush to advocate health insurance with very high deductibles. But if all but a handful of Americans are completely insulated against the emotional and financial cost of war, is it not natural to suspect moral hazard will be at work in that context as well?"

"A policymaking elite whose families and purses are shielded from the sacrifices war entails may rush into it hastily and ill-prepared, as surely was the case of the Iraq war. Moral hazard in this context can explain why a nation that once built a Liberty ship every 2 weeks and thousands of newly designed airplanes in the span of a few years now takes years merely to properly arm and armor its troops with conventional equipment.

"Moral hazard can explain why, in wartime, the TV anchors of the morning and evening shows barely make time to report on the wars, lest the reports displace the silly banter with which they seek to humor their viewers. Do they ever wonder how military families with loved ones in the fray might feel after hearing ever so briefly of mayhem in Iraq and Afghanistan.

"Moral hazard," he says, "also can explain why the general public is also so noticeably indifferent to the plight of our troops and their families. To be sure, we paste cheap magnetic ribbons on our cars to proclaim our support for the troops."

□ 1730

But at the same time we allow families of Reservists and National Guard members to slide into deep financial distress as their loved ones stand tall for us on lethal battle fields and the family is deprived of these troops' typically higher civilian salaries. We offer a pittance in disability pay to seriously wounded soldiers who have not served the full 20 years that entitles them to a regular pension. And our legislative representatives make a disgraceful spectacle of themselves bickering over a mere \$1 billion or so in added health care spending by the Department of Veterans Affairs in a Nation with a \$13 trillion economy.

When our son, says Dr. Reinhardt, then a Princeton graduate, decided to join the Marine Corps in 2001, I advised him, do what you must. But be advised

that, flourishing rhetoric notwithstanding, this Nation will never truly honor your service, and it will condemn you to the bottom of the economic scrap heap should you ever get seriously wounded.

Madam Speaker, I ask unanimous consent that the full article of Dr. Uwe Reinhardt, "Who's Paying for Our Patriotism?" appear at this point in the RECORD.

President Bush assures us that the ongoing twin wars in Iraq and Afghanistan are worth the sacrifices they entail. Editorialists around the nation agree and say that a steadfast American public was willing to stay the course.

Should anyone be surprised by this national resolve, given that these wars visit no sacrifice of any sort—neither blood nor angst nor taxes—on well over 95 percent of the American people?

At most, 500,000 American troops are at risk of being deployed to these war theaters at some time. Assume that for each of them some 20 members of the wider family sweat with fear when they hear that a helicopter crashed in Afghanistan or that X number of soldiers or Marines were killed or seriously wounded in Iraq. It implies that no more than 10 million Americans have any real emotional connection to these wars.

The administration and Congress have gone to extraordinary lengths to insulate voters from the money cost of the wars—to the point even of excluding outlays for them from the regular budget process. Furthermore, they have financed the wars not with taxes but by borrowing abroad.

Dr. Reinhardt continues:

The strategic shielding of most voters from any emotional or financial sacrifice for these wars cannot but trigger the analogue of what is called "moral hazard" in the context of health insurance, a field in which I've done a lot of scholarly work. There, moral hazard refers to the tendency of well-insured patients to use health care with complete indifference to the cost they visit on others. It has prompted President Bush to advocate health insurance with very high deductibles. But if all but a handful of Americans are completely insulated against the emotional—and financial—cost of war, is it not natural to suspect moral hazard will be at work in that context as well?

A policymaking elite whose families and purses are shielded from the sacrifices war entails may rush into it hastily and ill prepared, as surely was the case of the Iraq war. Moral hazard in this context can explain why a nation that once built a Liberty Ship every two weeks and thousands of newly designed airplanes in the span of a few years now takes years merely to properly arm and armor its troops with conventional equipment. Moral hazard can explain why, in wartime, the TV anchors on the morning and evening shows barely make time to report on the wars, lest the reports displace the silly banter with which they seek to humor their viewers. Do they ever wonder how military families with loved ones in the fray might feel after hearing ever so briefly of mayhem in Iraq or Afghanistan?

Moral hazard also can explain why the general public is so noticeably indifferent to the plight of our troops and their families. To be sure, we paste cheap magnetic ribbons on our cars to proclaim our support for the troops. But at the same time, we allow families of reservists and National Guard members to slide into deep financial distress as their loved ones stand tall for us on lethal battlefields and the family is deprived of these troops' typically higher civilian salaries. We

offer a pittance in disability pay to seriously wounded soldiers who have not served the full 20 years that entitles them to a regular pension. And our legislative representatives make a disgraceful spectacle of themselves bickering over a mere \$1 billion or so in added health care spending by the Department of Veterans Affairs—in a nation with a \$13 trillion economy!

Last year kind-hearted folks in New Jersey collected \$12,000 at a pancake feed to help stock pantries for financially hard-pressed families of the National Guard. Food pantries for American military families? The state of Illinois now allows taxpayers to donate their tax refunds to such families. For the entire year 2004, slightly more than \$400,000 was collected in this way, or 3 cents per capita. It is the equivalent of about 100,000 cups of Starbucks coffee. With a similar program Rhode Island collected about 1 cent per capita. Is this what we mean by "supporting our troops"?

When our son, then a recent Princeton graduate, decided to join the Marine Corps in 2001, I advised him thus: "Do what you must, but be advised that, flourishing rhetoric notwithstanding, this nation will never truly honor your service, and it will condemn you to the bottom of the economic scrap heap should you ever get seriously wounded." The intervening years have not changed my views; they have reaffirmed them.

Unlike the editors of the nation's newspapers, I am not at all impressed by people who resolve to have others stay the course in Iraq and in Afghanistan. At zero sacrifice, who would not have that resolve?

The SPEAKER pro tempore (Miss MCMORRIS). Under a previous order of the House, the gentleman from Illinois (Mr. LIPINSKI) is recognized for 5 minutes.

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

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

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

HURRICANE ASSISTANCE FOR FLORIDA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. WASSERMAN SCHULTZ) is recognized for 5 minutes.

Ms. WASSERMAN SCHULTZ. Madam Speaker, I rise today to introduce legislation with all 25 Members from the State of Florida that would assist residents of Florida who were victims of Hurricane Katrina. But before I do, I would like to say that I am proud to have supported the two emergency relief supplemental that we have passed for victims of the hurricane in an overwhelmingly bipartisan fashion. The pain of those who have lost loved ones, their homes, their pets and now find themselves in temporary housing thousands of miles from home, their pain is palpable.

As a Member of Congress who represents south Florida, I can empathize

with the victims of Hurricane Katrina in the gulf States because my home, south Florida, has been struck by numerous hurricanes and is threatened by them every year. Even now we have Hurricane Ophelia, which at 5 o'clock was declared a hurricane approaching the coast.

The scenes of the destruction throughout Alabama, Louisiana and Mississippi have reminded south Floridians of the devastation of Hurricane Andrew, a Category 5 hurricane which struck south Florida 13 years ago.

However, I rise tonight to call the Nation's attention to something that I think has been overlooked, understandably, by the Nation, and that is the plight of those residents in Florida who suffered damage because of Hurricane Katrina. I want to remind people that Hurricane Katrina first made landfall in Florida, striking Broward and Miami-Dade counties in the heart of my congressional district.

When it first hit Florida, Hurricane Katrina was not a large storm. In fact, when it made landfall in Florida, it was only a Category 1 hurricane which moved quickly over the State and moved out into the gulf before building strength and causing the devastation that has transfixed our Nation for the last 10 days.

While only a Category 1 hurricane at the time, the damage caused by Katrina in south Florida was extensive for many people.

In Broward and Miami-Dade counties, more than 350 homes were damaged or destroyed by Hurricane Katrina.

The South Florida Sun-Sentinel reports today that Craig Fugate, Florida's emergency management chief, told FEMA officials this week that the State expects the loss of over 2,000 farm-related jobs in Miami-Dade County alone. Okra, malanga, sweet potato, and cassava crops have been destroyed, he said, resulting in about a \$492 million loss. In addition, State agriculture officials say avocado and tropical fruit crops were severely affected.

Many of the farmers and agricultural workers that grow and tend these crops will be out of jobs or will lose significant income this year as a result of this storm.

On Saturday, August 27, the front page of The Washington Post and many other media outlets throughout the country showed pictures of the flooding and damage in south Florida resulting from Hurricane Katrina.

That is why it came as a surprise to many homeowners when last week FEMA announced that they would not be providing individual assistance to residents of Florida who suffered damage or destruction as a result of Hurricane Katrina.

I want to make it very clear to you, Madam Speaker, what the effect of this decision means to the residents of south Florida who suffered damage from the hurricane. This here, this, is what FEMA refuses to pay for when Hurricane Katrina struck Florida.

This woman here, who has had the roof ripped off her house and most of her possessions water damaged, FEMA's response to her is, you are on your own. Good luck.

And how about this family here. This woman is standing in water that is above her knees. The water is inside her house and has damaged her cars. Her house is not a fancy beach house. It is an average American's house. Her car is a later model and clearly more than 10 years old.

What was FEMA's response to her family's request for help? The same as it was to the people in New Orleans who were dying in the first days after Katrina struck: you are on your own.

My question to FEMA is this: Storms do not know State boundaries, so why does FEMA?

Looking at this picture here of the woman standing in her destroyed home, I am reminded of a woman that I met last week when touring hurricane damage in my own congressional district. I was touring the damage at the Park City Estates mobile home community in Davie, when I met Dorothy Rothbauer, an 86-year-old resident whose mobile home was damaged in Hurricane Katrina.

Ms. Rothbauer's home is roughly 20 miles from the beach. Her mobile home is nice. It is not extravagant. It is cozy and it has been her home for 25 years. Ms. Rothbauer is not a woman who lives beyond her means. She lives modestly and saves her money and has gotten by all of these years.

But now she needs help. She needs her government's help. As she showed me the damage to her house, she began to cry. It was excruciating. Pieces of the exterior have fallen off. Water has leaked in and the extent of structural damage is unknown.

She looked into my eyes, knowing that FEMA had told her that they could not offer her assistance, and crying, asked me what she was supposed to do now.

As I visited the other homes in the neighborhood, I realized that Dorothy's house did not have even as extensive damage as the others.

Across the street and down the block, roofs were entirely ripped off of these houses.

Dorothy's neighborhood is just one of many communities affected by Hurricane Katrina throughout Broward and Miami-Dade counties. And FEMA's answer to why they are not offering individual assistance to us in Florida is that for this storm FEMA has decided there is a State threshold of 800 homes that need to be damaged in Florida.

My State of Florida has been hit by six hurricanes, six in the past 2 years. Denying the people of Florida Federal assistance to rebuild their homes is wrong, and I urge my colleagues in the House to join the 25 Members from Florida in ensuring that FEMA will reimburse them for their damage.

The Census Bureau reports that in 2004, the percentage of people living in the Miami/

FL area in poverty was 17 percent. The Federal poverty level is, just \$12,334 for a family of two and only \$19,307 for a family of four. Denying the people of this area Federal aid in rebuilding their lives is unconscionable.

It is for this reason, Mr. Speaker, that today I am proud to introduce legislation that is co-sponsored by every member of Florida's House of Representatives delegation. All twenty-five Republicans and Democrats.

My legislation would direct FEMA to cover valid claims for individual assistance resulting from Hurricane Katrina's impact on the State of Florida.

This legislation does not ask for something unusual, it only asks to right the wrong done to the people of Florida and it allows us as a Nation to answer the tear-filled question of what am I supposed to do now, posed to me by Dorothy Rothbauer last week.

I urge my colleagues to co-sponsor my legislation that would extend relief to the Florida victims of Hurricane Katrina.

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

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

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

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

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Florida (Ms. CORRINE BROWN) is recognized for 5 minutes.

(Ms. CORRINE BROWN of Florida addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the House by Mr. Sherman Williams, one of his secretaries.

IDEAS FOR A BETTER AMERICA

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Kansas (Mr. TIAHRT) is recognized for 60 minutes as the designee of the majority leader.

Mr. TIAHRT. Madam Speaker, I will spend some time this afternoon talking about how we can keep and create jobs in America. For almost two centuries the American economy has been the envy of the world. With its dynamic, hardworking, motivated workforce America has truly been the land of opportunity where innovation has thrived. But that status is changing.

We are now running a \$670 billion annual deficit that is contributing to our

Federal budget deficit, and it has slowed our economy over the past few years. This development is not a temporary blip on the radar screen. It is the culmination of a generation of increased regulations, unsound tax policies, languishing emphasis on math and science, education, unchecked health care costs, rampant lawsuit abuse, unfocused research and development funds, and a weak trade policy enforcement system.

In short, our government has made it difficult and less desirable to keep businesses in America. Over the past generation we have put up roadblocks to keeping and creating jobs in America. If these current trends continue, our economy will continue to lag and will no longer remain the most dynamic economy in the world.

Meanwhile, countries like China and other nations are preparing for the future. They are educating their students in math, science and technology and pumping out record numbers of engineers. They are reducing tax rates and other economic barriers to entice investments into their nations. These countries are pursuing aggressive trade policies to reduce America's economic dominance in world trade.

Some of the examples are Ireland. Ireland has shifted from a Third World nation of Western Europe to the envy of the European Union largely due to its tax policies. The Celtic tiger has lowered its corporate tax rate to 12½ percent, stimulating the economy and creating jobs.

India was languishing under a burden of a socialist government; but now through their concerted effort to reduce regulations, they have stimulated their economy.

China currently graduates more English-speaking electrical engineers than America does. Their focus on education, especially math and science and technology, is allowing China to build their own Silicon Valley and attract the world's technological business to their doors.

Brazil has achieved what some believe to be a pipe dream. They are projected to be completely energy self-sufficient in a couple of years. It took them years to develop renewable energy sources, but now they are the leaders in ethanol production, and their economy is not suffering from the current high crude oil prices.

Chile is becoming an economic leader in Latin America by breaking down the barriers and doing business in their nation. Their emphasis on signing free trade agreements has been very fruitful. Last year they signed free trade agreements with the United States and with South Korea. They are currently in negotiations with China, India, New Zealand, Singapore, Japan and Australia; and they will continue to thrive.

For these reasons, these nations and other world economies are poised to move ahead of the United States in the next decade. In fact, the 2005 Index of Economic Freedom by the Heritage

Foundation ranks the United States 13th in the world. For the first time in 3 years we are not in the top 10 in the world in this measurement. This is due both to other nations' progress and economic competitiveness, as well as our own barriers to a thriving economy. Without attention to these matters, the United States is headed towards a third-rate economy, and 20 years from now we may no longer be the world's leader.

Congress needs to take these matters seriously. Last year the House began the competitiveness legislative agenda on the floor. Over a period of 8 weeks we discussed and voted on issues related to keeping and creating jobs in America.

Later this month, the Jobs Action Team is again bringing legislation to the House floor to combat this problem. But we need to take a long-term vision approach. For this reason, the House Economic Competitiveness Caucus has been created. The House Economic Competitiveness Caucus will be launched with offering opportunities to get Members involved in creating and keeping jobs in America by removing the barriers that Congress has created.

The House Economic Competitiveness Caucus will focus on ways to uncover and help the economic competitiveness in the global market as well. The caucus will provide and deepen the understanding and underlying problems that inhibit economic growth and will focus on long-term risks with current policies that make American businesses uncompetitive.

Our idea is to create and keep jobs in America. Of these jobs, the idea to keep jobs and create jobs, we have designated the problems into eight categories. These eight categories are going to be addressed, and I will go through them to tell you about what we need to do in each one; but these are the areas that Congress has created barriers to keeping and creating jobs, and we are going to help remove some of those barriers.

Health care security is the first issue. Costs related to health care are growing at a rate faster than inflation. The people who keep and create jobs here in America tell me that health care costs is their greatest challenge today. The CEO of Starbucks Coffee announced that his company spends more on health care than they do on coffee itself. Their raw materials are less than their health care costs. It is a huge problem that drives up the price of American products, and that forces jobs overseas. It is a complex problem whose policies are set through government policy primarily because of what is demanded in Medicare, Medicaid, and in lawsuit vulnerability. And this problem must be addressed in order to lower costs and improve our ability to compete.

The second area that we need to improve here in America is bureaucratic red tape. The Federal Government has become a creeping ivy of regulations.

The total burden of the environmental economic impact at the workplace and through tax compliance, this regulatory burden mounts up and the total cost is \$850 billion per year.

□ 1745

Eight hundred fifty billion dollars a year to comply with regulation in the United States; that amount of money is greater than the gross domestic products of either Canada or Mexico. For any product manufactured in the United States, the cost to comply with regulations is 12 percent of the cost of that product. In other words, if it costs \$1 to build that product, 12 cents of that dollar goes just to comply with the paperwork.

What if we applied some common sense to our regulations and streamlined the application? What if we could reduce them by half? We would be 6 percent more competitive in the world and that would help us create jobs.

Lifelong learning is another issue where we need to remove barriers. Job training and retraining are necessary parts of keeping up in today's economic environment. Our children must learn the fundamentals of math and science and they must become familiar with technology and be exposed to a math and science curriculum in order to be able to compete in a global economy. We must help all of our colleges and universities produce graduates who enter science and engineering careers.

The nation of India graduated 85,000 software engineers last year. As I told you earlier, China graduated more English-speaking electrical engineers than the United States. We have to encourage more young women and young men to pursue technical areas of our economy.

Energy is a tremendous issue today and it is a barrier to keeping and creating jobs. We have all seen the price of gas at the pumps. It costs me over \$40 to fill up my minivan. Imagine those on fixed incomes, those who are retired or farmers and truckers or anyone else who uses transportation to create or keep their jobs? Our gas prices are too high. Even before Hurricane Katrina, gasoline was on the rise.

We have not built a new refinery in America since 1976. The limited growth in new production of crude oil has been a tremendous problem. We once again were defeated in trying to open up the Alaska National Wildlife Reserve, or ANWR. I have always been puzzled after living in Kansas, what is so precious about ANWR? Kansas has been producing oil for 100 years. We cleanly and efficiently drill and discover new sources of petroleum right in Kansas near metropolitan areas, near urban settings and in rural settings, and we do it without disturbing the environment or polluting the environment. Why can we not do that in the Alaska National Wildlife Reserve?

In the energy bill we were requesting only 1,800 acres to produce oil in an area of over 2.5 million acres. It just

amazed me; the area is only about 3 square miles, and to produce the production that is all that would need to be utilized. And it is in an area in the North Slope of Alaska, which is the size of California.

We have to be able to develop new sources of production. Natural gas is also in limited supply with futures prices in the month of December peaking \$12 per 1,000 cubic feet. What does that mean? It means higher electricity costs, but in comparison, that same unit of measure is only \$4 in Europe and less than \$1 in Russia.

Why is it so high in America? We have had environmental lawsuits and EPA regulations against developing new sources of producing electricity like clean coal production plants. We have had the inability to build a pipeline from the Canadian natural gas fields to the east coast of America. We can lower the energy costs by easing regulations and applying some common sense, by increasing the production of crude, by increasing the refinery capacity here in America, but we also need to improve conservation and increase alternative energy sources.

Today, in Kansas, we are building a windmill farm which will generate electricity and we are going to build four additional wind electricity generating farms in Kansas, and that is a good alternative source of energy. But we need to continue finding other alternative sources and new sources if we are going to be competitive in the future.

Innovation and investment is another area where we need to remove barriers. Technology is the engine of growth, yet America does not really have a comprehensive plan to encourage research and development. In Europe they have a different philosophy for research and development. Their money goes directly into product development and it is not available for other companies to expand. We have not seen it that way in America. We do not do things like they do with Airbus, for example. Airbus is subsidized by European nations, by their own nations, and that research and development goes directly into a product that competes with products in America that are not subsidized, that are built by Boeing.

But in America we take our research and development dollars, like the ones that are spent at the National Institute of Aviation Research at Wichita State University, where we develop new manufacturing techniques for composite materials, research on their ability to withstand stresses, their ability to compare composites, and that research and development is made available to small businesses to develop new ideas and put them into practice and create jobs. It is available to Boeing, Beech. It is available to Cessna and LearJet and any small business. It is even available to Airbus, even though their research dollars are not made available to us. We need to be

more focused and more protective of our research and development discoveries.

We also need to encourage international investment. Capital dollars, the dollars needed or dollars that are needed for investment, capital goes where it is welcome. With good intentions to protect investors in America, Congress has created regulations that make it difficult to attract capital into America.

Now, in South Carolina you can find a BMW plant. That is a place where we have attracted outside investment in America. We need to do more of that, but it is very difficult when we have these barriers that have been created.

Trade fairness is another area where we need to protect American exports, and it should be foremost in any trade agreement and any policy that Congress reviews and considers. The ultimate goal should be to put American businesses at the top of the global supply chain which benefits small businesses and creates jobs.

Now, trade fairness can be applied to any time we have a trade agreement. So it is important that we continue to have trade agreements like we just passed this summer called CAFTA, the Central America Free Trade Agreement. These free trade agreements give us a vehicle to allow free and fair trade. If you look at the way some policies have happened through trade, for example, China, they have manipulated their currency. They have targeted manufacturing areas like hand trucks and auto lifters.

In Wichita we have a company that makes hand trucks. Hand trucks are what moves boxes around for one individual to use. Those have been targeted by China, and they manufacture them and they sell them below the cost of manufacturing them through subsidies, trying to run American manufacturers out of business so they can have a corner on the market. We need to combat that through trade fairness.

The one thing that we have an oversupply of in America that we need to export is lawsuits. And the way we can export lawsuits is through our trade agreements, by taking these countries to task when they unfairly target our businesses.

Another thing we need to do is tax relief and simplification. Our tax structure puts American businesses at a tremendous disadvantage in the world market. We must simplify and eliminate the punitive nature of our current Tax Code. Incentives such as bonus depreciation will encourage investment which moves production lines and increases revenues. But we need to look beyond that. We need to have broader changes as well.

There is a movement now in America to take our tax policy and put it into something like a value added tax or a national sales tax or a flat tax. These ideas can help us become more competitive. But the real objective ought to be to remove the cost of taxes from

the bottom line. Right now through our income tax system, the way it is structured today, the costs end up on the bottom line. The cost of all the labor, the cost that gets buried into the products that are passed from one supplier to a manufacturer to a retailer or a wholesaler, gets buried into our products and it makes us less competitive in the world market. So we need to find a way to remove our taxes from the bottom line and still accumulate the amount of money that we need to run the Federal Government.

The last item I want to talk about in the steps to competitiveness is ending lawsuit abuse. We can return integrity to our legal system by curtailing frivolous lawsuits and returning the courts' attention to upholding the laws of our land rather than legislating from the bench. We have seen lawsuit abuse. We have seen activist judges create a situation where America has difficulty in our costs.

One of the things we are going through now is an asbestos settlement. The asbestos settlement is going to create a trust fund, and we must be very, very sure that only those that have been actually impacted by asbestos receive money from the trust fund and that it does not become a cash or a slush fund for anybody who gets to slide into the fund. But it is going to be huge. It is going to be \$180 billion. That money comes out of the profit lines, and it means it is going to drive up the cost of products in America.

We have lawsuits where 40 percent of the money does not go to the victims. Sometimes it is 50 percent of the money that does not go to the victims. We have lawsuits where too many people get involved in the lawsuit and the cost of going through our system becomes extremely high. That ends up buried in the cost of our products and makes us less competitive. The other side of the equation is the activist judges that have been involved in our court system in the debate.

In Kansas, for example, one of our judges decided that the State was not spending enough money on education. Well, that is a good debate to have and those decisions should be made by our legislature. We have this concept in America of separation of powers. We have an executive branch, a legislative branch, and we have a judicial branch. There is a balance in those powers. But what we have been seeing in America is a crossing of lines, a blurring of lines where the courts have encroached on the activities of the legislature.

In Kansas they were deciding how much money we were going to be spending, where it is going to be spent on educational issues. And that is a travesty and it is costly, and it ends up complicating things in America. I think that that is difficult when it comes to doing business in America because we cannot plan for that.

We have a legislative system that has a job that they need to do and it should not be encroached upon by the court system.

Those eight issues are issues we are working on through the Economic Competitive Caucus: Health care security, bureaucratic red tape termination, lifelong learning, energy self-sufficiency and security, innovation and investment, trade fairness, tax relief and simplification, and ending lawsuit abuse and litigation management.

If we can get these legislative initiatives through, we will lower the cost of doing business in America. That will help us create new jobs. We will be able to keep the jobs that we have, and in doing that, we will be the dynamic economic force in the future that we are today.

We have a wonderful opportunity that came through a horrible tragedy, and I want to talk about what things could be done in rebuilding in the gulf area in the south following the damage that was caused by Katrina.

Katrina was a horrible incident with the loss of life, the loss of property. The South is never going to be the same. If you look at the area we are told that 100,000 square miles were affected by Hurricane Katrina. Now that is larger than the State of Kansas. It is hard to get our minds around the area and the amount of damage that has been caused in the South by Katrina.

When you look at the property damage, the houses that are blown away, you cannot really picture the heartache that is created by the loss of a loved one or even the loss of pictures, items that you have from people who preceded you in life, and photos and journals and just things that are taken from us when we have a tragedy like that. Whether it is a flood or high wind, it is gone and you will never be able to replace those items.

I know when we had water damage in my own home and lost items that were precious to me, I could not put a price tag on it. My wife lost the Bible that she had that she wrote comforting notes in on the day she lost her father. Those kinds of things cannot be replaced. But what we can do in the South is, we can rebuild that area. We can give the people who live there hope. We can create an economic engine down there that can be greater with new jobs and new ideas and new possibilities.

Now we can do that, set up an experiment down there in how we can streamline the process of regulation, provide more energy, rebuild the area in a safe fashion, and do it so we can get that area back on track and get those people back on their feet and allow them to start their lives over.

In the area of regulations, we have such regulations like the Jones Act that has been temporarily waived to allow for a clean up of the region.

□ 1800

Today, the President waived the Davis-Bacon Act to allow for lower costs in reconstruction. That will allow us to get more people involved in reconstruction, but I would like us to

look at the banking regulations. That will help us reopen banks and access to accounts and mortgage processing.

We should expedite the EPA's siting and permitting process and the licensing process, especially when it comes in the area of small refineries. We should reduce the environmental impact statement requirements and streamline that process. That can hold up construction for months, if not years; and I believe that OSHA and other agencies that have a tendency and a propensity to be working in an adversarial mode or an adversarial relationship with employers should be encouraged on the site to work with employers through a process, and a good example of how that can work occurred in Wichita, Kansas.

A couple of years ago, OSHA decided to target three counties in Kansas. One of them was Cedric County where Wichita is located, and they targeted homebuilders. They went there and they showed up on job sites, and they started writing fines and assessing costs against employers for alleged violations of safety. They just struck a lot of fear in the whole home construction industry, and the result of that was that many areas just shut down.

If you think about it, a subcontractor, let us say a framing contractor, on a job site, if he has a job that it is a \$100,000 house, the framing portion of it, his profit may be only a couple of thousand dollars. Well, if his fine is \$5,000, it is cheaper for him, more economical for him, to stay at home and not do the job than to be at the job and have the potential of some kind of fine he did not even know about. Some of the alleged violations that were cited were a Styrofoam cup on the stairs, a cord that ran across the job site that was in the wrong location, a ladder improperly leaning against a wall. Anyway, the bottom line was that they shut down the homebuilding industry.

If we were going to get it started, we had to get OSHA together with the builders. So I was contacted by the Wichita Area Builders Association. I got in touch with OSHA. We got the two parties together, and they came up with a plan where they could work together, and it worked very simply. OSHA would show up and announced would walk around with the job superintendent or the contractor. They would make a list of any potential violations. They would discuss that list. OSHA gave it to the contractor, and then he said, I will be back in 6 weeks; I will tell you when I am coming and let us go through this list and see how you are doing.

We found out most of the problems that were created were caused because of a language barrier. Many of the workers were Hispanic, did not have good English skills, and they did not understand how you properly lean a

ladder up against a wall. They did not understand you were not supposed to put your Styrofoam cup on the stairs, that it could be a trip hazard. Once that was effectively communicated, the environment became safe. It worked very well. The homebuilders went back to work. OSHA was satisfied because they created a safe work environment, and together they achieved a common goal of a safe working environment and getting the job done.

We could use that example down in Louisiana and Mississippi and Alabama as we rebuild down there where we have EPA, where we have OSHA, where we have other government agencies working with the private sector to get people back in their homes, to get them working and to get them back on their feet.

In energy, in order to immediately help the refinery capacity in the gulf region, as well as around the country, Congress needs to ease the roadblocks increasing the capacity to current refineries. Rather than the 3 to 5 years that it takes today to build a new refinery, current refineries could be increased in capacity in as short as 12 months, maybe as long as 18 months. In the long term, the government needs to be able to drill in ANWR, as I said earlier, and other locations to increase the supply of crude; but we need to start by streamlining the EPA process on permitting and reduce the time period involved.

We need to ease some EPA regulations, especially when it comes to some of the emissions and the Clean Air Act, and we need to take advantage of the natural growth and increasing capacity by expanding current sites as far as refineries are concerned.

But these are important to rebuild the refineries down there and increase the supply of gasoline, and that will have a general impact. Right now, we are all paying higher gas prices. By increasing the supply of gas, we will have lower gas prices. It is simple economics. We need to carry it out in the South, but look at other areas where we can streamline, getting a greater supply of fuel.

The infrastructure. In order to rebuild the area of highway, roads, bridges, train tracks and the ports, they all have to be restarted. The Department of Transportation and related agencies need to allow for the expedited planning and building, as well as expedited process for granting permits and waivers and licenses. The insurance community has to be involved.

There are many lessons to learn from Hurricane Katrina with relation to the flood insurance coverage and implementation and access to mandates for insurance in vulnerable areas and concerns about the definition of flood insurance versus the protection against high winds and a myriad of other provisions, but the government needs to

make sure that the insurance claims are processed quickly for rebuilding.

There also needs to be an incentive in place for those to rebuild in high-risk areas and to purchase the proper insurance. Our government should consider a buyout of particular areas, especially those that are vulnerable for other flooding or vulnerable in polluted areas. If companies and people will not sell, then they are going to have to be required to purchase insurance.

Liability can be a roadblock for the reconstruction. Lawsuit abuse needs to be prevented. We should probably look at a loser-pay or a blanket liability protection which needs to be instituted in the region. Otherwise, the economy could be completely strangled by junk lawsuits or liabilities that could plague the region for decades to come.

In health care, we have hundreds of thousands of displaced residents that need to be able to use their health care insurance wherever they are, even if they are temporarily relocated. The government needs to allow for health care portability. When we are in these regions to rebuild, we need to use programs like the associated health care plans and other ways for employers to afford and offer health care insurance, and it all should be implemented quickly.

The policies to allow for the purchase of insurance across State lines should be explored in order to encourage the growth of health care facilities and incentives for health care workers, and education training programs should be implemented.

Education portability is important. With dislocated families spread across the whole region and the Nation, education vouchers are needed to help pay for the cost of education for these kids who are temporarily in other areas and are able to go to school. School loan waivers, Pell grant extensions, and other higher education policies are needed to be implemented to allow students to continue their education during this time.

Job skills training, I think, is very important. Some of these jobs are not going to be re-created. We are going to have new industries down in that area. The government should work with the chambers of commerce and companies to set up public/private partnerships to train people for jobs that will be available in those areas and for jobs during the rebidding process.

I think there are a lot of skills that could be utilized and developed during that time, and tax incentives are probably a good thing that we need to discuss when it comes to rebuilding as well. Immediate tax incentives to encourage investment in the area should

be implemented, including a deduction tax for companies and individuals who build in the affected region, and accelerated depreciation should be available for capital and equipment and software investments as well.

These ideas can be used to quickly help reconstruct the area in New Orleans and in Louisiana, Alabama, and Mississippi. It is a way that we can get people back on their feet again.

In summary, I just want to go over the things that I think we need to do in Congress to not only help the South get back on its feet again but also to help America stay number one into the future, that is, that we need to address the issues in health care. We need to limit the growth in regulations of bureaucratic red tape. We need to effectively focus our education system on the future economy.

We need to develop new energy sources and increase the supply of energy, as well as the conservation of the energy and alternate energy sources. We need to look at research and development through innovation and investment. We have fair trade policies. We have to improve our tax system so that we can have some tax relief and simplification, and we need to end lawsuit abuse and have litigation management for America.

With these individual ideas, I think we will be able to grow a stronger America and retain our number one status well into the future so that our children and grandchildren will have the same opportunities that we have had to build a strong country and make our dreams come true.

THE TREMENDOUS CHALLENGES THAT FACE OUR COUNTRY

The SPEAKER pro tempore (Miss McMORRIS). Under the Speaker's announced policy of January 4, 2005, the gentlewoman from Georgia (Ms. McKINNEY) is recognized for 60 minutes as the designee of the minority leader.

Ms. McKINNEY. Madam Speaker, I have got a lot of papers and a lot of posters. One hour will in no way accommodate all that needs to be said tonight about the tremendous challenges that face our country today, including how we conduct ourselves in the aftermath of Hurricane Katrina.

While my remarks tonight in no way should be construed as encompassing all of my thoughts on the very important issues that I discuss tonight, just mark this down as a start.

First, let me say that I am especially proud of the way the people of my district and of this country have wrapped their arms around the victims of Hurricane Katrina. At this time, we have a healthy contingent of expert Georgians in the traumatized gulf States, and we have received thousands of Katrina's victims into our cities, churches, and homes.

I have come to this floor on many occasions. People around the world have commented on how shocked they are to

see such poverty in America. While cities and localities pass anti-panhandling measures that criminalize begging tourists and visitors in downtown areas asking for help, Hurricane Katrina washed away America's veneer of populist opportunity, a country that has overcome its racist, slave-holding past, a country ready for world dominion because it has learned how to uplift the human spirit at home.

Katrina, in images as stark and undeniable as could be, has laid bare the Republican lie that its policies promote growth and prosperity for all Americans and leave no child behind, while Katrina put into our living rooms and the world's living rooms the cruel hoax that has been played on America and those who love America by the ruthless sybaritic power player elites who are as responsible for the conditions endured by too many Americans as they are for the embarrassing and breath-taking incompetencies we all witnessed just before Labor Day.

Almost 30,000 New Orleans households live on less than \$10,000 per year. More babies and young kids are going hungry in our country. Eleven percent of our families experienced hunger in 2003. One million more Americans are living in poverty today than there were 1 year ago. Income distribution has become obscenely skewed toward the rich during the Bush years. In Manhattan, the poor make two cents for each dollar that the rich make. This places Manhattan on par with Namibia for income disparity.

Interestingly, in the financial capital of the world, New York City, the Bronx is the poorest urban county in the country, and New York State is being depleted of its middle class.

America is being depleted of its middle class. Over 50 percent of America's income goes to the top 20 percent of households. With even more tax cuts for the wealthy on the horizon, coupled with real budget cuts for the programs that are forced to take care of more and more Americans, the situation can only be expected to get worse, sadly.

Incomes for 95 percent of American households are flat or falling. Only the top 5 percent are experiencing the growth that we hear the Republicans talk about.

Now, I have got tons of documentation to offer for all of the statistics that we cite, but let me take a moment and reiterate where we are for all the people who are listening tonight.

□ 1815

Let me recall for just a moment the America they might not know but that more of us are coming all too well to know.

I will start with this poster, which depicts a black man hanging from a tree. The caption says "The body of Robert McNair is seen here as residents and schoolchildren in the Georgetown community saw it between about 7 a.m. and 9 a.m. last Thursday." This was on the front page of the Jackson,

Mississippi, Advocate the week of October 23 to 29 when I was in Mississippi for a speaking engagement. This was what I saw.

Sadly, it is what the children in the neighborhood saw, a black man hanging from a tree. A lynching. That is 2003. I am not talking about 1903. This is 2003. Sadly, in 2005, we have two lynchings being investigated in the State of Georgia, my home State, and both of them are supposed to have been suicides. In this story it was reported that this poor Mr. Robert McNair committed suicide, hanging from a tree.

When I come to the floor and do these monthly talks, some way or other we get around to the state of black America because it is important for us to understand that there are many Americans, and some of those Americans we do not see and we do not know. But we need to know how all Americans live so that we can make sure that no American is left behind.

On some indices, even today, it is true that the racial disparities are worse today than they were at the time of the murder of Dr. Martin Luther King, Jr. People would say it is not true, but, alas, it is true. And, of course, the statistics document that sad truth. United for a Fair Economy gives us these statistics in its State of the Dream report on imprisonment. To close the racial gap, it will take 190 years just so that black people are imprisoned for the same crime at the same rate as white people are imprisoned.

What about poverty? We saw a lot of that. Overall poverty, the racial disparity, 150 years to close the gap. Why does that have to be? At the slow rate that the black-white poverty gap has been narrowing since 1968, it would take 150 years to close the gap.

What about child poverty? Two hundred ten years to close the gap. Almost one-third of black children live in poverty. The child poverty gap would take 210 years to disappear, not reaching parity until 2212.

I would like to thank the National Council for La Raza that provided us with these statistics, the proportion of children without health insurance in the United States, home ownership rates. Look and you can see the proportion of children without health insurance in the United States. Look at the Hispanic figures. Look at that. Twenty-five percent of young Latino children do not have health insurance in this country.

What about home ownership rates, because we hear a lot of talk about the growth economy, and the Republicans and the President talk about promoting home ownership, home ownership, the first tier toward building wealth, okay? Well, if you are lucky enough to be able to own a home, sadly black and Hispanic home ownership rates are low. How low? To close the home ownership gap, the disparity between white home ownership and black home ownership, the first tier toward

wealth building, it will take 1,664 years to close the home ownership gap.

This is something that so many Americans take for granted. Yet so many Americans still have a dream for home ownership.

Now, what about income? It will take 581 years for us to close the per capita income gap. Since 1968, we have only been able to close the gap 2 cents. Black people make 55 cents for every dollar. That was in 1968. In 2001, it was 57 cents. Two cents, so 581 years to close the gap.

When some people start talking about how we want to build, rebuild, and provide for folks, that is what this Congress is supposed to do. We should build lives, we should build communities, build neighborhoods, and protect our people.

When it comes to the economic conditions that are prevailing for so many Americans, it is almost a joke. Here is a cartoon from the Washington Post. This is the sybaritic power player who is pulling the strings behind the scene, calling the shots, dictating politics and policy; and he is saying, "It is not trickle down economics. We got the plumbing fixed." Here is the poor little fella down here, little panhandler trying to wait to get some of the stuff that is trickling down, and it is not trickling down any more.

Poverty is up. Median income down. That is the result of the policies of the Bush administration since 2001.

What about all these tax cuts? New Orleans has got a lot of attention now because of what has happened, and we hear and we will hear some of our colleagues on the other side of the aisle suggesting that we need to do more tax cuts. Well, the faces of the people that came into our living rooms from Hurricane Katrina got this much from George Bush's tax cuts. But if you happened to make over \$200,000 a year, you got this much from George Bush's tax cuts.

It is so clear that the administration wants to serve some of the people all of the time and fool the rest of us all of the time. The tax cuts, we should not hear another word uttered about the need for more of the kind of tax cuts that the Bush administration has given us thus far. This insensitive policy-making that ends up hurting real people leads to a kind of callousness within our society that we do not recognize sometimes, that we do not notice sometimes.

It is easy to pass an anti-panhandling ordinance in the city of Atlanta because we do not feel the pain of the people who do not eat at night. So it is also easy to demonize people. It is easy to demonize people that you do not know.

This made it around the Internet until Agence France-Presse pulled their photo off. But how is it that we can have a media in this country displaying one young man wading through that putrid water and the American press, the Associated Press, says that

he is "looting." Then you have two people who are obviously not black and they are "finding." This young man, according to the Associated Press, walks through chest-deep floodwater after "looting" a grocery store. Two residents wade through chest-deep water after "finding" bread and soda.

This is the America of those statistics. This is the America that all Americans need to know and see. This is the America that too many of us have borne the brunt of generation after generation after generation after generation.

And then, they called them "refugees." Some bright light in the media came up with that one to further dehumanize poor black people in New Orleans. I had some New Orleans residents in my congressional office in Georgia who said that they had never, ever thought that they would be called refugees in their own country. Other insensitive language just shows how totally out of touch the leadership of this country is with the American people.

□ 1830

While the city was still flooding, Speaker HASTERT suggested that New Orleans should not be rebuilt.

As the mostly black people were herded into what looked like concentration camps, Barbara Bush suggested that they were really better off now than they were before. Well, maybe she has got something there, because it took losing an entire city for the "compassionate conservatives" in Washington, D.C., to finally get some compassion in the laws they pass, in the policies they enact, in what they do around here.

And you can imagine my surprise to hear the very people who chose not to adequately fund education, health care, affordable housing, now saying we have got to have Pell grants, Section 8 vouchers, schooling for children. It is what some of us have been saying all along.

Now, you can just about bet your bottom dollar that the Karl Rove spin machine is working overtime to whitewash the Bush administration preparations for the response to Katrina. Let us remember as we go through this that the State and local responders were victims too. That is why it is critical that the feds act. But they did not act, notwithstanding anything that comes out of the spin machine.

Kathleen Blanco, the governor of Louisiana said, "We wanted soldiers, helicopters, food and water. They wanted to negotiate an organizational chart." This is from the New York Times. "Far from deferring to State or local officials, FEMA asserted its authority and made things worse," according to Mr. Broussard, and I will talk about him a little bit later, who complained on Meet the Press.

Mayor Nagin said, "The root of the breakdown was the failure of the Federal Government to deliver relief supplies and personnel quickly. They kept

promising and saying things would happen. I was getting excited and telling people that. They kept making promises and promises."

MSNBC informs us that FEMA Director Michael Brown waited 5 hours after the storm's landfall to get agency assistance, to get agency aid from the Department of Homeland Security.

Now, another thing that we need to know about, there are so many things that our government does in our name with our tax dollars, on our behalf supposedly, that we do not know about. The Bush administration has opened up these biodefense labs all over the country. In about 20, 25 universities around the country we have got biodefense labs studying I do not know what.

I can remember the Tuskegee Study. I remember MK-Ultra as an African American. I remember Paul Robeson. But Tulane University is under water, and Tulane University houses one of these biodefense labs. We need to know what the heck was in that lab, what was going on in that biodefense lab.

Some of the headlines. Notwithstanding what you may hear from the other side of the aisle or coming out of the White House about how everyone has to share the blame, these are some of the headlines.

"FEMA won't accept Amtrak's help in evacuations."

"FEMA turns away experienced firefighters."

"FEMA turns back Wal-Mart supply trucks."

"FEMA prevents Coast Guard from delivering diesel fuel."

"Homeland Security won't let Red Cross deliver food."

"FEMA bars morticians from entering New Orleans."

"FEMA blocks 500-boat citizen flotilla from delivering aid."

"FEMA fails to utilize Navy ship with 600-bed hospital on board."

"FEMA to Chicago: Send just one truck."

"FEMA turns away generators."

"FEMA first responders urged not to respond."

Those are just a few of the headlines. I have got all of the documentation, of course.

There is also a story about three U.S. Customs Blackhawk helicopter crews that are absolutely livid because they had been directed not to provide full-time support for the hurricane relief effort in the Gulf.

"Navy ship nearby underused." This is from the Chicago Tribune. A craft with food, water, doctors. All it needed was the orders. It never got the orders.

"Federal agency slow to accept business help." This is from the Financial Times. "Federal agency slow to accept business help. From Wal-Mart's satellite-based communications system to FedEx's aircraft, U.S. business has in some cases managed to provide a swifter response to the initial impacts of Hurricane Katrina than the Federal and State authorities."

This is from the Salt Lake City Tribune: "Frustrated fire crews to hand out

fliers for FEMA. Many of the firefighters assembled from Utah and throughout the United States by FEMA thought they were going to be deployed as emergency workers. Instead, they have learned they are going to be community relations officers for FEMA, shuffling throughout the gulf coast region to disseminate fliers and a phone number, 1-800-621-FEMA," which does not work most of the time.

Now, I know that American children can do better in geography, but you would think that at least our emergency management people would get their geography right. CNN.com says, Well, they were supposed to go to Charleston. My colleague from Charleston, we were in a meeting on Tuesday night, and he said they had the shelter all set up with supplies, cots, blankets and everything, and nobody came. Now we find out that this is why they did not come. They were supposed to be in Charleston, South Carolina. Guess where FEMA took them? Charleston, West Virginia. What incompetence. Right city, wrong State. CNN.com.

I cannot even imagine. No one should imagine. It is ridiculous. But they are going to tell you everything is all right.

The New York Times tells us, "Navy pilots who rescued victims are reprimanded." What? "Two Navy helicopter pilots and their crews returned from New Orleans on August 30 expecting to be greeted as lifesavers after ferrying more than 100 victims to safety. Instead, they were reprimanded."

Well, we are working on this, since I serve on the Committee on Armed Services. But the sad thing about it is, when we had our briefing on Tuesday evening, the Secretary of Defense, Secretary of Homeland Security, Secretary of Labor, Secretary of Treasury, Secretary of HUD were all there at the briefing, except that Defense kept going in and out, Homeland Security kept going in and out, could not stay long enough to brief the Members of Congress or to hear from the Members of Congress who are directly impacted by their failure, their incompetence.

Malik Rahin is a former Black Panther Party member. In a very compelling radio interview he said, "You want more morality from the poor than from the rich." But he rejected the idea that New Orleans was a city divided by race. He said, "Whites took their boats and went into black neighborhoods. But it was the feds who forced people to leave their possessions. Once they got rescued, they had to leave their possessions. They could only take one bag."

He says, "Over 70 percent of the people who were rescued were rescued by individuals." Then he went on to say something very interesting. He said, "\$90 million of HOPE VI construction, but the people who needed it the most in New Orleans got no training, no community service."

Louisiana has the highest dropout rate in the country. He said, "Juvenile justice is a disgrace." He said, "The

only equal opportunity employer here is drugs."

We heard a lot about shooting. He says, "White vigilante groups with shotguns and rifles rode around saying they were going to shoot the looters." They were unchecked. There could have been a riot. He says, "There was about to be a race riot."

He said, "Many whites took their own personal boats into the black community. Too many acts of heroism, sharing ice, sharing water."

Then he mentions Jefferson Parish had to secede from the United States of America. So I want to mention the Jefferson Parish president.

But before that I am going to mention what Mayor Nagin in a wonderfully compelling interview with WWL said when he had the opportunity to speak directly with President Bush. He said, "I told him we had an incredible crisis here and that his flying over in Air Force One does not do it justice, and that I have been all around this city, and I am very frustrated because we are not able to marshal resources and we are outmanned in just about every respect."

But in perhaps the most compelling of all of the interviews that we have seen, and these are all available on the Internet, is Aaron Broussard, president of Jefferson Parish, on Meet the Press. He said, "Sir, they were told, like me, every single day the cavalry is coming on the Federal level, the cavalry is coming, the cavalry is coming, the cavalry is coming. I have just begun to hear the hooves of the cavalry. The cavalry is still not out here yet, but I have begun to hear the hooves, and we are almost a week out."

Then he gives three quick examples, one of the Wal-Mart delivery trucks, three trucks of water. FEMA turned them back. They had 1,000 gallons of diesel fuel on a Coast Guard vessel. It was docked in Jefferson Parish. The Coast Guard said, "Come and get the fuel right away. When we got there with our trucks, they got the word. FEMA says, 'Don't give the fuel.' Yesterday, yesterday FEMA comes in and cuts all our communication lines." Why is FEMA cutting communications?

"The guy who runs the building I am in, Emergency Management," this is Aaron Broussard on Meet the Press, "he is responsible for everything. His mother was trapped in St. Bernard Nursing Home, and every day she called him and said, 'Are you coming, son? Is somebody coming?' He said, 'Yeah, mama, somebody is coming to get you.' 'Somebody is coming to get you on Tuesday.' 'Somebody is coming to get you on Wednesday.' 'Somebody is coming to get you on Thursday.' 'Somebody is coming to get you on Friday.' And she drowned Friday night."

□ 1845

And she drowned Friday night. "Nobody is coming to get us. Nobody is coming to get us. The Secretary has

promised. Everybody has promised. They have had press conferences. I'm sick of the press conferences. For God's sake, just shut up and send us somebody." Aaron Broussard.

Want the facts? The FEMA chief waited 5 hours after Katrina made landfall on August 29. Five hours.

It is clear also that the administration would like to avoid a blame game. They want to do everything to not discuss the failures. What is Michael Brown's reaction to all of this? Michael Brown, FEMA director, says in a CNN interview: "Considering the dire circumstances that we have in New Orleans, virtually a city that has been destroyed, things are going relatively well." That is our FEMA director, Michael Brown. How out of touch could this man have been?

Those 9/11 activists know how critical it is to construct a timeline, because the timeline tells us who did what and when they did it. The timeline will tell us the truth. The timeline cuts through the spin. So, of course, I made a point to get in touch with the folks who were collecting the timelines, and there are a lot of timelines available on the Internet. Think Progress has a timeline, and WWL also has a timeline.

All the while this was going on, the news media reported that the Iraq war costs now exceed Vietnam's. But I think it is pretty clear that the Iraq war is costing us more than money. Let us just look at where some of those assets were. Mississippi has 40 percent of its National Guard forces in Iraq. Louisiana has 35 percent of its National Guard forces in Iraq. Florida has 26 percent. Alabama has 23 percent of its National Guard forces in Iraq.

On June 8, 2004, in the New Orleans Times-Picayune, Walter Maestri, who is emergency management chief for Jefferson Parish, said, "It appears that the money has been moved in the President's budget to handle homeland security and the war in Iraq. And I suppose that's the price we pay. Nobody locally is happy that the levees can't be finished, and we're doing everything we can to make the case that this is a security issue for us." Security, we are going to discuss that in a minute.

On April 24, 2004, the Times-Picayune said: "Less money is available to the Army Corps of Engineers to build levees and water projects in the Mississippi River Valley this year and next year." Nobody can say they did not know, were not warned, whatever it is that the spin machine might come up with.

National Geographic Magazine, October 2004, came up with an article that reported on a simulation, I will not call it a game, but a simulation of what would happen should a hurricane hit New Orleans: "As the whirling maelstrom approached the coast, more than a million people evacuated to higher ground. Some 200,000 remained, however. The carless, the homeless, the aged, the infirm, and those die-hard

New Orleanians who look for any excuse to throw a party.” It goes on to describe just exactly what happened during Hurricane Katrina, but that was in October 2004.

The Louisiana National Guard also knew that they were paying a price that was perhaps too high. On August 1 the Louisiana National Guard complained that they were taking critical equipment to Iraq that should have remained in Louisiana. But when the Bush administration does not like what one says, they just fire them. So there was a former Member of Congress that I had the pleasure to serve with, Mike Parker from Mississippi, who was with the Army Corps of Engineers. He complained that they were cutting the Army Corps of Engineers budget too much, and so he was forced out.

Now it turns out that Michael Brown was forced out too. He was forced out from the job he had before he became the FEMA assistant director and then director. Let me see if I can read this correctly. Michael Brown’s previous employment was with the International Arabian Horse Association, and he was fired from that job too. They said that he was asked to resign. And so, of course, eminently qualified to serve in the Bush administration; he gets one of the most important jobs in the country with the lives of the American people in his hands.

We know that this is what they do, hurting people whom they disagree with, because there is the case of another Army Corps of Engineers employee by the name of Bunnatine Greenhouse, who complained about the no-bid sweetheart deal private contracts going to Halliburton. Well, she was forced out of her job too because, even though Vice President DICK CHENEY still gets his deferred compensation checks from Halliburton Corporation, I guess the Bush administration is not finished with Halliburton, because they have been hired to do the storm cleanup. Is there no other corporation in America? Why is it that it always has to be Halliburton?

Well, the Times-Picayune calls for the firing of Michael Brown; and I have signed my name to many letters that are floating around here calling for his firing, his resignation, Chertoff’s as well; and in a minute somebody on this House floor is going to mention impeachment.

But as if making sure that Halliburton got what they needed to get, I checked the FEMA Web site, and on the FEMA Web site it says: “Help the victims of Hurricane Katrina.” First on the list is American Red Cross. We remember that during 9/11, there were many complaints from the victims of 9/11, and I remember seeing one report of the symphony orchestra getting some of the 9/11 contributions. But there is Operation Blessing. Operation Blessing was founded by Pat Robertson. That is the same Pat Robertson who called for the assassination of a duly elected president, Hugo Chavez, of Venezuela.

How can FEMA recommend that someone who calls for the murder of somebody else get hard-earned money from the American people? It is on the FEMA Web site, and it is outrageous.

But there is more. Sadly, there is more. I agree with the Tom Hartman article: “You Can’t Govern if You Don’t Believe in Government.” What we have witnessed here in utter stark relief is the culmination of all of that Republican ideology against government, against the people, against helping people who are in need. Ronald Reagan was elected President by saying: “The nine most terrifying words in the English language are, ‘I’m from the government and I’m here to help.’” Newt Gingrich in 1995 told us what he thought about government. He was speaking about Medicare. He said: “Now, we don’t want to get rid of it in round one because we don’t think that’s politically smart and we do not think that’s the right way to go through a transition. But we believe it is going to wither on the vine because we think people are going to voluntarily leave it.” Wither on the vine.

Grover Norquist in 2001 said this, and I think this encapsulates it all: “I don’t want to abolish government. I simply want to reduce it to the size where I can drag it into the bathroom and drown it in the bathtub.”

That is how these people feel about government. So I am not surprised that the Army Corps of Engineers budget is cut to the extent it is cut. I am not surprised.

Here, Bush’s agenda is to cut government services to the bone and make people rely on the private sector for the things they need. So he sliced \$71 million from the budget of the New Orleans Corps of Engineers, a 44 percent reduction. In addition, the President cut \$30 million in flood control. And then Bush took to the airwaves on “Good Morning America” on September 1 and said, “I don’t think anyone anticipated that breach of the levees.”

□ 1900

“I don’t think anyone anticipated that breach of the levees.”

Now, in stark contrast to the way the Department of Homeland Security mobilized to secure the people of the gulf States, within 48 hours of the notification of the death of Chief Justice Rehnquist, Bush nominated Roberts to serve as Chief Justice. They are real fast at doing some things.

Now, at some point, we have to talk about values and priorities and how it has become that our values and our priorities are so twisted and mangled now. We are focusing on other things, and some of those things are important. I am not going to say that everything is not so important that has become a priority. We had a resolution today that six people voted against to give Bush another blank check in the war on terrorism. I was one of the six.

No more blank checks, Mr. President, not for war, not for war.

I went to the Committee on Homeland Security’s Web site, and I just thought I would look and see which subcommittee has jurisdiction for natural disasters. Well, I could not believe it. I did not see any mention at all of natural disasters. So I went to one of our interns, whose eyes are a whole lot younger than mine, and I said, Would you please scour the entire website, because I have put in a search and it did not come up in a search; scour the entire website, and I want you to highlight the number of times you see the mention of the two words, “natural disaster.”

It is not mentioned. It is not mentioned. On the entire Committee on Homeland Security Web site “natural disaster” is not mentioned.

Now, a young man had a script before him, and he was supposed to read the script, but he took the opportunity to deviate from the script and speak his mind. His name is Kanye West. He has been on the cover of all these national magazines talking about how he is the most brilliant new hip-hop, rap artist, Kanye West. And now, he is being vilified because he dared to take a detour from what some people wanted him to say and say what he wanted to say, which is, quite frankly, the origins of hip-hop anyway, young people who have something to say and have found the means to say it.

Kanye West said, “I hate the way they portray us in the media. You see a black family; it says they are ‘looting.’ You see a white family; it says they are ‘looking for food.’ And, you know, it has been 5 days, because most of the people are black, and even for me to complain about it, I would be a hypocrite, because I have tried to turn away from the TV because it is too hard to watch. I have even been shopping before even giving a donation.

“So now I am calling my business manager right now to see what is the biggest amount I can give,” notice he said he is calling his business manager; I want you to pay attention to that. “And, just imagine if I was down there and those are my people down there. So anybody out there that wants to do anything that we can help with the way America is set up to help the poor, the black people, the less well off, as slow as possible.”

Now, NBC censored that. NBC has decided that they can determine what we hear from the smartest young man in hip-hop.

He also said, “George Bush doesn’t care about black people.” NBC censored it. They deleted his remarks. And MSNBC President Rick Kaplan, who produced the telethon at Rockefeller Plaza in New York, had the cameras cut to actor Chris Tucker who was on a different part of the stage and who appeared to be looking off at something else in the camera. So it was the MSNBC president, who was also the producer, who said, Well, you know, maybe the American people do not need to hear the smartest young man in hip-hop’s ideas about George Bush.

Thank goodness, I can come to the floor of the House and speak my piece. And as long as C-SPAN cameras are running, well, it will not be cut off, but I understand there is even an effort to try and limit C-SPAN's access to American households.

But I have to tell my colleagues something. As I saw the African Americans, mostly African American families ripped apart, I could only think about slavery, families ripped apart, herded into what looked like concentration camps. So I was reminded of a Miami Herald article written on July 5, the day after Freedom Day, 1987.

The title of the article was "Reagan Aides and the Secret Government," and here is a quote from that article: "A copy of the memo was obtained by the Herald. The scenario outlined in the Brinkerhoff memo resembles somewhat a paper Giufreda had written in 1970 at the Army War College in Carlyle, Pennsylvania, in which he advocated martial law in case of a national uprising by black militants." In which he advocated martial law in case of a national uprising by black militants. The paper also advocated the roundup and transfer of two "assembly centers or relocation camps of at least 21 million American Negroes."

Now, I did not write that; the U.S. Government wrote that. They were going to round up 21 million Negroes because they were afraid of freeing black people. A story of neglect? I am not surprised about any story of neglect of the people that comes from this body with this set of priorities, that passes these kinds of budgets on the backs of the American people, these kinds of tax cuts on the backs of the American people.

I want to commend my sister Congresswoman, the gentlewoman from California (Ms. LEE), who has said that it is time for us to get serious about poverty in this country. It is time for us to get serious. I am a proud cosponsor of legislation with the gentlewoman from California (Ms. LEE).

I will just conclude by saying that on the United States State Department Web site is "How to identify misinformation." Does the story fit the pattern of a conspiracy theory?

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KING of Iowa). The Chair must remind the gentlewoman from Georgia that it is out of order in debate to ascribe unworthy motives to the President.

U.S. AGGRESSIVE INTERVENTIONISM POLICY IS MISGUIDED

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Texas (Mr. PAUL) is recognized for 60 minutes.

Mr. PAUL. Mr. Speaker, many reasons have been given for why we fight and our youth must die in Iraq. The

reasons now given for why we must continue this war bear no resemblance to the reasons given to gain the support of the American people and the United States Congress prior to our invasion in March of 2003.

Before the war, we were told we faced an imminent threat to our national security from Saddam Hussein. This rationale, now proven grossly mistaken, has been changed. Now we are told we must honor the fallen by completing the mission. To do otherwise would demean the sacrifice of those who have died or been wounded.

Any lack of support for completing the mission is said by the promoters of the war to be unpatriotic, un-American, and detrimental to the troops. They insist the only way one can support the troops is to never waver on the policy of nation-building, no matter how ill-founded that policy may be. The obvious flaw in this argument is that the mission of which they so reverently speak has changed constantly from the very beginning.

Though most people think this war started in March of 2003, the seeds were sown many years before. The actual military conflict involving U.S. troops against Iraq began in January of 1991. The prelude to this actually goes back over 100 years when the value of Middle East oil was recognized by the industrialized West. Our use of troops to eject Saddam Hussein from Kuwait was the beginning of the current conflict with the Muslim fundamentalists who have been, for the last decade, determined to force the removal of American troops from all Muslim countries, especially the entire Arabian peninsula, which they consider holy. Though the strategic and historic reasons for our involvement in the Middle East are complex, the immediate reasons given in 2002 and 2003 for our invasion of Iraq were precise. The only problem is, they were not based on facts.

The desire by American policymakers to engineer regime change in Iraq had been smoldering since the first Persian Gulf conflict in 1991. This reflected a dramatic shift in our policy since, in the 1980s, we maintained a friendly alliance with Saddam Hussein as we assisted him in his war against our arch nemesis, the Iranian Ayatollah.

Most Americans ignore that we provided assistance to this ruthless dictator with biological and chemical weapon technologies. We heard no complaints in the 1980s about his treatment of the Kurds and the Shiites or the ruthless war he waged against Iran. Our policy toward Iraq played a major role in convincing Saddam Hussein he had free reign in the Middle East, and the results demonstrate the serious shortcomings of our foreign policy of interventionism that we have followed now for over 100 years.

In 1998, Congress capitulated to the desires of the previous administration and overwhelmingly passed the Iraq Liberation Act, which stated quite

clearly that our policy was to get rid of Saddam Hussein. This act made it official, quote: "The policy of the United States is to support efforts to remove the regime headed by Saddam Hussein." This resolution has been cited on numerous occasions by neoconservatives as justification for the preemptive and deliberate invasion of Iraq.

When the resolution was debated, I saw it as a significant step toward a war that would bear no good fruit. No legitimate national security concerns were cited for this dramatic and serious shift in policy.

Shortly after the new administration took office in January 2001, this goal of eliminating Saddam Hussein quickly morphed into a policy of remaking the entire Middle East, starting with regime change in Iraq. This aggressive interventionist policy surprised some people, since the victorious 2000 campaign indicated we should pursue a foreign policy of humility, no nation-building, reduce deployment of troops overseas, and a rejection of the notion that we serve as the world's policeman.

□ 1915

The 9/11 disaster proved a catalyst to push for invading Iraq and restructuring the entire Middle East. Though the plan had existed for years, it quickly was recognized that the fear engendered by the 9/11 attacks could be used to mobilize the American people and Congress to support this war.

Nevertheless, supposedly legitimate reasons had to be given for the already planned preemptive war; and as we now know, the intelligence had to be fixed to the policy.

Immediately after 9/11, the American people were led to believe that Saddam Hussein somehow was responsible for the attacks. The fact that Saddam Hussein and Osama bin Laden were enemies, not friends, was kept from the public by a compliant media and the lazy Congress. Even today many Americans still are convinced of an alliance between the two.

The truth is Saddam Hussein never permitted al Qaeda into Iraq out of fear that his secular government would be challenged. And yet, today, we find that al Qaeda is now very much present in Iraq and causing chaos there.

The administration repeatedly pumped out alarming propaganda that Saddam Hussein was a threat to us with his weapons of mass destruction, meaning nuclear, biological and chemical. Since we helped Saddam Hussein obtain biological and chemical weapons in the 1980s, we assumed that he had maintained a large supply, which, of course, turned out not to be true. The people being frightened by 9/11 easily accepted these fear-mongering charges.

Behind the scenes many were quite aware that Israel's influence on our foreign policy played a role. She had argued for years along with the neoconservatives for an Iraq regime change. This support was nicely coordinated with the Christian-Zionist enthusiasm for the war.

As these reasons for the war lost credibility and support, other reasons were found for why we had to fight. As the lone superpower, we were told we had a greater responsibility to settle the problems of the world lest someone else get involved.

Maintaining and expanding our empire is a key element of the neoconservative philosophy. This notion that we must fight to spread American goodness was well received by these neo-Jacobins. They saw the war as a legitimate moral crusade, arguing that no one should be allowed to stand in our way. In their minds, using force to spread democracy is legitimate and necessary.

We also were told the war was necessary for national security purposes because of the threat Saddam Hussein presented, although the evidence was fabricated. Saddam Hussein's ability to attack us was nonexistent, but the American people were ripe for alarming predictions by those who wanted this war.

Of course, the routine canard for our need to fight, finance, and meddle around the world ever since the Korean War was repeated incessantly. U.N. resolutions had to be in forced lest the United Nations be discredited. The odd thing was that on this occasion the United Nations itself did everything possible to stop our preemptive attack. As it turned out, Saddam Hussein was a lot closer to compliance than anyone dreamed.

It was not long before concern for the threat of Saddam Hussein became near hysterical, drowning out any reasoned opposition to the planned war. The one argument that was not publicly used by those who propagandized for the war may well be the most important: oil. Though the administration in 1990 hinted briefly that we had to eject Saddam Hussein in Kuwait because of oil, the stated reasons for that conflict soon transformed into stopping a potential Hitler and enforcing U.N. resolutions.

Publicly, oil is not talked about very much. But behind the scenes, many acknowledge this is the real reason we fight. It is not only the politicians who say this. American consumers have always enjoyed cheap gasoline and want it kept that way. The real irony is that the war has reduced Iraqi oil production by ½ million barrels per day, and prices are soaring, demonstrating another unintended economic consequence of war.

Oil in the Middle East has been a big issue since the Industrial Revolution when it was realized that the black substance bubbling out of the ground in places like Iraq had great value. It is interesting to note that in the early 20th century, Germany, fully aware of oil's importance, allied itself with the Turkish Ottoman Empire and secured the earliest rights to drill Iraqi oil. They built the Anatalya railroad between Baghdad and Basra and obtained oil and mineral rights on 20 kilometers on each side of this right-of-way.

World War I changed all this, allowing the French and the British to divide the oil wealth of the entire Middle East. The Versailles Treaty created the artificial nation of Iraq, and it was not long before American oil companies were drilling and struggling to participate in the control of Middle East oil. But it was never smooth sailing for any occupying force in Iraq.

After World War I, the British generals, upon arriving to secure their oil, said, "Our armies do not come into your cities and lands as conquerors or enemies, but as liberators." Not long afterwards a jihad was declared against Britain and eventually they were forced to leave. The more things change, the more they stay the same. Too bad we are not better at studying history.

After World War II, the U.S. emerged as the number one world power and moved to assume what some believe was our responsibility to control Middle East oil in competition with the Soviets. This role prompted us to use our CIA, along with the help of the British, to oust democratically elected Mohammad Mosadek from power in Iran and install the Shah as a U.S. puppet.

We not only supported Saddam Hussein against Iran; we also supported Osama bin Laden in the 1980s, aggravating the situation in the Middle East and causing unintended consequences. With CIA assistance, we helped develop the educational program to radicalize Islamic youth in many Arab nations, especially in Saudi Arabia, to fight the Soviets. We even provided a nuclear reactor to Iran in 1967, which today leads us to threaten another war. All of this has come back to haunt us. Meddling in the affairs of others has consequences.

Finally, after years of plotting and maneuvering, the neoconservative plan to invade Iraq came before the U.S. House in October of 2002 to be rubber-stamped. Though the plan was hatched years before, and the official policy of the United States Government was to remove Saddam Hussein ever since 1998, various events delayed the vote until this time. By October, the vote was deemed urgent so as to embarrass anyone who opposed it by making them politically vulnerable in the November election.

The ploy worked. The resolution passed easily, and it served the interests of the proponents of war in the November election. The resolution, H.J. 114, explicitly cited the Iraqi Liberation Act of 1998 as one of the reasons we had to go to war. The authorization granted the President to use force against Iraq cited two precise reasons: number one, to defend the national security of the U.S. against the continuing threat posed by Iraq; and, number two, enforce all relevant United Nations council resolutions regarding Iraq.

Many other reasons were given to stir the emotions of the American pub-

lic and the U.S. Congress, reasons that were grossly misleading and found not to be true. The pretense of a legal justification was a sham. The fact that Congress is not permitted under the Constitution to transfer the war power to a President was ignored. Only Congress can declare war, that is, if we were inclined to follow the rule of law.

To add insult to injury, the House joint resolution cited the United Nations resolution as justification for the war. Ignoring the Constitution while using the U.N. to justify the war showed callous disregard for the restraints carefully written in the Constitution. The authors deliberately wanted to make war difficult to enter without legislative debate, and they purposely kept the responsibility out of the hands of the executive branch. Surely they never dreamed that international government would have influence over our foreign policy or tell us when we should enter into armed conflict.

The legal maneuvering to permit this war was tragic to watch; but the notion that Saddam Hussein, a Third World punk, without an air force, navy and hardly an army, or any anti-aircraft weaponry, was an outright threat to the United States 6,000 miles away tells you how hysterical fear can be used to pursue a policy of needless war for quite different reasons.

Today, though, all the old reasons for going to war have been discredited and are no longer used to justify continuing the war. Now we are told we must complete the mission, and yet no one seems to know exactly what the mission is or when it can be achieved.

By contrast, when war is properly declared against a country, we can expect an all-out effort until the country surrenders. Without a declaration of war, as the Constitution requires, it is left to the President to decide when to start the war and when the war is over. We had sad experiences with this process in Korea and especially in Vietnam.

Pursuing this war merely to save face or to claim it is a way to honor those who have already died or been wounded is hardly a reason that more people should die.

We are told that we cannot leave until we have a democratic Iraq. But what if Iraq votes to have a Shiite theocracy, which it looks like the majority wants as their form of government, and women, Christians and Sunnis are made second-class citizens?

It is a preposterous notion and points out the severe shortcomings of a democracy where a majority rules and minorities suffer. Thankfully, our Founding Fathers understood the great dangers of a democracy. They insisted on a constitutional Republic with a weak central government and an executive branch beholden to the legislative branch in foreign affairs.

The sooner we realize we cannot afford this war, the better. We have gotten ourselves into a civil war within the Islamic community. But could it

be, as it had been for over a hundred years prior to our invasion, that oil really is the driving issue behind a foreign presence in the Middle East?

It is rather ironic that the consequence of our intervention has been sky-rocketing oil prices, with Iraqi oil production still significantly below pre-war levels. If democracy is not all it is cracked up to be, and a war for oil is blatantly immoral and unproductive, the question still remains, why do we fight? More precisely, why should we fight? When is enough killing enough? Why does man so casually accept war, which brings so much suffering to so many, when so little is achieved?

Why do those who suffer and die so willingly accept the excuses for the wars that need not be fought? Why do so many defer to those who are enthused about war and who claim it is a solution to a problem without asking them why they themselves do not fight? It is always other men and other men's children who must sacrifice life and limb for reasons that make no sense, reasons that are said to be our patriotic duty to fight and die for. How many useless wars have been fought for lies that deserved no hearing? When will it all end?

Since no logical answers can be given for why we fight, it might be better to fight about why we should not fight. A case can be made that if this war does not end soon it will spread and engulf the entire region. We have already been warned that war against Iran is an option that remains on the table for reasons no more reliable than those given for the preemptive strike against Iraq.

Let me give you a few reasons why this war in Iraq should not be fought. It is not in our national interest. On the contrary, pursuing this war endangers our security, increases the chances of a domestic terrorist attack, weakens our defenses, and motivates our enemies to join together in opposition to our domineering presence around the world. Does anyone believe that Russia, China, and Iran will give us free rein over the entire Middle East and its oil?

Tragically, we are setting the stage for a much bigger conflict. It is possible that this war could evolve into something much worse than Vietnam.

This war has never been declared. It is not a constitutional war; and without a proper beginning, there can be no proper ending. The vagueness instills doubts in all Americans, both supporters and nonsupporters, as to what will be accomplished. Supporters of the war want total victory, which is not achievable with a vague mission.

□ 1930

Now, the majority of Americans are demanding an end to this dragged-out war that many fear will spread before it is over. It is virtually impossible to beat a determined guerilla resistance to a foreign-occupying force. After 30 years, the Vietnam guerillas, following the unbelievable suffering, succeeded

in forcing all foreign troops from their homeland.

History shows that Iraqi Muslims have always been determined to resist any foreign power on their soil. We ignored that history and learned nothing from Vietnam. How many lives, theirs and ours, are worth losing to prove the tenacity of guerilla fighters supported by a large number of local citizens?

Those who argue it is legitimate to protect our oil some day must realize that it is not our oil, no matter how strong and sophisticated our military is. We know the war so far has played havoc with oil prices and the market continues to discount problems in the region for years to come. No end is in sight regarding the uncertainty of Middle East oil production caused by this conflict.

So far our policies inadvertently have encouraged the development of an Islamic state with Iranian allied Shiites in charge. This has led to Iranian support for the insurgents and placed Iran in the position of being the true victor in this war as its alliance with Iraq grows.

This could place Iran and its allies in the enviable position of becoming the oil powerhouse in the region, if not the world, once it has control over the oil fields near Basra. This unintended alliance with Iran plus the benefit to Osama bin Laden's recruiting efforts will in the end increase the danger to Israel by rallying the Arab and Muslim people against us.

One of the original stated justifications for the war has been accomplished. Since 1998, the stated policy of the United States Government was to bring regime change and get rid of Saddam Hussein. This has been done. But instead of peace and stability, we have sown the seeds of chaos. Nevertheless, the goal of removing Saddam Hussein has been achieved and is a reason to stop the fighting.

There were no weapons of mass destruction, no biological, chemical or nuclear weapons, so we can be assured the Iraqis pose no threat to anyone, certainly not to the United States.

No evidence existed to show an alliance between Iraq and al Qaeda before the war. And ironically, our presence there is now encouraging al Qaeda and Osama bin Laden to move in to fill the vacuum we created.

The only relationship between Iraq and 9/11 is that our policy in the Middle East continues to increase the likelihood of another terrorist attack on our homeland.

We should not fight because it is simply not worth it. What are we going to get for nearly 2,000 soldier deaths and 20,000 severe casualties? Was the \$350 billion worth it? This is a cost that will be passed on to future generations through an expanded national debt. I will bet most Americans can think of a lot better ways to have spent this money.

Today's program of guns and butter will be more damaging to our economy

than a similar program was in the 1960s which gave us the stagflation of the 1970s. The economic imbalances today are much greater than they were in those decades. Eventually we will come to realize that the Wilsonian idealism of using America's resources to promote democracy around the world through force is a seriously flawed policy. Wilson pretended to be spreading democracy worldwide, and yet women in the U.S. at that time were not even allowed to vote.

Democracy where the majority dictates the rules cannot protect minority and individual rights. In addition, using our force to impose our will on others almost always backfires. There is no reason that our efforts in the 21st century to impose a Western-styled government in Iraq would be any more successful than the British were after World War I. This especially cannot work if democracy is only an excuse for our occupation and the real reasons are left unrecognized.

It boils down to the fact that we do not really have any sound reasons for continuing this fight. The original reasons for the war never existed and the new reasons are not credibility. We hear only that we must carry on so those who have already suffered death and injury did not do so in vain.

If the original reasons for starting the war were false, simply continuing in the name of those fallen makes no sense. More loss of life can never justify earlier loss of life if they died for false reasons. This being the case, it is time to reassess the policies that have gotten us into this mess.

The mess we face in the Middle East and Afghanistan and the threat of terrorism within our own borders are not a result of the policies of this administration alone. Problems have been building for many years and have only gotten much worse with our most recent policy of forcibly imposing regime change in Iraq. We must recognize that the stalemate in Korea, the loss in Vietnam, and the quagmire in Iraq and Afghanistan all result from the same flawed foreign policy of interventionism that our government has pursued for over 100 years.

It would be overly simplistic to say that the current administration alone is responsible for the mess in Iraq. By rejecting the advice of the Founders and our early Presidents, our leaders have drifted away from the admonitions against entangling alliance and nation-building. Policing the world is not our calling or our mandate. Besides, the Constitution does not permit it. Undeclared wars have not enhanced our national security.

The consensus on foreign interventionism has been pervasive. Both major parties have come to accept our role as the world's policeman, despite periodic campaign rhetoric stating otherwise. The media in particular, especially in the early stages, propagandize in favor

of war. It is only when the costs become prohibitive and the war loses popular support that the media criticize the effort.

It is not only our Presidents that deserve the blame when they overstep their authority and lead the country into inappropriate wars. Congress deserves equally severe criticism for acquiescing to the demands of the executive to go needlessly to war. It has been known throughout history that kings, dictators, and the executive branches of governments are always overly eager to go to war. This is precisely why our Founders tried desperately to keep decisions about going to war in the hands of the legislature. But this process has failed, failed, failed us for the last 65 years.

Congress routinely has rubber-stamped the plans of our Presidents and even the United Nations to enter into war through the back door. Congress at any time can prevent and stop all undue foreign entanglements pursued by the executive branch merely by refusing to finance them.

The current Iraq war now going on for 15 years spans the administration of three Presidents and many Congresses controlled by both parties. This makes Congress every bit as responsible for the current quagmire as the President. But the real problem is the acceptance by our country as a whole of the principle of meddling in the internal affairs of other nations when unrelated to our national security.

Intervention, no matter how well intended, inevitably boomerangs and comes back to haunt us. Minding our own business is not only economical, it is the only policy that serves our national security interests and the cause of peace.

The neoconservatives who want to remake the entire Middle East are not interested in the pertinent history of this region. Creating an artificial Iraq after World War I as a unified country is like mixing water and oil. It has only led to frustration, anger and hostilities with the resulting instability creating conditions ripe for dictatorship.

The occupying forces will not permit any of the three regions of Iraq to govern themselves. This is strictly motivated by a desire to exert control over the oil. Self-determination and independence for each region or even a true republican form of government with a minimalist central authority was never considered, yet it is the only answer to the difficult political problems that area faces.

The relative and accidental independence of the Kurds and Shiites in the 1990s served those regions well and no suicide terrorism existed during that decade. The claim that our immediate withdrawal from Iraq would cause chaos is not proven. It did not happen in Vietnam or even in Somalia. Even today the militias of the Kurds and Shiites may well be able to maintain order in their regions much better than

we can currently. Certainly, the Sunnis can take care of themselves, and it might be in their best interests for all three groups not to fight each other when we leave.

One thing for sure, if we left, no more young Americans would have to die for an indefinable cause. Instead, we have been forcing on the people of Iraq a type of democracy that, if implemented, will mean an Islamic state under Sharia' law.

Already we read stories of barbers no longer being safe shaving beards; Christians are threatened and forced to leave the country, and burkas are returning out of fear. Unemployment is over 50 percent and oil production is still significantly below prewar levels. These results are not worth fighting and dying for.

In this war, like all others, the propagandists and promoters themselves do not fight nor do their children. It is always worth the effort to wage war when others must suffer and die. Many of those who today pumped the Nation up with war fever were nowhere to be found when their numbers were called in the 1960s, when previous Presidents and Congresses thought so little about sending young men off to war. Then it was in their best interest to find more important things to do despite the so-called equalizing draft.

The inability of taxpayers to fund both guns and butter has not deterred those who smell the glory of war. Notoriously great nations fall once their appetite for foreign domination outstrips their citizens' ability or willingness to pay. We tried the guns and butter approach in the 1960s with bad results, and the same will happen again as a consequence of the current political decision not to cut back on any expenditure, domestic or foreign.

Veto nothing is the current policy. Tax, borrow and print to pay the bills is today's conventional wisdom. The problem is that all the bills eventually must be paid. There is no free lunch and there is no free war. The economic consequences of such a policy are well known and documented. Excessive spending leads to excessive deficits, higher taxes, more borrowing and inflation which spells economic problems that always clobber the middle class and the poor.

Already this suffering has begun. A lackluster recovery, low-paying jobs, outsourcing, and social unrest already are apparent. The economic price we pay along with the human suffering is an extravagant price for a war that was started with false information and now is prolonged for reasons unrelated to our national security. This policy has led to excessive spending overseas and neglect at home. It invites enemies to attack us and drain the resources needed to defend our homeland and care for our own people.

We are obligated to learn something from the tragedy of Katrina about the misallocation of funds away from our infrastructure to the rebuilding of Iraq

after first destroying Iraq. If ever there was a time for us to reassess our policy of foreign intervention it is today. It is time to look inward and attend to the constitutional needs of our people and forget about the grandiose schemes to remake the world in our image through the use of force. These efforts not only are doomed to fail, as they have been for the past 100 years, but they invite economic and strategic military problems that are harmful to our national security interests.

We have been told that we must fight to protect our freedoms here at home. These reasons are given to make the sacrifices more tolerable and noble. Without an honorable cause, the suffering becomes intolerable. Hiding from the truth, though, in the end is no panacea for a war that promises no peace.

The most important misjudgment regarding Iraq that must be dealt with is the charge that Muslim terrorists attack us out of envy for our freedoms and our prosperity and our way of life. There is no evidence this is the case. On the contrary, those who have extensively researched this issue conclude that the number one reason suicide terrorists attack anywhere in the world is because their land is occupied by a foreign military power.

□ 1945

Pretending otherwise and constantly expanding our military presence in more Arab and Muslim countries as we have since 1990 has only increased the danger of more attacks on our soil, as well as in those countries that have allied themselves with us. If we deny this truth, we do so at our own peril.

It is not unusual for the war crusaders to condemn those who speak the truth in an effort to end an unnecessary war. They claim those who want honest reasons for the enormous sacrifice are unpatriotic and un-American, but these charges only serve to exacerbate the social unrest. Any criticism of policy, no matter how flawed the policy is, is said to be motivated by a lack of support for the troops. Yet it is preposterous to suggest that a policy that would have spared the lives of 1,900 servicemen and -women lacks concern for the well-being of our troops. The absence of good reasoning to pursue this war prompts the supporters of the war to demonize the skeptics and the critics. They have no other defense.

Those who want to continue this war accuse those who lost loved ones in Iraq, and oppose the war, of using the dead for personal political gain. But what do the war proponents do when they claim the reason we must fight on is to honor the sacrifice of the military personnel we lost by completing the mission?

The big difference is that one group argues for saving lives, while the other justifies more killing, and by that logic, the additional deaths will require even more killing to make sure that they, too, have not died in vain.

Therefore, the greater number who have died, the greater is the motivation to complete the mission. This defies logic. This argument to persevere has been used throughout history to continue wars that could and should have ended much sooner. This was especially true for World War I and Vietnam.

A sad realism struck me recently reading how our Marines in Afghanistan must now rely on donkey transportation in their efforts at Nation building and military occupation. Evidently, the Taliban is alive and well, as Osama bin Laden remains in this region. But does this not tell us something about our naive assumption that our economic advantages and our technical knowledge can subdue and control anybody?

We are traversing the Afghan mountains on donkeys and losing lives daily in Baghdad with homemade, primitive bombs. Our power and dominance clearly is limited by the determination of those who see us as occupiers, proving that just more money and sophisticated weapons will not bring us victory. Sophisticated weapons and the use of unlimited military power is no substitute for diplomacy designed to promote peace while reserving force only for defending our national interests.

Changing our policy of meddling in the affairs of others will not come easily or quickly, but a few signals to indicate a change in our attitude would go a long way to bringing peace to a troubled land.

First, we must soon, and Congress can do this through the budget process, stop the construction of all permanent bases in Iraq and any other Muslim country in the region. Think of how we would react if the Chinese had the military edge on us and laid claims to the Gulf of Mexico and building bases within the United States in order to promote their superior way of life. Is it not ironic that we close down bases here at home while building new ones overseas? Domestic bases might well promote security, while bases in Muslim Nations only elicit more hatred toward us.

Second, the plans for the biggest U.S. embassy in the world, costing nearly \$1 billion, must be cancelled. This structure in Baghdad sends a message, like the military bases being built, that we expect to be in Iraq and running Iraq for a long time to come.

Third, all military forces in Iraq and on the Arabian peninsula must be moved offshore at the earliest time possible. All responsibility for security and control of the oil must be transferred to the Iraqis from the United States as soon as possible, within months, not years.

The time will come when our policies dealing with foreign affairs will change for the better, but that will be because we can no longer afford the extravagance of war. This will occur when the American people realize that war

causes too much suffering here at home and the benefits of peace again become attractive to us all. Part of this recognition will involve a big drop in the value of the dollar, higher interest rates, and rampant price inflation.

Though these problems are serious and threaten our freedoms and way of life, there is every reason to work for the traditional constitutional foreign policy that promotes peace over war, while not being tempted to mold the world in our image through force. We should not forget that what we did not achieve by military force in Vietnam was essentially achieved with the peace that came from our military failure and withdrawal of our Armed Forces. Today, through trade and peace, U.S. investments and economic cooperation has Westernized Vietnam far more than our military efforts ever could have.

We must remember, initiating force to impose our will on others negates all the goodness for which we profess to stand. We cannot be fighting to secure our freedom if we impose laws like the PATRIOT Act and the national ID card on the American people.

Unfortunately, we have lost faith and confidence in the system of government with which we have been blessed. Today, too many Americans support, at least in the early stages, the use of force to spread our message of hope and freedom. They too often are confused by the rhetoric that our armies are needed to spread American goodness. Using force injudiciously, instead of spreading the worthy message of American freedom through peaceful means, antagonizes our enemies, alienates our allies and threatens personal liberties here at home while burdening our economy.

If confidence cannot be restored in our American traditions of peace and trade, our influence throughout the world would be enhanced just as it was once we rejected the military approach in Vietnam.

This change in policy can come easily once the people of this country decide that there is a better way to conduct ourselves throughout the world. Whenever the people turn against war as a tool to promote certain beliefs, the war ceases. That is what we need today. Then we can get down to the business of setting an example of how peace and freedom brings prosperity in an atmosphere that allows for excellence and virtue to thrive.

A powerful bureaucratic military state negates all efforts to preserve these conditions that have served America so well up until recent times. That is not what the American dream is all about. Without a change in attitude, the American dream dies. A simple change that restates the principles of liberty enshrined in our Constitution will serve us well in solving all the problems we face. The American people are up to the task. I hope the Congress is as well.

APPOINTMENT OF HON. FRANK R. WOLF TO ACT AS SPEAKER PRO TEMPORE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH SEPTEMBER 13, 2005

The SPEAKER pro tempore (Mr. KING of Iowa) laid before the House the following communication from the Speaker:

THE SPEAKER'S ROOMS,
HOUSE OF REPRESENTATIVES,
Washington, DC, September 8, 2005.

I hereby appoint the Honorable FRANK R. WOLF to act as Speaker pro tempore to sign enrolled bills and joint resolutions through September 13, 2005.

DENNIS HASTERT,
Speaker of the House of Representatives.

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

CONTINUATION OF NATIONAL EMERGENCY WITH RESPECT TO CERTAIN TERRORIST ATTACKS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109-54)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent to the *Federal Register* the enclosed notice, stating that the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001, is to continue in effect for an additional year.

The terrorist threat that led to the declaration on September 14, 2001, of a national emergency continues. For this reason, I have determined that it is necessary to continue in effect after September 14, 2005, the national emergency with respect to the terrorist threat.

GEORGE W. BUSH.
THE WHITE HOUSE, September 8, 2005.

SUSPENDING CERTAIN PROVISIONS OF UNITED STATES CODE IN RESPONSE TO NATIONAL EMERGENCY CAUSED BY HURRICANE KATRINA—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109-55)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together

with the accompanying papers, without objection, referred to the Committee on Education and the Workforce and ordered to be printed:

To the Congress of the United States:

I hereby report that I have exercised my statutory authority under section 3147 of title 40, United States Code, to suspend the provisions of 40 U.S.C. 3141-3148 in the event of a national emergency. I have found that the conditions caused by Hurricane Katrina constitute a "national emergency" within the meaning of section 3147. I have, therefore, suspended the provisions of 40 U.S.C. 3141-3148 in designated areas in the States of Alabama, Florida, Louisiana, and Mississippi.

This action is more fully set out in the enclosed proclamation that I have issued today.

GEORGE W. BUSH.

THE WHITE HOUSE, September 8, 2005.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed without amendment a bill of the House of the following title:

H.R. 3673. An Act making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. OLIVER (at the request of Ms. PELOSI) for today on account of illness.

Mr. EVERETT (at the request of Mr. DELAY) for today after 2:00 p.m. on account of business in his district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Ms. WOOLSEY) to revise and extend their remarks and include extraneous material:)

Ms. WOOLSEY, for 5 minutes, today.

Mr. SCHIFF, for 5 minutes, today.

Mr. DEFAZIO, for 5 minutes, today.

Mr. BROWN of Ohio, for 5 minutes, today.

Mr. HOLT, for 5 minutes, today.

Mr. LIPINSKI, for 5 minutes, today.

Mr. CARDIN, for 5 minutes, today.

Ms. WASSERMAN SCHULTZ, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Ms. CORRINE BROWN of Florida, for 5 minutes, today.

(The following Members (at the request of Mr. POE) to revise and extend their remarks and include extraneous material:)

Mrs. BLACKBURN, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, September 15.

Mr. POE, for 5 minutes, September 13 and 14.

Mr. KING of Iowa, for 5 minutes, today.

(The following Member (at his own request) to revise and extend his remarks and include extraneous material:)

Mr. HUNTER, for 5 minutes, today.

ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 3650. An act to allow United States courts to conduct business during emergency conditions, and for other purposes.

H.R. 3673. An act making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.

□ 2005

ADJOURNMENT

Mr. GOHMERT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 5 minutes p.m.), under its previous order, the House adjourned until Monday, September 12, 2005, at noon.

OATH FOR ACCESS TO CLASSIFIED INFORMATION

Under clause 13 of rule XXIII, the following Members executed the oath for access to classified information:

Neil Abercrombie, Gary L. Ackerman, Robert B. Aderholt, W. Todd Akin, Rodney Alexander, Thomas H. Allen, Robert E. Andrews, Joe Baca, Spencer Bachus, Brian Baird, Richard H. Baker, Tammy Baldwin, J. Gresham Barrett, John Barrow, Roscoe G. Bartlett, Joe Barton, Charles F. Bass, Melissa L. Bean, Bob Beauprez, Xavier Becerra, Shelley Berkley, Howard L. Berman, Marion Berry, Judy Biggert, Michael Bilirakis, Rob Bishop, Sanford D. Bishop, Jr., Timothy H. Bishop, Marsha Blackburn, Earl Blumenauer, Roy Blunt, Sherwood Boehlert, John A. Boehner, Henry Bonilla, Jo Bonner, Mary Bono, John Boozman, Madeleine Z. Bordallo, Dan Boren, Leonard L. Boswell, Rick Boucher, Charles W. Boustany, Jr., Allen Boyd, Jeb Bradley, Kevin Brady, Robert A. Brady, Corrine Brown, Sherrod Brown, Henry E. Brown, Jr., Ginny Brown-Waite, Michael C. Burgess, Dan Burton, G. K. Butterfield, Steve Buyer, Ken Calvert, Dave Camp, Chris Cannon, Eric Cantor, Shelley Moore Capito, Lois Capps, Michael E. Capuano, Benjamin L. Cardin, Dennis A. Cardoza, Russ Carnahan, Julia Carson, John R. Carter, Ed Case, Michael N. Castle, Steve Chabot, Ben Chandler, Chris Chocola, Donna M. Christensen, Wm. Lacy Clay, Emanuel Cleaver, James E. Clyburn, Howard Coble, Tom Cole, K. Michael Conaway, John Conyers, Jr., Jim Cooper, Jim Costa, Jerry F. Costello, Christopher Cox, Robert E. (Bud) Cramer, Jr., Ander Crenshaw, Joseph Crowley, Barbara Cubin, Henry Cuellar, John Abney Culberson, Elijah E. Cummings, Randy "Duke" Cunningham, Artur Davis, Geoff Davis, Jim Davis, Jo Ann Davis, Lincoln Davis, Tom Davis, Susan A. Davis,

Danny K. Davis, Nathan Deal, Peter A. DeFazio, Diana DeGette, William D. Delahunt, Rosa L. DeLauro, Tom DeLay, Charles W. Dent, Lincoln Diaz-Balart, Mario Diaz-Balart, Norman D. Dicks, John D. Dingell, Lloyd Doggett, John T. Doolittle, Michael F. Doyle, Thelma D. Drake, David Dreier, John J. Duncan, Jr., Chet Edwards, Vernon J. Ehlers, Rahm Emanuel, Jo Ann Emerson, Eliot L. Engel, Phil English, Anna G. Eshoo, Bob Etheridge, Lane Evans, Terry Everett, Eni F. H. Faleomavaega, Sam Farr, Chaka Fattah, Tom Feeney, Mike Ferguson, Bob Filner, Michael G. Fitzpatrick, Jeff Flake, Mark Foley, J. Randy Forbes, Harold E. Ford, Jr., Jeff Fortenberry, Luis G. Fortuño, Vito Fossella, Virginia Foxx, Barney Frank, Trent Franks, Rodney P. Frelinghuysen, Elton Gallegly, Scott Garrett, Jim Gerlach, Jim Gibbons, Wayne T. Gilchrest, Paul E. Gillmor, Phil Gingrey, Louie Gohmert, Charles A. Gonzalez, Virgil H. Goode, Jr., Bob Goodlatte, Bart Gordon, Kay Granger, Sam Graves, Al Green, Gene Green, Mark Green, Raúl M. Grijalva, Luis V. Guterrez, Gil Gutknecht, Ralph M. Hall, Jane Harman, Katherine Harris, Melissa A. Hart, J. Dennis Hastert, Doc Hastings, Alcee L. Hastings, Robin Hayes, J. D. Hayworth, Joel Hefley, Jeb Hensarling, Wally Herger, Stephanie Herseth, Brian Higgins, Maurice D. Hinchey, Rubén Hinojosa, David L. Hobson, Peter Hoekstra, Tim Holden, Rush D. Holt, Michael M. Honda, Darlene Hooley, John N. Hostettler, Steny H. Hoyer, Kenny C. Hulshof, Duncan Hunter, Henry J. Hyde, Bob Inglis, Jay Inslee, Steve Israel, Darrell E. Issa, Ernest J. Istook, Jr., Jesse L. Jackson, Jr., Sheila Jackson-Lee, William J. Jefferson, William L. Jenkins, Bobby Jindal, Sam Johnson, Eddie Bernice Johnson, Nancy L. Johnson, Timothy V. Johnson, Walter B. Jones, Stephanie Tubbs Jones, Paul E. Kanjorski, Marcy Kaptur, Ric Keller, Sue W. Kelly, Patrick J. Kennedy, Mark R. Kennedy, Dale E. Kildee, Carolyn C. Kilpatrick, Ron Kind, Steve King, Peter T. King, Jack Kingston, Mark Steven Kirk, John Kline, Joe Knollenberg, Jim Kolbe, John R. "Randy" Kuhl, Jr., Ray LaHood, James R. Langevin, Tom Lantos, Rick Larsen, John B. Larson, Tom Latham, Steven C. LaTourette, James A. Leach, Barbara Lee, Sander M. Levin, Jerry Lewis, John Lewis, Ron Lewis, John Linder, Daniel Lipinski, Frank A. LoBiondo, Zoe Lofgren, Nita M. Lowey, Frank D. Lucas, Daniel E. Lungren, Stephen F. Lynch, Connie Mack, Carolyn B. Maloney, Donald A. Manzullo, Kenny Marchant, Edward J. Markey, Jim Marshall, Jim Matheson, Doris O. Matsui, Carolyn McCarthy, Michael T. McCaul, Betty McCollum, Thaddeus G. McCotter, Jim McCrery, James P. McGovern, Patrick T. McHenry, John M. McHugh, Mike McIntyre, Howard P. "Buck" McKeon, Cynthia McKinney, Cathy McMorris, Michael R. McNulty, Martin T. Meehan, Kendrick B. Meek, Gregory W. Meeks, Charlie Melancon, Robert Menendez, John L. Mica, Michael H. Michaud, Juanita Millender-McDonald, Brad Miller, Jeff Miller, Gary G. Miller, Candice S. Miller, Alan B. Mollohan, Dennis Moore, Gwen Moore, Jerry Moran, James P. Moran, Tim Murphy, John P. Murtha, Marilyn N. Musgrave, Sue Wilkins Myrick, Jerrold Nadler, Grace F. Napolitano, Richard E. Neal, Randy Neugebauer, Robert W. Ney, Anne M. Northup, Eleanor Holmes Norton, Charlie Norwood, Devin Nunes, Jim Nussle, James L. Oberstar, David R. Obey, John W. Olver, Solomon P. Ortiz, Tom Osborne, C. L. "Butch" Otter, Major R. Owens, Michael G. Oxley, Frank Pallone, Jr., Bill Pascrell, Jr., Ed Pastor, Ron Paul, Donald M. Payne, Stevan Pearce, Nancy Pelosi, Mike Pence, Collin C. Peterson, John E. Peterson, Thomas E. Petri, Charles W. "Chip" Pickering, Joseph

R. Pitts, Todd Russell Platts, Ted Poe, Richard W. Pombo, Earl Pomeroy, Jon C. Porter, Rob Portman, Tom Price, David E. Price, Deborah Pryce, Adam H. Putnam, George Radanovich, Nick J. Rahall, II, Jim Ramstad, Charles B. Rangel, Ralph Regula, Dennis R. Rehberg, David G. Reichert, Rick Renzi, Silvestre Reyes, Thomas M. Reynolds, Harold Rogers, Mike Rogers, Dana Rohrabacher, Ileana Ros-Lehtinen, Mike Ross, Steven R. Rothman, Lucille Roybal-Allard, Edward R. Royce, C. A. Dutch Ruppersberger, Bobby L. Rush, Paul Ryan, Tim Ryan, Jim Ryun, Martin Olav Sabo, John T. Salazar, Loretta Sanchez, Linda T. Sánchez, Bernard Sanders, Jim Saxton, Janice D. Schakowsky, Adam B. Schiff, Jean Schmidt, Allyson Y. Schwartz, John J. H. "Joe" Schwarz, David Scott, Robert C. Scott, F. James Sensenbrenner, Jr., José E. Serrano, Pete Sessions, John B. Shadegg, E. Clay Shaw, Jr., Christopher Shays, Brad Sherman, Don Sherwood, John Shimkus, Bill Shuster, Rob Simmons, Michael K. Simpson, Ike Skelton, Louise McIntosh Slaughter, Adam Smith, Christopher H. Smith, Lamar S. Smith, Vic Snyder, Michael E. Sodrel, Hilda L. Solis, Mark E. Souder, John M. Spratt, Jr., Cliff Stearns, Ted Strickland, Bart Stupak, John Sullivan, John E. Sweeney, Thomas G. Tancredo, John S. Tanner, Ellen O. Tauscher, Gene Taylor, Charles H. Taylor, Lee Terry, William M. Thomas, Mike Thompson, Bennie G. Thompson, Mac Thornberry, Todd Tiahrt, Patrick J. Tiberi, John F. Tierney, Edolphus Towns, Michael R. Turner, Mark Udall, Tom Udall, Fred Upton, Chris Van Hollen, Nydia M. Velázquez, Peter J. Visclosky, Greg Walden, James T. Walsh, Zach Wamp, Debbie Wasserman Schultz, Maxine Waters, Diane E. Watson, Melvin L. Watt, Henry A. Waxman, Anthony D. Weiner, Curt Weldon, Dave Weldon, Jerry Weller, Lynn A. Westmoreland, Robert Wexler, Ed Whitfield, Roger F. Wicker, Heather Wilson, Joe Wilson, Frank R. Wolf, Lynn C. Woolsey, David Wu, Albert Russell Wynn, Don Young, C. W. Bill Young,

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

3721. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101-510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

3722. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101-510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

3723. A letter from the Under Secretary for Acquisition, Technology and Logistics, Department of Defense, transmitting certified materials supplied to the Defense Base Closure and Realignment Commission, pursuant to Public Law 101-510, section 2903(c)(6) and 2914(b)(1); to the Committee on Armed Services.

3724. A letter from the Secretary, Department of Health and Human Services, transmitting written notification of the determination that a public health emergency has existed in the state of Florida since August 24, 2005 and in states of Alabama, Louisiana, and Mississippi since August 29, 2005, pursu-

ant to 42 U.S.C. 247d(a) Public Law 107-188, section 144(a); to the Committee on Energy and Commerce.

3725. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting certification that the Board of the International Fund of Ireland is, as a whole, broadly representative of the interests of the communities in Ireland and Northern Ireland; and that disbursements from the International Fund will be distributed in accordance with principles of economic justice; and will address the needs of both communities in Northern Ireland and will create employment opportunities in regions and communities of Northern Ireland suffering from high rates of unemployment, pursuant to Public Law 99-415, section 5(c) (100 Stat. 948); to the Committee on International Relations.

3726. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's report on employment of United States citizens by certain international organizations, pursuant to 22 U.S.C. 276c-4; to the Committee on International Relations.

3727. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of an Accountability Review Board to examine the facts and the circumstances of the loss of life at a U.S. mission abroad and to report and make recommendations, pursuant to 22 U.S.C. 4834(d)(1); to the Committee on International Relations.

3728. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the fifty-third report on the extent and disposition of United States contributions to international organizations for fiscal year 2004, pursuant to 22 U.S.C. 262a; to the Committee on International Relations.

3729. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

3730. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

3731. A letter from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting copies of international agreements, other than treaties, entered into by the United States, pursuant to 1 U.S.C. 112b(a); to the Committee on International Relations.

3732. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department's final rule — Amendments to the International Traffic in Arms Regulations: Port Directors, Definition, NATO Definition, Major Non-NATO Ally Definition, Record-keeping Requirements, Supporting Documentation for Electronics License Applications, Disclosure of Registration Documents — received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.

3733. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting notification of an unauthorized transfer of U.S.-origin defense articles pursuant to Section 3(e) of the Arms Export Control Act (AECA); to the Committee on International Relations.

3734. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to sec-

tion 36(c) and (d) of the Arms Export Control Act, certification regarding the proposed transfer of major defense articles or defense services to the Government of the United Kingdom and Canada (Transmittal No. DDTC 097-04); to the Committee on International Relations.

3735. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles or defense services from the Governments of Russia, Ukraine and Norway (Transmittal No. DDTC 024-05); to the Committee on International Relations.

3736. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles or defense services from the Governments of Russia and Kazakhstan (Transmittal No. DDTC 025-05); to the Committee on International Relations.

3737. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of the determination pursuant to Section 610 of the Foreign Assistance Act authorizing the use FY 2005 Supplemental Economic Support Funds to provide assistance to the Palestinian Authority; to the Committee on International Relations.

3738. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles or defense services (Transmittal No. DDTC 008-05); to the Committee on International Relations.

3739. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles or defense equipment from the Government of Japan (Transmittal No. DDTC 020-05); to the Committee on International Relations.

3740. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(c) of the Arms Export Control Act, certification regarding the proposed license for the export of defense articles or defense services from the Government of Iraq (Transmittal No. DDTC 035-05); to the Committee on International Relations.

3741. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(d) of the Arms Export Control Act, certification regarding the proposed license for the manufacture of defense equipment from the Government of Japan (Transmittal No. DDTC 019-05); to the Committee on International Relations.

3742. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting pursuant to section 36(d) of the Arms Export Control Act, certification regarding the proposed license for the transfer of defense equipment from the Government of Saudi Arabia to the Government of Mexico (Transmittal No. RSAT 03-05); to the Committee on International Relations.

3743. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2005-31, Waiving Prohibition on United States Military Assistance with Respect to Cambodia; to the Committee on International Relations.

3744. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a determination pursuant to section 451 of the Foreign Assistance Act of 1961, authorizing the use of FY 2005 funds authorized for the International Military Education and Training (IMET) and FY 2004 funds authorized for FREEDOM Support Act/Assistance to the Independent States (FSA/IS) to provide assistance to the United Nations Democracy Fund; to the Committee on International Relations.

3745. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Bay City International River Roar, Saginaw River, Bay City, MI [CGD09-05-028] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3746. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Elberta Solstice Festival Fireworks, Elberta, MI [CGD09-05-029] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3747. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Southside Summer Festival, St. Clair River, Port Huron, MI [CGD09-05-030] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3748. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Target Fireworks Display, Detroit River, Detroit, MI [CGD09-05-031] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3749. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Captain of the Port Chicago [CGD09-05-004] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3750. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: GREAT LAKES ICE BREAKER Menominee River, Marinette, Wisconsin [CGD09-05-007] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3751. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: New York State Recreation and Parks Annual Conference Fireworks at Ontario Beach Park, Rochester, NY [CGD09-05-011] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3752. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Illinois River, Hennepin, IL [CGD09-05-012] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3753. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Cuyahoga River, Cleveland, Ohio [CGD09-05-013]

(RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3754. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Rockets for Schools Sheboygan, Wisconsin [CGD09-05-015] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3755. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Port of Mobile, Mobile Ship Channel, Mobile, AL [COTP Mobile-05-005] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3756. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Legal Seafood Fireworks Display, Boston, Massachusetts [CGD1-05-035] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3757. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Piping Rock Beach Club Firworks, Long Island Sound, Lattingtown, NY [CGD01-05-043] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3758. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Former Quincy Shipyard Gantry Crane Demolition, Quincy, Massachusetts [CGD01-05-059] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3759. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Delaware River [CGD05-05-027] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3760. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Chesapeake Bay, Northwest Harbor, Baltimore, MD [CGD05-05-030] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3761. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Willoughby Bay, Norfolk, VA [CGD05-05-034] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3762. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Surprise Birthday Party Fireworks, Lake St. Clair, Gross Pointe, MI [CGD09-05-020] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3763. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone;

Riversplash Fireworks display, Milwaukee River, Milwaukee, WI [CGD09-05-023] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3764. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Chesapeake Bay, Norfolk, VA [CGD05-05-0562] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3765. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Chesapeake Bay, Mathews, VA [CGD05-05-063] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3766. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Rappahannock River, Tappahannock, VA [CGD05-05-064] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3767. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Hampton River, Hampton, VA [CGD05-05-065] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3768. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule — Safety Zone: Cherry-stone Channel, Chesapeake Bay, VA [CGD05-05-068] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

3769. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule — Safety Zone: Celebrate America Fundraiser Fireworks Display, Lake St. Clair, Gross Pointe, MI [CGD09-05-024] (RIN: 1625-AA00) received August 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BROWN of Ohio:

H.R. 3696. A bill to amend the Federal Food, Drug, and Cosmetic Act to require prior approval by the Food and Drug Administration of advertisements for prescription drugs and restricted medical devices, and for other purposes; to the Committee on Energy and Commerce.

By Mr. CONYERS (for himself, Mr.

WATT, Ms. JACKSON-LEE of Texas, Mr. NADLER, Mr. TAYLOR of Mississippi, Mr. KUCINICH, Mr. MORAN of Virginia, Mrs. MALONEY, Ms. WASSERMAN SCHULTZ, Ms. LEE, Ms. LINDA T. SANCHEZ of California, Ms. CARSON, Mrs. DAVIS of California, Ms. ZOE LOFGREN of California, Mr. CROWLEY, Mr. SERRANO, Mr. SCOTT of Virginia, Ms. WOOLSEY, Ms. MCCOLLUM of Minnesota, Mr. ROTHMAN, Mr. GRIJALVA, Mr. MEEHAN, Mr. BLUMENAUER, Mr.

BERMAN, Mr. DELAHUNT, Ms. SCHAKOWSKY, Mr. EMANUEL, Mr. MCDERMOTT, Mr. SANDERS, Mr. UDALL of New Mexico, Ms. WATSON, and Mrs. CAPPS):

H.R. 3697. A bill to amend title 11 of the United States Code to provide relief with respect to disaster-related debts incurred by victims of Hurricane Katrina and other natural disasters; to the Committee on the Judiciary.

By Mr. DINGELL (for himself, Mr. JEFFERSON, Mr. DAVIS of Alabama, Mr. THOMPSON of Mississippi, Ms. PELOSI, Mrs. CAPPS, Mr. BROWN of Ohio, Mr. WAXMAN, Mr. STARK, Mr. RANGEL, Mr. GENE GREEN of Texas, and Mr. MELANCON):

H.R. 3698. A bill to provide temporary Medicaid disaster relief in response to Hurricane Katrina, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TOM DAVIS of Virginia (for himself, Ms. NORTON, and Mr. VAN HOLLEN):

H.R. 3699. A bill to provide for the sale, acquisition, conveyance, and exchange of certain real property in the District of Columbia to facilitate the utilization, development, and redevelopment of such property, and for other purposes; to the Committee on Government Reform, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO:

H.R. 3700. A bill to reform immigration to serve the national interest; to the Committee on the Judiciary.

By Mr. ANDREWS (for himself, Mr. LEWIS of Georgia, Mr. HOLT, Mr. PALLONE, Mr. PAYNE, and Mr. PASCRELL):

H.R. 3701. A bill to assure that the American people have large areas of land in healthy natural condition throughout the country to provide wildland recreational opportunities for people, provide habitat protection for native wildlife and natural plant communities, and to contribute to a preservation of water for use by downstream metropolitan communities and other users, through the establishment of a National Forest Ecosystem Protection Program composed of lands within existing wilderness areas and adjacent primitive areas, and for other purposes; to the Committee on Agriculture, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BERRY:

H.R. 3702. A bill to provide emergency assistance to agricultural producers who have suffered losses as a result of drought, Hurricane Katrina, and other natural disasters occurring during 2005, and for other purposes; to the Committee on Agriculture.

By Ms. GINNY BROWN-WAITE of Florida (for herself, Mr. BOYD, Mr. MICA, Mr. BLIRAKIS, Mr. SHAW, Mr. WELDON of Florida, Mr. FOLEY, Mr. DAVIS of Florida, Ms. ROS-LEHTINEN, Mr. PUTNAM, Mr. FEENEY, Mr. KELLER, Mr. STEARNS, Mr. MILLER of Florida, Mr. MACK, Mr. MARIO DIAZ-BALART of Florida, Ms. CORRINE BROWN of Florida, Ms. HARRIS, Mr. WEXLER, Mr. LINCOLN DIAZ-BALART of Florida, Mr.

CRENSHAW, Mr. YOUNG of Florida, Mr. HASTINGS of Florida, Mr. MEEK of Florida, and Ms. WASSERMAN SCHULTZ):

H.R. 3703. A bill to designate the facility of the United States Postal Service located at 8501 Philatelic Drive in Spring Hill, Florida, as the "Staff Sergeant Michael Schafer Post Office Building"; to the Committee on Government Reform.

By Mrs. DRAKE (for herself, Mr. MARCHANT, Mr. MICA, and Mr. BURGESS):

H.R. 3704. A bill to provide for establishment of a Border Patrol Auxiliary; to the Committee on Homeland Security.

By Mr. GERLACH:

H.R. 3705. A bill to amend title 18, United States Code, to prohibit price gouging during national emergencies; to the Committee on the Judiciary.

By Mr. HASTINGS of Florida (for himself, Mrs. MALONEY, Mr. KENNEDY of Rhode Island, Mr. HONDA, Mr. BISHOP of New York, Ms. MCCOLLUM of Minnesota, Mr. REYES, Mr. DOGGETT, Mr. GRIJALVA, Mr. WEXLER, Ms. CARSON, Mr. BISHOP of Georgia, Mr. McNULTY, Mr. INSLEE, Mr. SHERMAN, Mr. NADLER, Ms. SCHWARTZ of Pennsylvania, Mr. CONYERS, Mr. EVANS, Mr. PRICE of North Carolina, Mr. STRICKLAND, Mr. MORAN of Virginia, Mr. FARR, Mrs. TAUSCHER, Mrs. DAVIS of California, Mr. MARKEY, and Mr. DAVIS of Florida):

H.R. 3706. A bill to establish a National Independent Inquiry Commission on Disaster Preparedness and Response; to the Committee on Transportation and Infrastructure.

By Mr. HINCHEY:

H.R. 3707. A bill to provide the President with authority to temporarily freeze the price of gasoline and other refined products; to the Committee on Energy and Commerce.

By Ms. EDDIE BERNICE JOHNSON of Texas:

H.R. 3708. A bill to dedicate 10 percent of Hurricane Katrina disaster relief funds for mental health services to victims and first responders; to the Committee on Energy and Commerce, and in addition to the Committee on Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. KLINE:

H.R. 3709. A bill to amend title 10, United States Code, to remove the Peace Corps as an option for service under the National Call to Service military recruitment program; to the Committee on Armed Services.

By Mr. MARKEY:

H.R. 3710. A bill to require the Secretary of the Interior to suspend Federal oil and gas royalty relief for production of oil and natural gas occurring in any period with respect to which average oil and natural gas prices exceed certain amounts, and for other purposes; to the Committee on Resources, and in addition to the Committees on Transportation and Infrastructure, Energy and Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCDERMOTT:

H.R. 3711. A bill to ensure that foster children affected or displaced by Hurricane Katrina receive the critical assistance they need and deserve; to the Committee on Ways and Means.

By Mr. MCDERMOTT:

H.R. 3712. A bill to establish a program for gas stamps and to impose a windfall profits

tax on crude oil, natural gas, and products thereof; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MICHAUD:

H.R. 3713. A bill to repeal the Bipartisan Trade Promotion Authority Act of 2002; to the Committee on Ways and Means.

By Mr. MILLER of Florida (for himself, Mr. JEFFERSON, Mr. JINDAL, Ms. GINNY BROWN-WAITE of Florida, Mr. HINOJOSA, Mr. DAVIS of Florida, Mr. DAVIS of Tennessee, Mr. ROGERS of Alabama, Mr. BONNER, and Mr. WILSON of South Carolina):

H.R. 3714. A bill to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to provide for reimbursement of certain for-profit hospitals; to the Committee on Transportation and Infrastructure.

By Mr. RAMSTAD (for himself and Mr. CARDIN):

H.R. 3715. A bill to amend the Internal Revenue Code of 1986 to provide an incentive to preserve affordable housing in multifamily housing units which are sold or exchanged; to the Committee on Ways and Means.

By Mr. RAMSTAD:

H.R. 3716. A bill to amend the Internal Revenue Code of 1986 to clarify the mortgage subsidy bond benefits for residences located in disaster areas; to the Committee on Ways and Means.

By Mr. REICHERT (for himself, Mr. GARY G. MILLER of California, Mr. MATHESON, Mr. DANIEL E. LUNGREN of California, and Mrs. KELLY):

H.R. 3717. A bill to provide construction contractors with qualified immunity from liability for negligence when providing services or equipment on a volunteer basis in response to a declared emergency or disaster; to the Committee on the Judiciary.

By Mr. ROSS:

H.R. 3718. A bill to amend the Energy Policy Act of 2005 to require the Federal Trade Commission to submit to Congress a report on gasoline prices by November 8, 2005; to the Committee on Energy and Commerce.

By Mr. RYAN of Ohio (for himself and Mr. MEEK of Florida):

H.R. 3719. A bill to amend the Servicemembers Civil Relief Act to require that the Department of Defense notify the creditors of persons in military service and persons entering military service, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. SHERMAN:

H.R. 3720. A bill to amend the Federal Reserve Act to permit members of the Board of Governors of the Federal Reserve System to be appointed to more than 1 term of office; to the Committee on Financial Services.

By Mr. SHERWOOD (for himself and Mr. KANJORSKI):

H.R. 3721. A bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to allow certain commercial vehicles to continue to use Route 209 within Delaware Water Gap National Recreation Area and to allow the National Park Service to continue to collect fees from those vehicles, and for other purposes; to the Committee on Resources.

By Ms. SLAUGHTER:

H.R. 3722. A bill to authorize and require the President of the United States to allocate crude oil, residual fuel oil, and refined petroleum products to deal with existing or imminent shortages and dislocations in the national distribution system, which jeopardize the national economy, and public

health, safety, and welfare; to the Committee on Energy and Commerce.

By Ms. WASSERMAN SCHULTZ (for herself, Mr. MARIO DIAZ-BALART of Florida, Ms. CORRINE BROWN of Florida, Mr. MICA, Mr. MEEK of Florida, Mr. SHAW, Mr. WEXLER, Mr. HASTINGS of Florida, Mr. LINCOLN DIAZ-BALART of Florida, Ms. ROS-LEHTINEN, Mr. DAVIS of Florida, Mr. MILLER of Florida, Ms. GINNY BROWN-WAITE of Florida, Mr. KELLER, Ms. HARRIS, Mr. MACK, Mr. FOLEY, Mr. FEENEY, Mr. BILIRAKIS, Mr. CRENSHAW, Mr. PUTNAM, Mr. BOYD, Mr. STEARNS, Mr. YOUNG of Florida, and Mr. WELDON of Florida):

H.R. 3723. A bill to require the Director of the Federal Emergency Management Agency to provide certain individuals or households affected by Hurricane Katrina in Miami-Dade and Broward Counties, Florida, with financial assistance and direct services under the Robert T. Stafford Disaster and Emergency Assistance Act; to the Committee on Transportation and Infrastructure.

By Mr. WICKER:

H.R. 3724. A bill to waive the individual and corporate income limitations for charitable contributions for the relief of victims of Hurricane Katrina; to the Committee on Ways and Means.

By Mr. CHABOT (for himself, Mr. WEXLER, Mr. BROWN of Ohio, and Mr. ROHRBACHER):

H. Con. Res. 237. Concurrent resolution expressing the sense of Congress welcoming President Chen Shui-bian of Taiwan to the United States on September 20, 2005; to the Committee on International Relations.

By Ms. MILLENDER-MCDONALD (for herself, Mr. LANTOS, Mr. RANGEL, Ms. WATSON, Mr. FILNER, Ms. JACKSON-LEE of Texas, Mr. FALEOMAVAEGA, Mr. MEEHAN, Mr. EVANS, Mr. VAN HOLLEN, and Mr. McNULTY):

H. Con. Res. 238. Concurrent resolution honoring the victims of the Cambodian genocide that took place from April 1975 to January 1979; to the Committee on International Relations.

By Ms. MILLENDER-MCDONALD:

H. Con. Res. 239. Concurrent resolution recognizing the need for judges who hear causes of action brought by teenage victims of dating violence to be educated as to the specific needs of such victims; to the Committee on the Judiciary.

By Mr. LEACH:

H. Res. 432. A resolution creating a select committee to investigate the awarding and carrying out of contracts to rebuild communities devastated by Hurricane Katrina; to the Committee on Rules.

By Mr. MICHAUD:

H. Res. 433. A resolution expressing the sense of the House of Representatives that there should be parity among the countries that are parties to the North American Free Trade Agreement with respect to the personal exemption allowance for merchandise purchased abroad by returning residents, and for other purposes; to the Committee on Ways and Means.

By Mr. MORAN of Virginia (for himself, Mr. TOM DAVIS of Virginia, Mr. NADLER, Mr. VAN HOLLEN, Mrs. MALONEY, Mr. BOUCHER, Mr. MENENDEZ, Mr. WOLF, Mr. MURTHA, and Ms. NORTON):

H. Res. 434. A resolution recognizing the importance of establishing a national memorial at the Pentagon Reservation to commemorate and mourn the terrorist attack against the Pentagon on September 11, 2001; to the Committee on Armed Services, and in addition to the Committee on Resources, for a period to be subsequently determined by

the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. TANCREDO:

H. Res. 435. A resolution establishment of a select committee to investigate and oversee the awarding and execution of contracts for relief and reconstruction activities in areas affected by hurricane Katrina; to the Committee on Rules.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 98: Mrs. CAPITO.
H.R. 110: Mr. SAXTON.
H.R. 156: Mr. SPRATT and Mr. TERRY.
H.R. 282: Mr. STUPAK, Mr. FORTENBERRY, and Mr. WALDEN of Oregon.
H.R. 284: Mr. ROTHMAN, Mr. SIMMONS, and Mr. MARSHALL.
H.R. 303: Mr. KING of Iowa.
H.R. 363: Mr. SCHIFF.
H.R. 478: Mrs. CHRISTENSEN, Mr. MEEKS of New York, Mr. GEORGE MILLER of California, Ms. WATSON, and Mr. PALLONE.
H.R. 517: Mr. GOODE and Mr. GOHMERT.
H.R. 551: Mr. LEWIS of Georgia, Mr. OLVER, Mr. DAVIS of Florida, and Mr. RANGEL.
H.R. 552: Ms. HART.
H.R. 562: Mr. RANGEL and Mr. LANTOS.
H.R. 582: Mr. KUHL of New York and Mr. McNULTY.
H.R. 583: Ms. PRYCE of Ohio, Mr. RAMSTAD, Ms. MOORE of Wisconsin, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ENGLISH of Pennsylvania, Mrs. CAPITO, and Mr. PETERSON of Pennsylvania.
H.R. 588: Mr. TANCREDO.
H.R. 594: Mr. BOUCHER.
H.R. 669: Mr. REHBERG.
H.R. 699: Mr. GILLMOR and Mr. PETERSON of Minnesota.
H.R. 769: Ms. LINDA T. SÁNCHEZ of California.
H.R. 772: Mr. KOLBE.
H.R. 780: Mr. UDALL of Colorado.
H.R. 822: Ms. MOORE of Wisconsin and Ms. MCKINNEY.
H.R. 881: Mr. GONZALEZ and Mr. RYAN of Wisconsin.
H.R. 896: Mr. WALSH and Mr. HOLT.
H.R. 899: Mr. HONDA.
H.R. 908: Ms. NORTON.
H.R. 910: Mr. TOWNS, Mr. SANDERS, Mr. GENE GREEN of Texas, Mr. LANTOS, Ms. WOOLSEY, Ms. BALDWIN, and Ms. ESHOO.
H.R. 944: Mr. COOPER.
H.R. 949: Mr. CUMMINGS and Ms. KILPATRICK of Michigan.
H.R. 987: Mr. SIMMONS, Mr. McCOTTER, and Ms. ZOE LOFGREN of California.
H.R. 994: Mr. RUSH, Mr. GALLEGLY, Mr. KINGSTON, Mr. CALVERT, Mr. DAVIS of Tennessee, Mr. RYAN of Wisconsin, Mr. DAVIS of Florida, Mr. MARSHALL, Mr. FRANK of Massachusetts, Mr. BEAUPREZ, Mr. BOUCHER, and Mr. LANTOS.
H.R. 997: Mr. HULSHOF.
H.R. 998: Mr. LAHOOD.
H.R. 1059: Ms. VELÁZQUEZ.
H.R. 1083: Mr. KUHL of New York.
H.R. 1100: Mr. HERGER.
H.R. 1103: Ms. MOORE of Wisconsin.
H.R. 1106: Mr. BISHOP of New York.
H.R. 1119: Mr. REHBERG.
H.R. 1124: Mr. BERMAN and Mr. MARKEY.
H.R. 1125: Mr. ROTHMAN and Mr. CUMMINGS.
H.R. 1157: Mr. ANDREWS.
H.R. 1182: Mr. GRIJALVA.
H.R. 1204: Mr. KIND and Mr. OWENS.
H.R. 1219: Mr. ISSA.
H.R. 1245: Mr. SOUDER, Mr. HIGGINS, Ms. MCKINNEY, Mr. PASCRELL, and Mr. RUPPERSBERGER.

H.R. 1264: Mr. ROTHMAN, Mr. MOLLOHAN, Ms. JACKSON-LEE of Texas, Mr. DOGGETT, Mr. HOYER, Mr. BROWN of Ohio, Mr. McDERMOTT, Mr. LARSON of Connecticut, Mr. PLATTS, Mr. PETERSON of Minnesota, and Mr. JEFFERSON.

H.R. 1366: Mr. ABERCROMBIE.

H.R. 1390: Ms. MOORE of Wisconsin.

H.R. 1402: Mr. SHERMAN.

H.R. 1409: Ms. MCKINNEY, Mr. DAVIS of Florida, Mrs. TAUSCHER, Mr. TERRY, Mr. GERLACH, Mr. NADLER, and Mr. PALLONE.

H.R. 1426: Mr. GEORGE MILLER of California, Mr. FARR, and Mr. NEAL of Massachusetts.

H.R. 1440: Mr. ANDREWS.

H.R. 1446: Mr. BAIRD.

H.R. 1447: Mr. HONDA.

H.R. 1493: Mr. GRAVES.

H.R. 1518: Mr. DAVIS of Illinois and Mr. McCaul of Texas.

H.R. 1548: Mr. BONILLA, Mr. HALL, Mrs. EMERSON, Mr. AKIN, and Mr. GILLMOR.

H.R. 1549: Mr. HAYES, Mr. DAVIS of Florida, Mr. TURNER, Mr. BARTLETT of Maryland, Mr. ROTHMAN, Mr. HONDA, Mr. PORTER, Mr. SHAD-EGG, and Mr. MCINTYRE.

H.R. 1591: Mr. CAMP.

H.R. 1592: Ms. SLAUGHTER and Mr. CAMP.

H.R. 1607: Mr. HOEKSTRA, Mr. LINDER, Mr. CANTOR, and Mr. BEAUPREZ.

H.R. 1608: Mr. ROSS.

H.R. 1634: Mr. ROTHMAN, Mr. McCOTTER, Mr. EHLERS, and Mr. JEFFERSON.

H.R. 1648: Ms. MCCOLLUM of Minnesota.

H.R. 1652: Mr. PASCRELL.

H.R. 1664: Mr. JENKINS.

H.R. 1678: Mr. FORTENBERRY.

H.R. 1696: Mr. SCHWARZ of Michigan.

H.R. 1707: Mr. INSLEE.

H.R. 1789: Mr. WYNN and Mr. JEFFERSON.

H.R. 1806: Mr. PAYNE, Mr. McDERMOTT, Ms. WATSON, Mr. McNULTY, and Mr. CONYERS.

H.R. 1898: Ms. FOX.

H.R. 1989: Mr. SMITH of Washington.

H.R. 2012: Mr. KENNEDY of Minnesota.

H.R. 2014: Mr. RAMSTAD, Mr. MICHAUD, and Mr. PETERSON of Minnesota.

H.R. 2037: Mr. BARROW.

H.R. 2089: Mrs. NORTUP.

H.R. 2103: Mr. TIAHRT.

H.R. 2121: Mr. RYUN of Kansas, Mr. GRAVES, Mr. SKELTON, and Ms. ZOE LOFGREN of California.

H.R. 2133: Mr. TIERNEY.

H.R. 2193: Mr. TIERNEY.

H.R. 2230: Mr. BISHOP of New York.

H.R. 2231: Mr. FRANK of Massachusetts and Mr. ABERCROMBIE.

H.R. 2238: Mr. OSBORNE.

H.R. 2356: Mr. CARTER, Mr. BONNER, Ms. MCCOLLUM of Minnesota, Mr. KUHL of New York, Mr. HONDA, Mr. BRADLEY of New Hampshire, Mr. BACA, Mr. KING of Iowa, Mr. ENGLISH of Pennsylvania, Mr. PETERSON of Minnesota, and Mr. HOLDEN.

H.R. 2357: Mr. PETERSON of Pennsylvania.

H.R. 2533: Mr. SCHIFF, Mr. ALLEN, and Mr. UDALL of New Mexico.

H.R. 2662: Mr. BISHOP of New York.

H.R. 2669: Mr. LANGEVIN, Mr. ENGEL, Ms. LEE, Mr. SHAYS, Mr. ROTHMAN, Mr. VAN HOLLEN, Ms. ESHOO, Mr. McNULTY, Ms. MCCOLLUM of Minnesota, Mrs. CAPPS, Mr. MENENDEZ, and Mr. STARK.

H.R. 2679: Mr. GOODE.

H.R. 2694: Mr. PETERSON of Minnesota, Mr. FRANK of Massachusetts, Mrs. LOWEY, and Mr. ORTIZ.

H.R. 2721: Mr. MICHAUD.

H.R. 2792: Mr. FARR.

H.R. 2835: Mr. SCHIFF.

H.R. 2872: Mr. PALLONE, Mr. CROWLEY, Mr. SIMPSON, Mr. CHANDLER, Mr. HULSHOF, Mrs. MALONEY, and Mr. PAYNE.

H.R. 2963: Mr. CLEAVER and Ms. GINNY BROWN-WAITE of Florida.

H.R. 2971: Mr. CAMP, Mrs. BLACKBURN, and Mr. McCOTTER.

H.R. 3046: Mr. JEFFERSON.
 H.R. 3064: Mr. CONYERS and Ms. McKinney.
 H.R. 3080: Mr. WELDON of Florida, Mrs. BLACKBURN, and Mr. ADERHOLT.
 H.R. 3095: Mr. BURGESS and Mr. ISSA.
 H.R. 3096: Mr. JEFFERSON.
 H.R. 3098: Mrs. EMERSON, Mr. WATT, Mr. FATTAH, Ms. SCHWARTZ of Pennsylvania, Mr. HAYWORTH, Mr. BUTTERFIELD, Mr. CRENSHAW, Mr. CUMMINGS, Mr. ALLEN, and Mr. PENCE.
 H.R. 3132: Mr. HASTINGS of Washington, Ms. ZOE LOFGREN of California, Mr. CALVERT, Mr. SMITH of Washington, and Mr. SESSIONS.
 H.R. 3135: Mr. SESSIONS, Mr. SHUSTER, Mr. KUHLMAN of New York, and Mr. SWEENEY.
 H.R. 3137: Ms. HARRIS, Mr. BILIRAKIS, Mr. BEAUPREZ, and Mr. SHUSTER.
 H.R. 3139: Mr. BAIRD, Mr. NADLER, and Mr. JEFFERSON.
 H.R. 3142: Mr. PRICE of North Carolina and Ms. DELAURO.
 H.R. 3150: Ms. HART.
 H.R. 3165: Mr. EVANS and Mr. JEFFERSON.
 H.R. 3174: Mr. MCGOVERN.
 H.R. 3186: Mr. CONYERS, Mr. MORAN of Kansas, and Mr. SCHWARZ of Michigan.
 H.R. 3248: Mr. PLATTS, Mrs. CAPPS, Mr. WALDEN of Oregon, Mr. SCHWARZ of Michigan, Ms. BERKLEY, and Ms. SLAUGHTER.
 H.R. 3267: Mrs. DAVIS of California, Ms. DELAURO, Mr. MEEKS of New York, Mr. BROWN of Ohio, Ms. ZOE LOFGREN of California, and Mr. ANDREWS.
 H.R. 3268: Mrs. DRAKE.
 H.R. 3307: Mr. McDERMOTT, Mr. REYES, Mr. HONDA, Mr. FILNER, and Mr. FRANK of Massachusetts.
 H.R. 3317: Mr. TERRY.
 H.R. 3334: Mr. LEWIS of Georgia, Mrs. DAVIS of California, Mrs. TAUSCHER, Ms. MILLENDER-MCDONALD, Mr. SERRANO, and Mrs. MCCARTHY.
 H.R. 3358: Mr. COBLE, Mr. FILNER, Mr. MICA, and Mr. SIMMONS.
 H.R. 3361: Mr. BISHOP of New York.
 H.R. 3369: Mr. PASCRELL.
 H.R. 3373: Ms. MOORE of Wisconsin, Mr. SESSIONS, Mr. RANGEL, Mr. PETERSON of Pennsylvania, Mr. DAVIS of Illinois, Mr. BACHUS, Mr. OTTER, Mr. MCGOVERN, Mr. MARKEY, Mr. PETERSON of Minnesota, Mr. OWENS, Mr. ROGERS of Kentucky, Mr. OSBORNE, Mr. MILLER of North Carolina, Mr. WELDON of Florida, Mr. ALLEN, Mr. HALL, Mr. GONZALEZ, Mr. BEAUPREZ, and Ms. JACKSON-LEE of Texas.
 H.R. 3405: Mr. JENKINS, Mr. STUPAK, Mr. HOLDEN, Mr. ETHERIDGE, Mr. BOSWELL, Ms. ROS-LEHTINEN, Mr. HAYWORTH, Mr. RANGEL, Mr. FORD, Mr. BURTON of Indiana, Mr. CANTOR, Mr. COBLE, Mr. COLE of Oklahoma, Mr. DEAL of Georgia, Mr. MARIO DIAZ-BALART of Florida, Mr. FORBES, Mr. HENSARLING, Mr. SAM JOHNSON of Texas, Mr. MCCREARY, Mr.

NORWOOD, Mr. REHBERG, Mr. ROGERS of Michigan, Mr. RYAN of Wisconsin, Mr. SHUSTER, and Mr. TIAHRT.
 H.R. 3407: Mr. VISCLOSKEY and Mr. JEFFERSON.
 H.R. 3420: Mr. CLAY and Ms. KAPTUR.
 H.R. 3438: Ms. MCKINNEY and Mr. OWENS.
 H.R. 3478: Mr. TANCREDO and Mr. BURTON of Indiana.
 H.R. 3479: Mr. PRICE of North Carolina.
 H.R. 3548: Mr. TOWNS.
 H.R. 3559: Mr. MOLLOHAN, Mrs. EMERSON, Mr. MCHUGH, Mr. GILLMOR, Mr. FRANK of Massachusetts, Mr. NUSSE, Mr. PRICE of North Carolina, Mr. BRADLEY of New Hampshire, Mr. MICHAUD, Mr. OLVER, Mr. TIBERI, Mr. ROSS, and Mr. LATHAM.
 H.R. 3560: Mr. WAXMAN.
 H.R. 3561: Mr. GONZALEZ, Mr. LANTOS, Ms. MCCOLLUM of Minnesota, Ms. ROYBAL-AL-LARD, Mr. CONYERS, and Mr. ORTIZ.
 H.R. 3568: Mr. CARDOZA.
 H.R. 3574: Mr. ENGLISH of Pennsylvania.
 H.R. 3601: Ms. KILPATRICK of Michigan.
 H.R. 3639: Mr. DOYLE, Mr. SHERMAN, and Mr. MILLER of North Carolina.
 H.R. 3656: Mrs. JONES of Ohio, Mr. SERRANO, Mr. EVANS, Mr. PETERSON of Minnesota, and Mr. ALLEN.
 H.R. 3659: Mr. WEINER, Mr. FILNER, and Mr. COSTELLO.
 H.R. 3662: Mrs. MALONEY, Mr. STRICKLAND, Mr. GUTIERREZ, and Ms. SCHAKOWSKY.
 H.R. 3665: Mr. FALEOMAVAEGA.
 H.R. 3668: Mr. OWENS, Mrs. MCCARTHY, Mr. GEORGE MILLER of California, Mr. KILDEE, and Ms. JACKSON-LEE of Texas.
 H.R. 3671: Mr. REYES, Mr. HINOJOSA, Mr. POE, Mr. CULBERSON, Mr. MCCAUL of Texas, Mr. DOGGETT, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. ORTIZ, Mr. CUELLAR, Mr. SALAZAR, Mr. AL GREEN of Texas, Mr. HOLT, and Ms. SOLIS.
 H.R. 3672: Mr. ALEXANDER, Mr. BOUSTANY, Mr. HERGER, Mr. SHAW, Mrs. JOHNSON of Connecticut, Mr. WICKER, Mrs. JONES of Ohio, Ms. JACKSON-LEE of Texas, and Ms. WATERS.
 H.R. 3681: Mr. HIGGINS, Ms. HARMAN, Mr. BERMAN, Mr. PALLONE, Mr. STARK, Mr. LANGEVIN, and Mr. ROTHMAN.
 H.R. 3685: Mrs. JONES of Ohio and Mr. MACK.
 H.R. 3690: Ms. DELAURO, Mr. OWENS, Mr. INSLEE, Mr. GENE GREEN of Texas, Mr. ISRAEL, Mr. AL GREEN of Texas, Mr. GONZALEZ, Mr. WOOLSEY, Mr. EMANUEL, Ms. WATSON, Mr. ROTHMAN, Mr. WEINER, Mr. FARR, and Mr. CAPUANO.
 H.J. Res. 60: Mr. WELDON of Florida and Mr. GOODE.
 H.J. Res. 61: Mr. YOUNG of Florida, Mr. WOLF, Mr. SHIMKUS, Mr. FILNER, Mr. GALLEGLY, Mr. BOUSTANY, and Mr. MATHE-SON.

H. Con. Res. 90: Mr. GENE GREEN of Texas, Mr. STUPAK, Ms. MOORE of Wisconsin, Ms. HARRIS, Mr. MEEKS of New York, and Mr. LARSEN of Washington.

H. Con. Res. 210: Ms. WASSERMAN SCHULTZ, Mrs. LOWEY, Mr. SMITH of Washington, Mr. MCINTYRE, Mr. WEXLER, Mr. HOLT, Mr. HONDA, Mr. NORWOOD, Mr. CUMMINGS, Mr. SHERMAN, Mr. WYNN, Mr. RUPPERSBERGER, Mrs. MALONEY, Mr. CARDIN, Mr. DUNCAN, Mr. VAN HOLLEN, Mr. McNULTY, Mr. GRIJALVA, Mr. SEXTON, Mr. BISHOP of Georgia, Mr. COOPER, Mr. JEFFERSON, Mr. JONES of North Carolina, Ms. LEE, Mr. WELDON of Pennsylvania, Mr. LAHOOD, Ms. GINNY BROWN-WAITE of Florida, Mr. LEACH, Mrs. WILSON of New Mexico, Mr. PALLONE, and Ms. HERSETH.

H. Con. Res. 219: Mr. TANCREDO and Mr. SIMMONS.

H. Con. Res. 222: Mr. OBERSTAR and Mr. PLATTS.

H. Con. Res. 231: Mr. ROSS, Mr. DOGGETT, Mr. GRIJALVA, Mr. BOREN, Mr. MARSHALL, Ms. HARRIS, and Mr. JEFFERSON.

H. Con. Res. 234: Mr. LEWIS of Georgia, Ms. MCCOLLUM of Minnesota, Mr. BROWN of Ohio, Mr. HONDA, Mr. CONYERS, and Ms. CORRINE BROWN of Florida.

H. Res. 78: Mr. VISCLOSKEY.

H. Res. 116: Mr. LANGEVIN.

H. Res. 247: Ms. NORTON and Mr. TOWNS.

H. Res. 323: Mr. MOLLOHAN, Ms. WASSERMAN SCHULTZ, Mrs. NORTHUP, Mr. LEVIN, Mr. BROWN of Ohio, Mr. PLATTS, Mr. CRAMER, Mr. REYNOLDS, and Mr. PASCRELL.

H. Res. 375: Ms. MCCOLLUM of Minnesota and Mr. ABERCROMBIE.

H. Res. 388: Mr. KENNEDY of Minnesota, Mr. TERRY, Mr. DREIER, Mr. KINGSTON, Mr. BARRETT of South Carolina, Mr. LANTOS, and Ms. BERKLEY.

H. Res. 409: Mr. McCOTTER.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

Under clause 7 of rule XII, sponsors were deleted from public bills and resolutions as follows:

H.R. 881: Mr. PITTS.

DISCHARGE PETITIONS—ADDITIONS OR DELETIONS

The following Members added their names to the following discharge petitions.

Petition 2 by Mr. MARSHALL on House Resolution 270: Adam Smith.



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Vol. 151

WASHINGTON, THURSDAY, SEPTEMBER 8, 2005

No. 111

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

PRAYER

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

Let us pray.

Eternal spirit, source of all wisdom, as Senators strive to make critical decisions, guide their hearts and minds. Give them such courage of conviction that they will ignore the siren calls to deviate from right. Help them to walk along ethical paths, even when they are demonized by insiders and outsiders.

Deliver them from those who impugn their motives and misrepresent their intentions. Remind them that You are the only constituent who ultimately matters, and that pleasing You must be their first priority. May they trust You to open doors that no one can shut and to shut doors that no one can open. Help each of us to say no to every voice that invites us to leave Your way.

Lord, empower us to hasten the day when the knowledge of You will cover the Earth as the waters cover the seas.

We pray in Your Holy Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable JOHN E. SUNUNU 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, September 8, 2005.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire, to perform the duties of the Chair.

TED STEVENS,
President pro tempore.

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

RECOGNITION OF THE MINORITY LEADER

The ACTING PRESIDENT pro tempore. The Democratic leader is recognized.

Mr. REID. Mr. President, is the distinguished Senator from Hawaii here ready to give a speech?

Mr. AKAKA. Yes.

Mr. REID. Mr. President, I yield to him and reserve my leader time.

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 now be a period for the transaction of morning business for up to 60 minutes, with the first half of the time to be controlled by the Democratic leader or his designee and the second half of the time to be controlled by the majority leader or his designee.

The Senator from Hawaii.

TRADITIONAL ROLE OF FEMA

Mr. AKAKA. Mr. President, my thoughts are with all of those from the Gulf Coast States affected by Hurricane Katrina as they mourn the loss of

family and friends and neighbors. We wish them well.

I know there are no words that can provide the needed comfort. I believe there must be an extensive examination of what went wrong with the Government's response to this natural disaster.

As hundreds of thousands of Americans look toward rebuilding their lives, our first priority must be to ensure that all possible Federal resources are at their disposal. However, it is Congress's job to get to the bottom of what went wrong and to do whatever is necessary to ensure that it never happens again. I join those who say we must not engage in a blame game but, rather, we must come together to undertake responsible oversight.

I say this from an interesting vantage point because throughout the debate over the creation of the Department of Homeland Security in 2002, I repeatedly expressed my strong concern that nonhomeland security functions of the Federal Government would be diminished if included in the new Department. I said that eliminating the Federal Emergency Management Agency's status as an independent agency to join this proposed Department could seriously affect FEMA's traditional role of responding to natural disasters.

At Under Secretary Michael Brown's confirmation hearing to be Deputy Director of FEMA in June 2002, 5 months before the Homeland Security Act passed, I spoke about the perils of converting FEMA into a homeland security centric agency. At the time, I said:

The President's proposal for a new Department of Homeland Security will include the Federal Emergency Management Agency. A key question is how will this new role for FEMA in homeland security affect its traditional mission?

... Many of the agencies impacted by this proposal, including FEMA, have a number of core responsibilities unrelated to their homeland security missions. Most of what FEMA does every day, and what Americans

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



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expect from FEMA, does not fall under the category of homeland security.

Because of my strong belief that the nonhomeland security functions of FEMA, the Coast Guard, and other agencies that are now part of DHS would be diminished when merged into this massive agency, I successfully offered an amendment to the Governmental Affairs Committee's version of the Homeland Security Act, cosponsored by Senator CARPER, that required all nonhomeland security functions of each of the 22 legacy agencies to be identified, along with the resources needed to preserve these functions.

Unfortunately, the version of the bill passed by Congress failed to include my amendment, which is one of the reasons that I was one of eight Senators who voted against the creation of DHS.

In a further effort to ensure constancy of the nonhomeland security functions of DHS, I introduced in April 2003 legislation that would have required the Department to identify annually the resources, personnel, and capabilities devoted to nonhomeland security functions. My measure would have required DHS to include this information in its annual performance report, as well as required the Government Accountability Office to evaluate the Department's performance of essential nonhomeland security missions.

When introducing my bill, S. 910, the Nonhomeland Security Mission Performance Act of 2003, I said:

The cost of creating a Department of Homeland Security should not come at the expense of these essential missions. Agencies should strike the proper balance between new homeland security responsibilities and their critical nonhomeland security missions. Enhancing traditional missions also enhances domestic security which depends on sound management strategies that ensure adequate resources and personnel.

S. 910 was reported favorably by the Governmental Affairs Committee but was, unfortunately, never considered by the full Senate.

I stand before my colleagues today to ask that we look at the disaster that has befallen the people of the gulf coast as a reminder that preventing terrorism is not the only business of the Department of Homeland Security. My colleagues and I must carefully reexamine whether critical nonhomeland security missions have been compromised by their decisions in DHS.

I ask unanimous consent that my statement from the Governmental Affairs Committee hearing for Michael Brown's confirmation to be Deputy Director of FEMA on June 19, 2002, and my statement on the introduction of S. 910, the Nonhomeland Security Mission Performance Act, on April 11, 2003, be printed in the RECORD.

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

SENATE COMMITTEE ON GOVERNMENTAL
AFFAIRS

NOMINATION HEARING FOR MICHAEL BROWN TO
BE DEPUTY DIRECTOR OF FEMA, JUNE 19, 2002

I wish to welcome our nominee to the Committee. Since you and I met a month ago, it

seems that the nature of the position to which you have been nominated has changed dramatically.

The President's proposal for a new Department of Homeland Security will include Federal Emergency Management Agency (FEMA). A key question is how will this new role for FEMA in Homeland Security affect its traditional mission?

There is already a Federal Response Plan that does what the President says the new Department will do, that is, "the Homeland Security Department will integrate the Federal interagency emergency response plans into a single comprehensive, government-wide plan." Since 1992, a Federal Response Plan has managed the activities of 26 Federal agencies and the Red Cross during all phases of a disaster, including readiness, response, recovery, and mitigation. In 1999, FEMA published the second edition of the Federal Response Plan Terrorism Incident Annex.

When necessary, FEMA has made agreements with specific government agencies to address terrorism. In January 2001, FEMA and the Department of Justice released an Interagency Domestic Terrorism Concept of Operations Plan (CONPLAN). FEMA is currently working with the Catastrophic Disaster Response Group (CDRG), made up of representatives of all federal agencies, to update the Federal Response Plan in light of the lessons learned from September 11th. These changes are to be integrated with the national strategy for homeland security, on which Governor Ridge has spent the past eight months working.

I hope the proposed department will build on all the different plans and agreements already in place. We do not need a brand new coordination plan. What we need is better communication and implementation of the plans we have.

The President and his staff compare this reorganization to the creation of the Department of Defense after World War II. However, there are many differences. The Departments of the Navy and the Army shared the primary mission of defending the United States. They were both military departments with similar cultures and management priorities.

In contrast, many of the agencies impacted by this proposal, including FEMA, have a number of core responsibilities unrelated to their homeland security missions. Most of what FEMA does every day, and what Americans expect from FEMA, does not fall under the description of homeland security.

Homeland security is strengthened through developing assets that are built day-by-day and community-by-community. These assets include well-trained firefighters and law-enforcement officers, well-equipped medical personnel, and well-exercised emergency response drills.

An example is when FEMA partnered with local and state agencies to help residents on the Island of Hawaii in the wake of tropical storms and flooding last year. It is the dedicated men and women who form the FEMA family who continue to build on these relationships and provide federal assistance to those most in need. Just this year, FEMA assisted flood victims in West Virginia, Kentucky, and Illinois and is working with communities devastated by wildfires in Colorado and New Mexico.

Every state in the Union, including Hawaii, works with FEMA to include disaster mitigation when rebuilding after an event. Cities and counties across the country are working with FEMA to lessen the impact of future natural disasters through mitigation programs.

These efforts are all-hazard and will help communities respond to floods and terrorist

attacks. However, there are those in the Administration who have criticized mitigation efforts and have questioned their cost and benefit.

FEMA's pre-disaster mitigation program was eliminated in the President's 2002 budget because it was deemed ineffective by the Office of Management and Budget. Congress disagreed and saved the \$25 million program only to see the Administration's FY03 budget proposal seek to eliminate FEMA's post-disaster mitigation program, which was also judged ineffective by OMB.

I believe that Mr. Brown and Director Allbaugh appreciate the importance of disaster mitigation. Unfortunately, traditional cost-benefit analysis is not appropriate for mitigation and prevention programs, and OMB has not given FEMA guidelines on what factors will be used in the future.

I am concerned that these same problems will haunt the new Homeland Security Department. What factors will OMB use to determine the effectiveness of different homeland security programs? I hope Governor Ridge will shed some light on this when he appears before us tomorrow.

The Deputy Director will be responsible to make sure that core functions are not neglected. Over the past decade, FEMA has regained the confidence of local and state emergency managers. Individuals and families rely on FEMA when their lives are torn apart by natural disasters. I believe confidence and trust are among America's most important assets in our struggle to make our communities safer and more secure.

FEMA has these assets because of its employees. The Deputy Director also will be responsible for ensuring that these dedicated federal workers have the resources, training, and support necessary to do their jobs. Likewise, FEMA's core missions are too important to take the best and most experienced staff away from traditional disaster response and mitigation to fill new homeland security activities.

Mr. Brown, thank you again for your dedication and willingness to serve your Nation. You have a tough road ahead. If we are to use the parallel between this reorganization and the creation of the Department of Defense in 1947, we must remember that it took years, even decades, to shape a truly integrated armed forces. Unfortunately, we do not have years to reshape how our country prepares for terrorism.

We can, and should, pass legislation to create a homeland security department. However, we must remember that the issue is not a new federal department, but what is most effective in protecting Americans.

NON-HOMELAND SECURITY MISSION
PERFORMANCE ACT OF 2003, APRIL 11, 2003

Mr. President, I rise today to introduce legislation to preserve important non-homeland security missions in the Department of Homeland Security. I am pleased to be joined by the Senator from Delaware, Mr. Carper, and the Senator from New Jersey, Mr. Lautenberg, in this effort to guarantee the fulfillment of non-homeland security functions Americans rely on daily.

Many of these non-homeland security functions are especially important to the state of Hawaii. The Coast Guard provides essential search and rescue, fisheries enforcement, and protection of our coastline. The Animal and Plant Health Inspection Service protects the state's fragile ecosystem from invasive species. The Federal Emergency Management Agency assists municipalities in reducing the destructive effects of natural disasters, such as floods, hurricanes, and tidal waves.

To preserve these vital functions, the "Non-Homeland Security Mission Performance Act of 2003" would require the Department of Homeland Security to identify and

report to Congress on the resources, personnel, and capabilities used to perform non-homeland security functions, as well as the management strategy needed to carry out these missions.

The measure would require the Department to include information on the performance of these functions in its annual performance report. Our legislation also calls for a General Accounting Office (GAO) evaluation of the performance of essential non-homeland security missions.

The establishment of the Department of Homeland Security created additional management challenges and has fueled growing concerns that the performance of core, non-homeland security functions will slip through the cracks. Just last week, the GAO testified before the House Committee on Transportation and Infrastructure that the Coast Guard has experienced a substantial decline in the amount of time spent on core missions. Moreover, GAO found that the Coast Guard lacks the resources to reverse this trend. Coast Guard Commandant Thomas H. Collins is quoted as saying that his agency has more business than it has resources and is challenged like never before to do all that America wants it to do.

These same concerns extend to the entire Department of Homeland Security. The Department of Homeland Security's Bureau of Citizenship and Immigration services provides asylum for refugees and helps immigrants become American citizens. The Customs Service protects and monitors foreign trade so essential for a healthy American economy. And the Secret Service protects and monitors against identity theft, counterfeiting, and other financial crimes. In fact, the General Accounting Office has added the transformation of and implementation of the Department to the GAO High Risk list, partially as the result of existing management challenges to fulfill non-homeland security missions.

The cost of creating a Department of Homeland Security should not come at the expense of these essential missions. Agencies should strike the proper balance between new homeland security responsibilities and their critical non-homeland security missions. Enhancing traditional missions also enhances domestic security which depends on sound management strategies that ensure adequate resources and personnel.

I urge my colleagues to support the "Non-Homeland Security Mission Performance Act of 2003." Our bill takes important steps to ensure that Americans will not see a decline in non-homeland security services as a result of the creation of the Department of Homeland Security.

Mr. President, I ask unanimous consent that the text of the bill be printed in the Record following this statement.

Mr. AKAKA. Mr. President, I yield back my time.

The ACTING PRESIDENT pro tempore. The Democratic leader.

ORDER OF PROCEDURE

Mr. REID. Mr. President, this has been cleared with the majority. I ask unanimous consent that Senator LANDRIEU be recognized at 11:30 a.m. today.

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

GOVERNMENT'S RESPONSE TO HURRICANE KATRINA

Mr. REID. Mr. President, there are many things we do not yet know about

the Government's response to Hurricane Katrina, but two things are very clear: The Federal Government's response was unacceptable, and the victims and all Americans deserve to know why.

Following 9/11, preparedness for national emergencies was supposed to be a priority for our Government. Americans were made to believe that the Government was doing everything it could to prepare for terrorist attacks, natural disasters, and national crises. Katrina makes it clear that we failed. We must find out why, and we need to do it soon, to make sure that devastation, such as caused by this hurricane, never happens again, whether natural disaster or act of terrorists.

When we faced a similar situation after 9/11, Democrats and Republicans came together and established an independent blue ribbon commission. I am sad to see the Republicans now want a different approach. We don't know the details of their approach. I have been talked to on a couple of occasions very lightly about having either chairmen, ranking members, and a few members from some of the committees to get together. It would be a joint task force of the House and the Senate.

I have great confidence in the Senate committee structure. The chairmen and the ranking members are where they are based on the rules of the Senate, something that is called seniority. Democrats do it a little differently than the Republicans, but it is still basically a seniority system. So that is why I have confidence in the HELP Committee, with MIKE ENZI from Wyoming, a fair man, and TED KENNEDY, the ranking member, a fair man; also, Homeland Security with SUSAN COLLINS and JOE LIEBERMAN.

I could go through the whole committee structure we have in the Senate. They do good work together, as indicated by what has been going on in the Judiciary Committee with the relationship developed with Senator SPECTER and Senator LEAHY. At a very difficult time in the history of our country, with two Supreme Court vacancies, they are working their way through this. I do not think it is the time to invent something new.

Yesterday, the Republicans unveiled very briefly their proposal to investigate the events of last week. They called it a bipartisan commission. I do not have the details of this—there are no details—but what little I do know raises serious concerns about whether their proposal will provide Americans the answers they deserve.

I went through how Senate leadership is picked with the committees. That is not how it works in the House anymore. I can remember being elected to the House of Representatives and meeting a wonderful man by the name of Cliff Young, who served in the House a number of terms, a Republican Congressman from Nevada. After leaving the House, he later served more than 20 years in the Nevada State Senate, be-

came the chief justice to the Nevada Supreme Court, and served there for more than two decades. Cliff Young told me: Harry, when you come back to Washington in the House of Representatives, there are two things I want you to do. No. 1, use the gym. You need to keep your body strong. And No. 2, do not do anything to change the seniority system because in that large body of 435, stability is needed. The one thing that gives that body stability is seniority.

That has been thrown out the window. Now the leadership in the House on the committees wants whoever appears to be the nicest to the Speaker and to the majority leader. If they do anything wrong, boy, they are booted out. We have examples of that. They would not even let CHRIS SMITH from New Jersey have a subcommittee because he did not vote the way they wanted him to on a number of issues. He is gone. That is not what we need to be looking at after the disaster that took place in the Gulf Coast.

What has been proposed is not bipartisan. It is like a baseball player saying, we have a great deal here. The game is going to move more quickly and I think it will turn out pretty well. I am going to do the pitching and I am also going to call the balls and strikes.

This is not the way we should do things. It may speed up the ball game, but one does not get the results that are fair.

We have a Republican President, a Republican House, and a Republican Senate. We should not have the pitcher calling the balls and strikes. The President has already said he is going to lead an investigation of what went wrong. On its face, that is flawed. It is flawed to try to change what we are doing in regular order. It is wrong. We have a role for committees. We have a committee structure in place to investigate.

I have had somebody ask, well, why should Secretary Chertoff have to appear at a committee in the House and then one in the Senate?

That is the way we do things around here. That is what oversight is all about. We have the ability to do things on a short-term basis under what we call regular order, have Congress itself, in its role in oversight, do what is done in the ordinary course. We have seen what happens when this administration investigates itself or any administration investigates itself. It simply does not work.

There are serious concerns about this so-called Republican approach. That is why Americans deserve answers independent of politics. That is why Democrats and Republicans preferred an independent commission for investigating 9/11. It took awhile before the President signed on to it, but when he finally did, we got great people such as Hamilton and Kean. They did a wonderful job as the chairmen of this 9/11 Commission. They came up with facts that have been supported. They spent a

year with a staff that was adequate to come up with what went wrong on 9/11.

We are ultimately going to have an independent bipartisan commission to study what went wrong with the Government's response to Katrina. There is no question about that. So we should move that along and get it done as quickly as possible. In the meantime, have the committees of jurisdiction in the House and the Senate do what they are obligated to do by virtue of their role in history.

I would hope that on this issue we can move forward on a bipartisan basis. If we use the model of the 9/11 Commission, the majority still gets the edge because with 9/11 what happened is the President picked the chair. As it turned out, the Republicans had one more vote on the commission than did the Democrats, but it worked out OK. While that may not be perfect, it is certainly more perfect than this very awkward presentation that has been made in the last 24 hours about this so-called bipartisan commission. That is Orwellian. That is not bipartisan.

The ACTING PRESIDENT pro tempore. The Senator from Minnesota.

OPENNESS IS BEST POLICY

Mr. DAYTON. Mr. President, I echo some of the remarks the Democratic leader made. I am about to leave this Chamber to go to a behind-closed-doors hearing of the Committee on Homeland Security and Governmental Affairs with the acting director of operations for FEMA and the Commandant of the Coast Guard. I am told that the chairman of the committee, the distinguished Senator from Maine, and the ranking member from Connecticut tried to get this hearing in public but that the administration officials would not appear in a public session. I think the public deserves to and would benefit from hearing these people with key roles in this recovery effort.

Similarly, on Tuesday evening, a majority of us in the Senate met with 10 members of the Cabinet, 10 Secretaries—all of them had important things to say—as well as the Chairman of the Joint Chiefs of Staff and the head of the Coast Guard. That briefing should have been in a public setting. There was not a single remark made by anyone that was not unclassified and should not have been available to all of the people of this country, certainly those who are most beleaguered, who are looking for answers to the questions that the Democratic leader and others on both sides of the aisle have raised.

We had a brief time for questions. We were not able to ask those questions of the administration officials in a public setting before the American people. Yet the President is coming forth now with a second request for funding, \$51.8 billion on top of the \$10.5 billion the Senate and the House passed last week. These matters are moving swiftly. We are told by FEMA that the burn rate—

only in the Federal Government would the spending of taxpayer money of \$2 billion a day be called a burn rate, but the FEMA director has said they are spending \$2 billion a day. That is why we have to have a second supplemental before this body in less than 2 weeks.

I understand the need to move quickly, but I have been in this body all week. We could have come back last week. We have not had a single public hearing on any of these matters, I am told, because the administration officials will not appear in public before these committees to answer questions before us and before the American people. I find that to be unacceptable.

The administration has a responsibility to come before us in public hearings and public sessions and present their testimony but then answer our questions. Give us a chance to ask and for them to answer the questions that are on the minds of millions of Americans these days. We have a right to public hearings before we expend another \$51.8 billion of public money.

The administration has that responsibility, I believe, and I ask that the distinguished majority leader of the Senate insist in his discussions with the administration—and I am quite confident that the Democratic leader and all of our caucus would support this—that these hearings and briefings be in public settings before the American people and not behind closed doors. If we are going to work together in a bipartisan way, let us do so. Let us begin that work now in public sessions. I challenge the administration officials to come before us in those settings.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DEMINT). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. GREGG. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. GREGG. Mr. President, what is the regular order?

The PRESIDING OFFICER. There is 14 minutes remaining in morning business under the control of the majority.

EMERGENCY FUNDING

Mr. GREGG. Mr. President, we will sometime later today be getting a supplemental request in the Senate to continue to fund the needs of the relief effort in Louisiana, Mississippi, and Alabama, which will be approximately \$50 billion on top of the \$10 billion that has already been spent. Obviously, it is essential that we get these dollars down there and put them to use aggressively in order to try to help the people who are in such dire straits, and to try to begin to bring some order and some relief to those who have suffered so much.

As we proceed in this effort, we should err on the side of making sure

that we get the dollars there quickly in order to support these individuals who are in such dire straits, and to try to assist this part of the country that has been hit by this catastrophic event.

But in the process, I think it is important that we have some fiscal oversight that allows us to feel comfortable that the dollars that are being spent are going effectively, quickly, and aggressively to relief efforts which are legitimate and appropriate.

Thus, I congratulate the House of Representatives for putting in the supplemental and identifying within the supplemental \$15 million which will be assigned to the Inspector General's Office to start to put in place the auditing process and the oversight process on how the money is being spent, which I believe is critical.

We have seen some issues which obviously, if they are pursued logically, make sense. But if they are pursued in a way that is not logical, they are going to cost us a lot of money and probably not get us a lot of relief.

For example, there was a report in my State paper which said that all the dealerships who sell Winnebagos in New Hampshire have been contacted and told to get ready to transfer their entire inventory over to the Federal Government because they are going to ship it all out. Maybe that is what we will end up doing, but we hope before we buy up all the Winnebagos in America and send them to the gulf coast, we would be thinking about the cost and how we are going to approach that and whether that is the best way to proceed.

There are a lot of ideas floating out there. I think it is important we have the structure in place that effectively monitors cost and how the money is being spent. So I congratulate the House.

In addition, I think the President's decision, along with the Vice President, to have the Vice President physically going there and being on the ground in that region is a very positive step in our efforts to get order in the process of delivering relief.

Anybody who knows the Vice President—and I have had the good fortune to serve with him in the House and fortunate to serve with him here while he has been Vice President—will note that he is a no-nonsense individual. He looks at an issue, decides how to get the best results for resolving the problem, and moves forward. He did that as Defense Secretary. He has done it, obviously, as Vice President. He will bring immediate coherence, intelligence, and aggressive action in solving the problem and will move forward with the complexities of this reconstruction and relief effort. I think it is an excellent decision to have the Vice President step into the middle of this effort and basically try to calm the waters, but more importantly execute efficiently what is going on in the area of the Federal relief effort. However, it does lead to the point I made earlier—

and which I want to stress once again—which is that this is not an overnight, 2- or 3-month exercise. We all realize that rebuilding this region is going to take a significant amount of time and a tremendous amount of resources and a lot of thought and an intelligent process.

We need to set up, I believe as we move forward—obviously, not within the next few days but certainly within the next month—some type of structured commission along the lines I would suggest as was done after the horrific floods of 1926 when Herbert Hoover led the effort, where you basically have a central focal point with an individual of great ability and national recognition leading the effort, and basically manage the Federal dollars as they come in from all the various Federal agencies that will be impacted, and make sure those Federal dollars are effectively, efficiently, and quickly brought to bear on the problems in concert with the State and local governments.

I believe that is going to take a separate type of entity to be created. I think we should be thinking about how to structure that entity. I would certainly be looking to people such as Senator COCHRAN, Senator LOTT, Senator SHELBY, Senator SESSIONS, and the Senators from Louisiana, Ms. LANDRIEU and Mr. VITTER, for ideas about how we should set that up. We should be starting the process.

I wanted to come to the floor and say, as we move forward on this supplemental—obviously, it is totally outside of the budget. It is an emergency, and that is the way it should be done, but it is \$50 billion—it is important that we retain this language—and I guess we will try to move this supplemental through the Senate without amendment—retain this language which makes sure that the Inspector General has the resources the office needs in order to effectively monitor how these funds are managed; to make sure we are getting the best return in the most prompt way for these tax dollars which are in such dire need down there in order to pursue the reconstruction and relief effort.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

MAKING APPROPRIATIONS FOR SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES FOR FISCAL YEAR 2006

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to the consideration of H.R. 2862, which the clerk will report by title.

The bill clerk read as follows:

A bill (H.R. 2862) making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes.

The Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations, with an amendment to strike all after enacting clause and insert in lieu thereof the following:

(Strike the part shown in black brackets and insert the part shown in italic.)

H.R. 2862

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

[That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, and for other purposes, namely:

[TITLE I—DEPARTMENT OF JUSTICE

[GENERAL ADMINISTRATION

[SALARIES AND EXPENSES

[For expenses necessary for the administration of the Department of Justice, \$126,956,000 (reduced by \$2,500,000), of which not to exceed \$3,317,000 is for the Facilities Program 2000, to remain available until expended: *Provided*, That not to exceed 45 permanent positions and 46 full-time equivalent workyears and \$11,821,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 2005: *Provided further*, That not to exceed 28 permanent positions, 23 full-time equivalent workyears and \$3,980,000 shall be expended for the Office of Legislative Affairs: *Provided further*, That not to exceed 17 permanent positions, 22 full-time equivalent workyears and \$2,764,000 shall be expended for the Office of Public Affairs: *Provided further*, That the latter two aforementioned offices may utilize non-reimbursable details of career employees within the caps described in the preceding two provisos.

[JUSTICE INFORMATION SHARING TECHNOLOGY

[For necessary expenses for information sharing technology, including planning, development, deployment and Departmental direction, \$135,000,000, to remain available until expended.

[NARROWBAND COMMUNICATIONS/INTEGRATED WIRELESS NETWORK

[For the costs of conversion to narrowband communications, including the cost for operation and maintenance of Land Mobile Radio legacy systems, \$110,000,000 (reduced by \$39,126,000), to remain available until September 30, 2007: *Provided*, That the Attorney General shall transfer to the "Narrowband Communications" account all funds made available to the Department of Justice for the purchase of portable and mobile radios: *Provided further*, That any transfer made under the preceding proviso shall be subject to section 605 of this Act.

[ADMINISTRATIVE REVIEW AND APPEALS

[For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, \$215,685,000.

[DETENTION TRUSTEE

[For necessary expenses of the Federal Detention Trustee, \$1,222,000,000, to remain available until expended: *Provided*, That the Trustee shall be responsible for managing the Justice Prisoner and Alien Transportation System and for overseeing housing related to such detention: *Provided further*, That any unobligated balances available in prior years from the funds appropriated under the heading "Federal Prisoner Detention" shall be transferred to and merged with the appropriation under the heading "Detention Trustee" and shall be available until expended.

[OFFICE OF INSPECTOR GENERAL

[For necessary expenses of the Office of Inspector General, \$66,801,000, including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

[UNITED STATES PAROLE COMMISSION

[SALARIES AND EXPENSES

[For necessary expenses of the United States Parole Commission as authorized, \$11,200,000.

[LEGAL ACTIVITIES

[SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

[For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, \$665,821,000, of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: *Provided*, That of the total amount appropriated, not to exceed \$1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: *Provided further*, That notwithstanding section 105 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

[In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$6,333,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

[SALARIES AND EXPENSES, ANTITRUST DIVISION

[For expenses necessary for the enforcement of antitrust and kindred laws, \$144,451,000, to remain available until expended: *Provided*, That, notwithstanding any other provision of law, not to exceed \$116,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal

year 2006, so as to result in a final fiscal year 2006 appropriation from the general fund estimated at not more than \$28,451,000.

[SALARIES AND EXPENSES, UNITED STATES ATTORNEYS]

[For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, \$1,626,146,000: *Provided*, That of the total amount appropriated, not to exceed \$8,000 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$20,000,000 shall remain available until expended: *Provided further*, That, in addition to reimbursable full-time equivalent workyears available to the Offices of the United States Attorneys, not to exceed 10,465 positions and 10,451 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys.

[UNITED STATES TRUSTEE SYSTEM FUND]

[For necessary expenses of the United States Trustee Program, as authorized, \$214,402,000, to remain available until expended and to be derived from the United States Trustee System Fund: *Provided*, That, notwithstanding any other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: *Provided further*, That, notwithstanding any other provision of law, \$214,402,000 of offsetting collections pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: *Provided further*, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2006, so as to result in a final fiscal year 2006 appropriation from the Fund estimated at \$0.

[SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION]

[For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, \$1,220,000.

[UNITED STATES MARSHALS SERVICE]

[SALARIES AND EXPENSES]

[For necessary expenses of the United States Marshals Service, \$800,255,000; of which not to exceed \$6,000 shall be available for official reception and representation expenses; and of which \$20,000,000 for information technology systems, equipment, and the renovation of United States Marshals Service prisoner holding space in United States courthouses and Federal buildings shall remain available until expended: *Provided*, That, in addition to reimbursable full-time equivalent workyears available to the United States Marshals Service, not to exceed 4,729 positions and 4,551 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Marshals Service.

[FEES AND EXPENSES OF WITNESSES]

[For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, such sums as are necessary, to remain available until expended: *Provided*, That not to exceed \$8,000,000 may be made available for construction of buildings for protected witness safe sites: *Provided further*, That not to exceed \$1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses: *Provided further*, That not to exceed \$7,000,000 may be made available for the purchase, installation, maintenance and upgrade of secure telecommunications equipment and a secure automated information network to

store and retrieve the identities and locations of protected witnesses.

[SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE]

[For necessary expenses of the Community Relations Service, \$9,659,000: *Provided*, That notwithstanding section 105 of this Act, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: *Provided further*, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

[ASSETS FORFEITURE FUND]

[For expenses authorized by 28 U.S.C. 524(c)(1)(B), (F), and (G), \$21,468,000, to be derived from the Department of Justice Assets Forfeiture Fund.

[INTERAGENCY LAW ENFORCEMENT]

[INTERAGENCY CRIME AND DRUG ENFORCEMENT]

[For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include inter-governmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, \$506,940,000, of which \$50,000,000 shall remain available until expended: *Provided*, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation.

[FEDERAL BUREAU OF INVESTIGATION]

[SALARIES AND EXPENSES]

[For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 3,868 passenger motor vehicles, of which 3,039 will be for replacement only; and not to exceed \$70,000 to meet unforeseen emergencies of a confidential character pursuant to 28 U.S.C. 530C, \$5,741,132,000; of which not to exceed \$150,000,000 shall remain available until expended; of which \$2,288,897,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; and of which not to exceed \$25,000,000 is authorized to be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, gang-related crime, cybercrime, and drug investigations: *Provided*, That not to exceed \$205,000 shall be available for official reception and representation expenses: *Provided further*, That, in addition to reimbursable full-time equivalent workyears available to the Federal Bureau of Investigation, not to exceed 31,668 positions and 30,525 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Federal Bureau of Investigation.

[CONSTRUCTION]

[For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise authorized by law (including

equipment for such buildings); conversion and extension of Federally-owned buildings; and preliminary planning and design of projects; \$20,105,000, to remain available until expended: *Provided*, That \$10,000,000 shall be available for equipment and associated costs for a permanent central records complex in Frederick County, Virginia.

[DRUG ENFORCEMENT ADMINISTRATION]

[SALARIES AND EXPENSES]

[For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character pursuant to 28 U.S.C. 530C; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; and purchase of not to exceed 1,043 passenger motor vehicles, of which 937 will be for replacement only, for police-type use, \$1,706,173,000 (increased by \$10,000,000); of which not to exceed \$75,000,000 shall remain available until expended; and of which not to exceed \$100,000 shall be available for official reception and representation expenses: *Provided*, That, in addition to reimbursable full-time equivalent workyears available to the Drug Enforcement Administration, not to exceed 8,371 positions and 8,270 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Drug Enforcement Administration.

[BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES]

[SALARIES AND EXPENSES]

[For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, including the purchase of not to exceed 822 vehicles for police-type use, of which 650 shall be for replacement only; not to exceed \$25,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, \$923,613,000, of which not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); and of which \$10,000,000 shall remain available until expended: *Provided*, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of Justice, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: *Provided further*, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of "Curios or relics" in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: *Provided further*, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): *Provided further*, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: *Provided further*, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol, Tobacco, Firearms and Explosives to other

agencies or Departments in fiscal year 2006: *Provided further*, That no funds appropriated under this or any other Act with respect to any fiscal year may be used to disclose part or all of the contents of the Firearms Trace System database maintained by the National Trace Center of the Bureau of Alcohol, Tobacco, Firearms and Explosives or any information required to be kept by licensees pursuant to section 923(g) of title 18, United States Code, or required to be reported pursuant to paragraphs (3) and (7) of such section 923(g), to anyone other than a Federal, State, or local law enforcement agency or a prosecutor solely in connection with and for use in a bona fide criminal investigation or prosecution and then only such information as pertains to the geographic jurisdiction of the law enforcement agency requesting the disclosure and not for use in any civil action or proceeding other than an action or proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms and Explosives, or a review of such an action or proceeding, to enforce the provisions of chapter 44 of such title, and all such data shall be immune from legal process and shall not be subject to subpoena or other discovery in any civil action in a State or Federal court or in any administrative proceeding other than a proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms and Explosives to enforce the provisions of that chapter, or a review of such an action or proceeding; except that this proviso shall not be construed to prevent the disclosure of statistical information concerning total production, importation, and exportation by each licensed importer (as defined in section 921(a)(9) of such title) and licensed manufacturer (as defined in section 921(a)(10) of such title): *Provided further*, That no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: *Provided further*, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code: *Provided further*, That no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986.

[FEDERAL PRISON SYSTEM]

[SALARIES AND EXPENSES]

[For expenses necessary of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 768, of which 701 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, \$4,895,649,000: *Provided*, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct expenditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: *Provided further*, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: *Provided further*,

That not to exceed \$6,000 shall be available for official reception and representation expenses: *Provided further*, That not to exceed \$50,000,000 shall remain available for necessary operations until September 30, 2007: *Provided further*, That, of the amounts provided for Contract Confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, for the care and security in the United States of Cuban and Haitian entrants: *Provided further*, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses or other custodial facilities.

[BUILDINGS AND FACILITIES]

[For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, \$70,112,000, to remain available until expended, of which not to exceed \$14,000,000 shall be available to construct areas for inmate work programs: *Provided*, That labor of United States prisoners may be used for work performed under this appropriation.

[FEDERAL PRISON INDUSTRIES, INCORPORATED]

[The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

[LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED]

[Not to exceed \$3,365,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

[OFFICE ON VIOLENCE AGAINST WOMEN]

[VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS]

[For grants, contracts, cooperative agreements, and other assistance for the prevention and prosecution of violence against women as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 ("the

1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Victims of Child Abuse Act of 1990 ("the 1990 Act"); the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); and the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); \$387,497,000 (increased by \$2,000,000), including amounts for administrative costs, to remain available until expended: *Provided*, That except as otherwise provided by law, not to exceed three percent of funds made available under this heading may be used for expenses related to evaluation, training and technical assistance: *Provided further*, That of the amount provided—

[(1) \$11,897,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act;

[(2) \$1,925,000 (increased by \$2,000,000) for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act;

[(3) \$983,000 for grants for televised testimony, as authorized by Part N of the 1968 Act;

[(4) \$187,308,000 for grants to combat violence against women, as authorized by part T of the 1968 Act, of which—

[(A) \$5,000,000 shall be for the National Institute of Justice for research and evaluation of violence against women;

[(B) \$10,000,000 shall be for the Office of Juvenile Justice and Delinquency Prevention for the Safe Start Program, as authorized by the 1974 Act; and

[(C) \$15,000,000 shall be for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by Public Law 108-21;

[(5) \$63,491,000 for grants to encourage arrest policies as authorized by part U of the 1968 Act;

[(6) \$39,685,000 for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295(a) of the 1994 Act;

[(7) \$4,415,000 for training programs as authorized by section 40152 of the 1994 Act, and for related local demonstration projects;

[(8) \$2,950,000 for grants to improve the stalking and domestic violence databases, as authorized by section 40602 of the 1994 Act;

[(9) \$9,175,000 to reduce violent crimes against women on campus, as authorized by section 1108(a) of Public Law 106-386;

[(10) \$39,740,000 for legal assistance for victims, as authorized by section 1201(c) of Public Law 106-386;

[(11) \$4,600,000 for enhancing protection for older and disabled women from domestic violence and sexual assault, as authorized by section 40802 of the 1994 Act;

[(12) \$14,078,000 for the safe havens for children pilot program, as authorized by section 1301(a) of Public Law 106-386; and

[(13) \$7,250,000 for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402(a) of Public Law 106-386.

[OFFICE OF JUSTICE PROGRAMS]

[JUSTICE ASSISTANCE]

[For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, the Missing Children's Assistance Act, including salaries and expenses in connection therewith, the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21), and the Victims of Crime Act of 1984, \$227,466,000, to remain available until expended.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); and the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); and other programs; \$1,001,296,000 (reduced by \$4,000,000) (increased by \$50,000,000) (increased by \$21,947,600) (including amounts for administrative costs, which shall be transferred to and merged with the "Justice Assistance" account): *Provided*, That funding provided under this heading shall remain available until expended, as follows—

[(1) \$348,466,000 (reduced by \$4,000,000) (increased by \$21,947,600) for the Edward Byrne Memorial Justice Assistance Grant program pursuant to the amendments made by section 201 of H.R. 3036 of the 108th Congress, as passed by the House of Representatives on March 30, 2004 (except that the special rules for Puerto Rico established pursuant to such amendments shall not apply for purposes of this Act), of which—

[(A) \$10,000,000 is for the National Institute of Justice in assisting units of local government to identify, select, develop, modernize, and purchase new technologies for use by law enforcement; and

[(B) \$85,000,000 for Boys and Girls Clubs in public housing facilities and other areas in cooperation with State and local law enforcement, as authorized by section 401 of Public Law 104-294 (42 U.S.C. 13751 note);

[(2) \$355,000,000 (increased by \$50,000,000) for the State Criminal Alien Assistance Program, as authorized by section 242(j) of the Immigration and Nationality Act;

[(3) \$30,000,000 for the Southwest Border Prosecutor Initiative to reimburse State, county, parish, tribal, or municipal governments only for costs associated with the prosecution of criminal cases declined by local United States Attorneys offices;

[(4) \$110,000,000 for discretionary grants authorized by subpart 2 of part E, of title I of the 1968 Act, notwithstanding the provisions of section 511 of said Act;

[(5) \$10,000,000 for victim services programs for victims of trafficking, as authorized by section 107(b)(2) of Public Law 106-386;

[(6) \$871,000 for the Missing Alzheimer's Disease Patient Alert Program, as authorized by section 240001(c) of the 1994 Act;

[(7) \$40,000,000 for Drug Courts, as authorized by Part EE of the 1968 Act;

[(8) \$10,000,000 for a prescription drug monitoring program;

[(9) \$40,000,000 for prison rape prevention and prosecution programs, as authorized by the Prison Rape Elimination Act of 2003 (Public Law 108-79), of which \$2,175,000 shall be transferred to the National Prison Rape Elimination Commission for authorized activities;

[(10) \$25,000,000 for grants for residential substance abuse treatment for State prisoners, as authorized by part S of the 1968 Act;

[(11) \$10,359,000 for a program to improve State and local law enforcement intelligence capabilities including antiterrorism training and training to ensure that constitutional rights, civil liberties, civil rights, and privacy interests are protected throughout the intelligence process;

[(12) \$10,000,000 for a capital litigation improvement grant program; and

[(13) \$11,600,000 for a cannabis eradication program to be administered by the Drug Enforcement Administration: *Provided*, That, if a unit of local government uses any of the funds made available under

this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform nonadministrative public safety service.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement "Weed and Seed" program activities, \$50,000,000, to remain available until September 30, 2007, for inter-governmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies, non-profit organizations, and agencies of local government engaged in the investigation and prosecution of violent and gang-related crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy: *Provided*, That funds designated by Congress through language for other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: *Provided further*, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 605 of this Act: *Provided further*, That of the funds appropriated for the Executive Office for Weed and Seed, not to exceed \$2,000,000 shall be directed for comprehensive community development training and technical assistance.

COMMUNITY ORIENTED POLICING SERVICES

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) (including administrative costs), \$520,057,000 (increased by \$2,500,000) (increased by \$10,000,000) (increased by \$34,000,000), to remain available until expended: *Provided*, That of the funds under this heading, not to exceed \$2,575,000 shall be available for the Office of Justice Programs for reimbursable services associated with programs administered by the Community Oriented Policing Services Office: *Provided further*, That section 1703(b) and (c) of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act") shall not apply to non-hiring grants made pursuant to part Q of title I thereof (42 U.S.C. 3796dd et seq.): *Provided further*, That up to \$29,000,000 of balances made available as a result of prior year deobligations may be obligated for program management and administration: *Provided further*, That any balances made available as a result of prior year deobligations in excess of \$29,000,000 shall only be obligated in accordance with section 605 of this Act. Of the amounts provided—

[(1) \$30,000,000 is for the matching grant program for law enforcement armor vests as authorized by section 2501 of part Y of the 1968 Act, of which not to exceed \$3,000,000 shall be for the National Institute of Justice to test and evaluate vests;

[(2) \$60,000,000 (increased by \$34,000,000) is for policing initiatives to combat methamphetamine production and trafficking and to enhance policing initiatives in "drug hot spots";

[(3) \$120,000,000 is for a law enforcement technologies and interoperable communications program;

[(4) \$25,000,000 (increased by \$2,500,000) is for grants to upgrade criminal records, as authorized under the Crime Identification Technology Act of 1998 (42 U.S.C. 14601);

[(5) \$10,000,000 is for an offender re-entry program;

[(6) \$177,057,000 is for a DNA analysis and capacity enhancement program, and for other State, local and Federal forensic activities;

[(7) \$38,000,000 is for law enforcement assistance to Indian tribes; and

[(8) \$60,000,000 for a national program to reduce gang violence.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the Act"), and other juvenile justice programs, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, \$333,712,000, to remain available until expended, as follows—

[(1) \$712,000 for concentration of Federal efforts, as authorized by section 204 of the Act;

[(2) \$83,000,000 for State and local programs authorized by section 221 of the Act, including training and technical assistance to assist small, non-profit organizations with the Federal grants process;

[(3) \$70,000,000 for demonstration projects, as authorized by sections 261 and 262 of the Act;

[(4) \$5,000,000 for juvenile mentoring programs;

[(5) \$80,000,000 for delinquency prevention, as authorized by section 505 of the Act, of which—

[(A) \$10,000,000 shall be for the Tribal Youth Program;

[(B) \$25,000,000 shall be for a gang resistance education and training program; and

[(C) \$25,000,000 shall be for grants of \$360,000 to each State and \$6,640,000 shall be available for discretionary grants to States, for programs and activities to enforce State laws prohibiting the sale of alcoholic beverages to minors or the purchase or consumption of alcoholic beverages by minors, prevention and reduction of consumption of alcoholic beverages by minors, and for technical assistance and training;

[(6) \$5,000,000 for Project Childsafe;

[(7) \$15,000,000 for the Secure Our Schools Act as authorized by Public Law 106-386;

[(8) \$15,000,000 for programs authorized by the Victims of Child Abuse Act of 1990; and

[(9) \$60,000,000 for the Juvenile Accountability Block Grants program as authorized by Public Law 107-273 and Guam shall be considered a State:

Provided, That not more than 10 percent of each amount may be used for research, evaluation, and statistics activities designed to benefit the programs or activities authorized: *Provided further*, That not more than 2 percent of each amount may be used for training and technical assistance: *Provided further*, That the previous two provisos shall not apply to demonstration projects, as authorized by sections 261 and 262 of the Act.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), such sums as are necessary, as authorized by section 6093 of Public Law 100-690 (102 Stat. 4339-4340); and \$4,884,000, to remain available until expended for payments as authorized by section 1201(b) of said Act; and \$4,064,000 for educational assistance, as authorized by section 1212 of the 1968 Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. In addition to amounts otherwise made available in this title for official reception and representation expenses, a total of

not to exceed \$60,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

[SEC. 102. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: *Provided*, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

[SEC. 103. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

[SEC. 104. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: *Provided*, That nothing in this section in any way diminishes the effect of section 103 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

[SEC. 105. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section.

[SEC. 106. The Attorney General is authorized to extend through September 30, 2007, the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002, Public Law 107-296 (6 U.S.C. 533) without limitation on the number of employees or the positions covered.

[SEC. 107. None of the funds made available in this Act may be used by the Drug Enforcement Administration to establish a procurement quota following the approval of a new drug application or an abbreviated new drug application for a controlled substance.

[SEC. 108. The limitation established in the preceding section shall not apply to any new drug application or abbreviated new drug application for which the Drug Enforcement Administration has reviewed and provided public comments on labeling, promotion, risk management plans, and any other documents.

[SEC. 109. Notwithstanding any other provision of law, Public Law 102-395 section 102(b) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply without fiscal year limitation with respect to any undercover investigative operation initiated by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

[SEC. 110. Any funds provided in this Act under "Department of Justice" used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

[SEC. 111. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

[SEC. 112. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

[(b) The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

[This title may be cited as the "Department of Justice Appropriations Act, 2006".

[TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

[TRADE AND INFRASTRUCTURE DEVELOPMENT RELATED AGENCIES

[OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

[SALARIES AND EXPENSES

[For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, \$44,779,000, of which \$1,000,000 shall remain available until expended: *Provided*, That not to exceed \$124,000 shall be available for official reception and representation expenses: *Provided further*, That not less than \$2,000,000 provided under this heading shall be for expenses authorized by 19 U.S.C. 2451 and 1677b(c).

[INTERNATIONAL TRADE COMMISSION

[SALARIES AND EXPENSES

[For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed \$2,500 for official reception and representation expenses, \$62,752,000, to remain available until expended.

[DEPARTMENT OF COMMERCE

[INTERNATIONAL TRADE ADMINISTRATION

[OPERATIONS AND ADMINISTRATION

[For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service between two points abroad, without regard to 49 U.S.C. 40118; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, \$406,925,000, of which \$13,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: *Provided*, That \$47,434,000 shall be for Manufacturing and Services; \$39,815,000 shall be for Market Access and Compliance; \$62,134,000 shall be for the Import Administration of which not less than \$3,000,000 is for the Office of China Com-

pliance; \$231,722,000 shall be for the United States and Foreign Commercial Service; and \$25,820,000 shall be for Executive Direction and Administration: *Provided further*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities.

[BUREAU OF INDUSTRY AND SECURITY

[OPERATIONS AND ADMINISTRATION

[For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, \$77,000,000, to remain available until expended, of which \$14,767,000 shall be for inspections and other activities related to national security: *Provided*, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: *Provided further*, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

[ECONOMIC DEVELOPMENT ADMINISTRATION

[ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

[For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, and for trade adjustment assistance, \$200,985,000, to remain available until expended.

[SALARIES AND EXPENSES

[For necessary expenses of administering the economic development assistance programs as provided for by law, \$26,584,000: *Provided*, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

[MINORITY BUSINESS DEVELOPMENT AGENCY

[MINORITY BUSINESS DEVELOPMENT

[For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$30,024,000.

**[ECONOMIC AND INFORMATION
INFRASTRUCTURE]**

[ECONOMIC AND STATISTICAL ANALYSIS]

[SALARIES AND EXPENSES]

[For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, \$80,304,000, to remain available until September 30, 2007.

[BUREAU OF THE CENSUS]

[SALARIES AND EXPENSES]

[For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, \$208,029,000 (reduced by \$10,000,000).

[PERIODIC CENSUSES AND PROGRAMS]

[For necessary expenses related to the 2010 decennial census, \$463,596,000 (reduced by \$10,000,000), to remain available until September 30, 2007: *Provided*, That of the total amount available related to the 2010 decennial census, \$213,849,000 (reduced by \$10,000,000) is for the Re-engineered Design Process for the Short-Form Only Census, \$169,948,000 is for the American Community Survey, and \$79,799,000 is for the Master Address File/Topologically Integrated Geographic Encoding and Referencing (MAF/TIGER) system.

[In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, \$160,612,000, to remain available until September 30, 2007, of which \$72,928,000 is for economic statistics programs and \$87,684,000 is for demographic statistics programs: *Provided*, That regarding construction of a facility at the Suitland Federal Center, quarterly reports regarding the expenditure of funds and project planning, design and cost decisions shall be provided by the Bureau, in cooperation with the General Services Administration, to the Committees on Appropriations of the Senate and the House of Representatives: *Provided further*, That none of the funds provided in this or any other Act under the heading "Bureau of the Census, Periodic Censuses and Programs" shall be used to fund the construction and tenant build-out costs of a facility at the Suitland Federal Center: *Provided further*, That none of the funds provided in this or any other Act for any fiscal year may be used for the collection of Census data on race identification that does not include "some other race" as a category.

**[NATIONAL TELECOMMUNICATIONS AND
INFORMATION ADMINISTRATION]**

[SALARIES AND EXPENSES]

[For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$17,716,000: *Provided*, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: *Provided further*, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

**[PUBLIC TELECOMMUNICATIONS FACILITIES,
PLANNING AND CONSTRUCTION]**

[For the administration of the program as authorized by section 392 of the Communica-

tions Act of 1934, \$2,000,000, to remain available until expended as authorized by section 391 of the Act.

**[UNITED STATES PATENT AND TRADEMARK
OFFICE]**

[SALARIES AND EXPENSES]

[For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, \$1,703,300,000, to remain available until expended: *Provided*, That the sum herein appropriated from the general fund shall be reduced as offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 are received during fiscal year 2006, so as to result in a fiscal year 2006 appropriation from the general fund estimated at \$0: *Provided further*, That during fiscal year 2006, should the total amount of offsetting fee collections be less than \$1,703,300,000, this amount shall be reduced accordingly: *Provided further*, That not less than 657 full-time equivalents, 690 positions and \$85,017,000 shall be for the examination of trademark applications; and not less than 6,050 full-time equivalents, 6,304 positions and \$926,356,000 shall be for the examination and searching of patent applications: *Provided further*, That not more than 265 full-time equivalents, 272 positions and \$37,490,000 shall be for the Office of the General Counsel: *Provided further*, That not more than 82 full-time equivalents, 83 positions and \$25,393,000 shall be for the Office of the Administrator for External Affairs: *Provided further*, That from amounts provided herein, not to exceed \$1,000 shall be made available in fiscal year 2006 for official reception and representation expenses: *Provided further*, That notwithstanding section 1353 of title 31, United States Code, no employee of the United States Patent and Trademark Office may accept payment or reimbursement from a non-Federal entity for travel, subsistence, or related expenses for the purpose of enabling an employee to attend and participate in a convention, conference, or meeting when the entity offering payment or reimbursement is a person or corporation subject to regulation by the Office, or represents a person or corporation subject to regulation by the Office, unless the person or corporation is an organization exempt from taxation pursuant to section 501(c)(3) of the Internal Revenue Code of 1986: *Provided further*, That in fiscal year 2006, from the amounts made available for "Salaries and Expenses" for the United States Patent and Trademark Office (PTO), the amounts necessary to pay: (1) the difference between the percentage of basic pay contributed by the PTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) of basic pay, of employees subject to subchapter III of chapter 83 of that title; and (2) the present value of the otherwise unfunded accruing costs, as determined by the Office of Personnel Management, of post-retirement life insurance and post-retirement health benefits coverage for all PTO employees, shall be transferred to the Civil Service Retirement and Disability Fund, the Employees Life Insurance Fund, and the Employees Health Benefits Fund, as appropriate, and shall be available for the authorized purposes of those accounts.

[SCIENCE AND TECHNOLOGY]

[TECHNOLOGY ADMINISTRATION]

[SALARIES AND EXPENSES]

[For necessary expenses for the Under Secretary for Technology Office of Technology Policy, \$6,460,000.

**[NATIONAL INSTITUTE OF STANDARDS AND
TECHNOLOGY]**

**[SCIENTIFIC AND TECHNICAL RESEARCH AND
SERVICES]**

[For necessary expenses of the National Institute of Standards and Technology, \$397,744,000, to remain available until expended, of which not to exceed \$760,000 may be transferred to the "Working Capital Fund".

[MANUFACTURING EXTENSION PARTNERSHIPS]

[For necessary expenses of Manufacturing Extension Partnerships of the National Institute of Standards and Technology, \$106,000,000, to remain available until expended.

[CONSTRUCTION OF RESEARCH FACILITIES]

[For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c-278e, \$45,000,000, to remain available until expended.

**[NATIONAL OCEANIC AND ATMOSPHERIC
ADMINISTRATION]**

[OPERATIONS, RESEARCH, AND FACILITIES]

[(INCLUDING TRANSFER OF FUNDS)]

[For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; and relocation of facilities, \$2,444,000,000 (reduced by \$50,000,000), to remain available until September 30, 2007: *Provided*, That fees and donations received by the National Ocean Service for the management of national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: *Provided further*, That in addition, \$3,000,000 shall be derived by transfer from the fund entitled "Coastal Zone Management" and in addition \$77,000,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": *Provided further*, That of the \$2,543,000,000 (reduced by \$50,000,000) provided for in direct obligations under this heading \$2,444,000,000 (reduced by \$50,000,000) is appropriated from the General Fund, \$80,000,000 is provided by transfer, and \$19,000,000 is derived from deobligations from prior years: *Provided further*, That no general administrative charge shall be applied against an assigned activity included in this Act or the report accompanying this Act: *Provided further*, That the total amount available for the National Oceanic and Atmospheric Administration corporate services administrative support costs shall not exceed \$189,010,000: *Provided further*, That payments of funds made available under this heading to the Department of Commerce Working Capital Fund including Department of Commerce General Counsel legal services shall not exceed \$40,700,000: *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 605 of this Act.

[In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for the medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

【PROCUREMENT, ACQUISITION AND CONSTRUCTION

【For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$936,000,000 to remain available until September 30, 2008: *Provided*, That of the amounts provided for the National Polar-orbiting Operational Environmental Satellite System, funds shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: *Provided further*, That except to the extent expressly prohibited by any other law, the Department of Defense may delegate procurement functions related to the National Polar-orbiting Operational Environmental Satellite System to officials of the Department of Commerce pursuant to section 2311 of title 10, United States Code: *Provided further*, That any deviation from the amounts designated for specific activities in the report accompanying this Act, or any use of deobligated balances of funds provided under this heading in previous years, shall be subject to the procedures set forth in section 605 of this Act: *Provided further*, That none of the funds provided in this Act or any other Act under the heading “National Oceanic and Atmospheric Administration, Procurement, Acquisition and Construction” shall be used to fund the General Services Administration’s standard construction and tenant build-out costs of a facility at the Suitland Federal Center.

【PACIFIC COASTAL SALMON RECOVERY

【For necessary expenses associated with the restoration of Pacific salmon populations, \$50,000,000: *Provided*, That this amount shall be available to fund grants to the States of Washington, Oregon, Idaho, California, and Alaska, and to the Columbia River and Pacific Coastal Tribes for projects necessary for restoration of salmon and steelhead populations that are listed as threatened or endangered, or identified by a State as at-risk to be so-listed, for maintaining populations necessary for exercise of tribal treaty fishing rights or native subsistence fishing, or for conservation of Pacific coastal salmon and steelhead habitat: *Provided further*, That funds disbursed to States shall be subject to a matching requirement of funds or documented in-kind contributions of at least thirty-three percent of the Federal funds: *Provided further*, That, in order to fulfill the matching requirement in the previous proviso, non-Federal contributions of funds pursuant to the previous proviso must be used in direct support of this program.

【COASTAL ZONE MANAGEMENT FUND

【Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed \$3,000,000 shall be transferred to the “Operations, Research, and Facilities” account to offset the costs of implementing such Act.

【FISHERIES FINANCE PROGRAM ACCOUNT

【For the costs of direct loans, \$60,000, as authorized by the Merchant Marine Act of 1936: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in the Federal Credit Reform Act of 1990: *Provided further*, That these funds are only available to subsidize gross obligations for the principal amount of direct loans not to exceed \$5,000,000 for Individual Fishing Quota loans, and not to exceed \$18,900,000 for fishing capacity reduction loans: *Provided further*, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

【OTHER

【DEPARTMENTAL MANAGEMENT

【SALARIES AND EXPENSES

【For expenses necessary for the departmental management of the Department of Commerce provided for by law, including not to exceed \$5,000 for official entertainment, \$47,466,000: *Provided*, That not to exceed 12 full-time equivalents and \$1,621,000 shall be expended for the legislative affairs function of the Department.

【OFFICE OF INSPECTOR GENERAL

【For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$22,758,000.

【GENERAL PROVISIONS—DEPARTMENT OF COMMERCE

【SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

【SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefor, as authorized by law (5 U.S.C. 5901–5902).

【SEC. 203. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this or any other Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act.

【SEC. 204. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

【SEC. 205. Any funds provided in this Act under “Department of Commerce” used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

【This title may be cited as the “Department of Commerce and Related Agencies Appropriations Act, 2006”.

【TITLE III—SCIENCE

【OFFICE OF SCIENCE AND TECHNOLOGY POLICY

【For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601–6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed \$2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$5,564,000.

【NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

【SCIENCE, AERONAUTICS AND EXPLORATION

【(INCLUDING TRANSFER OF FUNDS)

【For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and exploration research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$9,725,750,000, to remain available until September 30, 2007, of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to “Exploration Capabilities” in accordance with section 312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106-377: *Provided*, That any funds provided under this heading used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

【EXPLORATION CAPABILITIES

【(INCLUDING TRANSFER OF FUNDS)

【For necessary expenses, not otherwise provided for, in the conduct and support of exploration capabilities research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$6,712,900,000, to remain available until September 30, 2007, of which amounts as determined by the Administrator for salaries and benefits; training, travel and

awards; facility and related costs; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to "Science, Aeronautics and Exploration" in accordance with section 312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106-377: *Provided*, That any funds provided under this heading used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

【OFFICE OF INSPECTOR GENERAL】

【For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$32,400,000.

【ADMINISTRATIVE PROVISIONS】

【Notwithstanding the limitation on the availability of funds appropriated for "Science, Aeronautics and Exploration", or "Exploration Capabilities" by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities or environmental compliance and restoration activities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated for institutional minor revitalization and construction of facilities, and institutional facility planning and design.

【Notwithstanding the limitation on the availability of funds appropriated for "Science, Aeronautics and Exploration", or "Exploration Capabilities" by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 2008.

【From amounts made available in this Act for these activities, subject to the operating plan procedures of the House and Senate Committees on Appropriations, the Administrator may transfer amounts between the "Science, Aeronautics, and Exploration" account and the "Exploration Capabilities" account during fiscal year 2006.

【Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn.

【Funding made available under the headings "Exploration Capabilities" and "Science, Aeronautics, and Exploration" in this Act shall be governed by the terms and conditions specified in the statement of managers accompanying the conference report for this Act.

【NATIONAL SCIENCE FOUNDATION】

【RESEARCH AND RELATED ACTIVITIES】

【For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880-1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; \$4,377,520,000 to remain available until September 30, 2007, of which not to exceed \$425,000,000 shall remain available until expended for Polar research and operations support, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program: *Provided*, That from amounts specified for Polar research and operations support, the National Science Foundation may reimburse the Coast Guard for such sums as determined by the Director of the National Science Foundation to be necessary to support the Foundation's mission requirements: *Provided further*, That any reimbursement pursuant to the previous proviso shall be

treated as a reprogramming under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: *Provided further*, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: *Provided further*, That funds under this heading may be available for innovation inducement prizes.

【MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION】

【For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950, as amended, including authorized travel, \$193,350,000, to remain available until expended.

【EDUCATION AND HUMAN RESOURCES】

【For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875), including services as authorized by 5 U.S.C. 3109, and rental of conference rooms in the District of Columbia, \$807,000,000, to remain available until September 30, 2007.

【SALARIES AND EXPENSES】

【For salaries and expenses necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861-1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed \$9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; rental of conference rooms in the District of Columbia; and reimbursement of the General Services Administration for security guard services; \$250,000,000: *Provided*, That contracts may be entered into under "Salaries and Expenses" in fiscal year 2006 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

【OFFICE OF THE NATIONAL SCIENCE BOARD】

【For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86-209 (42 U.S.C. 1880 et seq.), \$4,000,000: *Provided*, That not more than \$9,000 shall be available for official reception and representation expenses.

【OFFICE OF INSPECTOR GENERAL】

【For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, \$11,500,000, to remain available until September 30, 2007.

【This title may be cited as the "Science Appropriations Act, 2006".

【TITLE IV—DEPARTMENT OF STATE AND RELATED AGENCY】

【DEPARTMENT OF STATE】

【ADMINISTRATION OF FOREIGN AFFAIRS】

【DIPLOMATIC AND CONSULAR PROGRAMS】

【For necessary expenses of the Department of State and the Foreign Service not otherwise provided for, including employment, without regard to civil service and classification laws, of persons on a temporary basis (not to exceed \$700,000 of this appropriation), as authorized by section 801 of the United States Information and Educational Ex-

change Act of 1948; representation to certain international organizations in which the United States participates pursuant to treaties ratified pursuant to the advice and consent of the Senate or specific Acts of Congress; arms control, nonproliferation and disarmament activities as authorized; acquisition by exchange or purchase of passenger motor vehicles as authorized by law; and for expenses of general administration, \$3,747,118,000: *Provided*, That not to exceed 71 permanent positions and \$9,804,000 shall be for the Bureau of Legislative Affairs: *Provided further*, That, of the amount made available under this heading, not to exceed \$4,000,000 may be transferred to, and merged with, funds in the "Emergencies in the Diplomatic and Consular Service" appropriations account, to be available only for emergency evacuations and terrorism rewards: *Provided further*, That, of the amount made available under this heading, \$340,000,000 shall be available only for public diplomacy international information programs: *Provided further*, That of the amount made available under this heading, \$3,000,000 shall be available only for the operations of the Office on Right-Sizing the United States Government Overseas Presence: *Provided further*, That funds available under this heading may be available for a United States Government interagency task force to examine, coordinate and oversee United States participation in the United Nations headquarters renovation project: *Provided further*, That no funds may be obligated or expended for processing licenses for the export of satellites of United States origin (including commercial satellites and satellite components) to the People's Republic of China unless, at least 15 days in advance, the Committees on Appropriations of the House of Representatives and the Senate are notified of such proposed action.

【In addition, not to exceed \$1,469,000 shall be derived from fees collected from other executive agencies for lease or use of facilities located at the International Center in accordance with section 4 of the International Center Act; in addition, as authorized by section 5 of such Act, \$490,000, to be derived from the reserve authorized by that section, to be used for the purposes set out in that section; in addition, as authorized by section 810 of the United States Information and Educational Exchange Act, not to exceed \$6,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from English teaching, library, motion pictures, and publication programs and from fees from educational advising and counseling and exchange visitor programs; and, in addition, not to exceed \$15,000, which shall be derived from reimbursements, surcharges, and fees for use of Blair House facilities.

【In addition, for the costs of worldwide security upgrades, \$689,523,000, to remain available until expended.

【CAPITAL INVESTMENT FUND】

【For necessary expenses of the Capital Investment Fund, \$128,263,000 (reduced by \$59,142,000), to remain available until expended, as authorized: *Provided*, That section 135(e) of Public Law 103-236 shall not apply to funds available under this heading.

【OFFICE OF INSPECTOR GENERAL】

【For necessary expenses of the Office of Inspector General, \$29,983,000, notwithstanding section 209(a)(1) of the Foreign Service Act of 1980 (Public Law 96-465), as it relates to post inspections.

【EDUCATIONAL AND CULTURAL EXCHANGE PROGRAMS】

【For expenses of educational and cultural exchange programs, as authorized,

\$410,400,000, to remain available until expended: *Provided*, That not to exceed \$2,000,000, to remain available until expended, may be credited to this appropriation from fees or other payments received from or in connection with English teaching, educational advising and counseling programs, and exchange visitor programs as authorized.

【REPRESENTATION ALLOWANCES

【For representation allowances as authorized, \$8,281,000.

【PROTECTION OF FOREIGN MISSIONS AND OFFICIALS

【For expenses, not otherwise provided, to enable the Secretary of State to provide for extraordinary protective services, as authorized, \$9,390,000, to remain available until September 30, 2007.

【EMBASSY SECURITY, CONSTRUCTION, AND MAINTENANCE

【For necessary expenses for carrying out the Foreign Service Buildings Act of 1926 (22 U.S.C. 292-303), preserving, maintaining, repairing, and planning for buildings that are owned or directly leased by the Department of State, renovating, in addition to funds otherwise available, the Harry S Truman Building, and carrying out the Diplomatic Security Construction Program as authorized, \$603,510,000, to remain available until expended as authorized, of which not to exceed \$25,000 may be used for domestic and overseas representation as authorized: *Provided*, That none of the funds appropriated in this paragraph shall be available for acquisition of furniture, furnishings, or generators for other departments and agencies.

【In addition, for the costs of worldwide security upgrades, acquisition, and construction as authorized, \$910,200,000, to remain available until expended.

【EMERGENCIES IN THE DIPLOMATIC AND CONSULAR SERVICE

【For expenses necessary to enable the Secretary of State to meet unforeseen emergencies arising in the Diplomatic and Consular Service, \$10,000,000, to remain available until expended as authorized, of which not to exceed \$1,000,000 may be transferred to and merged with the Repatriation Loans Program Account, subject to the same terms and conditions.

【REPATRIATION LOANS PROGRAM ACCOUNT

【For the cost of direct loans, \$712,000, as authorized: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974. In addition, for administrative expenses necessary to carry out the direct loan program, \$607,000, which may be transferred to and merged with the Diplomatic and Consular Programs account under Administration of Foreign Affairs.

【PAYMENT TO THE AMERICAN INSTITUTE IN TAIWAN

【For necessary expenses to carry out the Taiwan Relations Act (Public Law 96-8), \$19,751,000.

【PAYMENT TO THE FOREIGN SERVICE RETIREMENT AND DISABILITY FUND

【For payment to the Foreign Service Retirement and Disability Fund, as authorized by law, \$131,700,000.

【INTERNATIONAL ORGANIZATIONS

【CONTRIBUTIONS TO INTERNATIONAL ORGANIZATIONS

【For expenses, not otherwise provided for, necessary to meet annual obligations of membership in international multilateral organizations, pursuant to treaties ratified pursuant to the advice and consent of the Senate, conventions or specific Acts of Con-

gress, \$1,166,212,000 (reduced by \$21,947,600): *Provided*, That the Secretary of State shall, at the time of the submission of the President's budget to Congress under section 1105(a) of title 31, United States Code, transmit to the Committees on Appropriations of the Senate and of the House of Representatives the most recent biennial budget prepared by the United Nations for the operations of the United Nations: *Provided further*, That the Secretary of State shall notify the Committees on Appropriations at least 15 days in advance (or in an emergency, as far in advance as is practicable) of any United Nations action to increase funding for any United Nations program without identifying an offsetting decrease elsewhere in the United Nations budget and cause the United Nations budget for the biennium 2006-2007 to exceed the revised United Nations budget level for the biennium 2004-2005 of \$3,695,480,000: *Provided further*, That any payment of arrearages under this title shall be directed toward special activities that are mutually agreed upon by the United States and the respective international organization: *Provided further*, That none of the funds appropriated in this paragraph shall be available for a United States contribution to an international organization for the United States share of interest costs made known to the United States Government by such organization for loans incurred on or after October 1, 1984, through external borrowings.

【CONTRIBUTIONS FOR INTERNATIONAL PEACEKEEPING ACTIVITIES

【For necessary expenses to pay assessed and other expenses of international peacekeeping activities directed to the maintenance or restoration of international peace and security, \$1,035,500,000, of which 15 percent shall remain available until September 30, 2007: *Provided*, That none of the funds made available under this Act shall be obligated or expended for any new or expanded United Nations peacekeeping mission unless, at least 15 days in advance of voting for the new or expanded mission in the United Nations Security Council (or in an emergency as far in advance as is practicable): (1) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified of the estimated cost and length of the mission, the vital national interest that will be served, and the planned exit strategy; (2) the Committees on Appropriations of the House of Representatives and the Senate and other appropriate committees of the Congress are notified that the United Nations has taken appropriate measures to prevent United Nations employees, contractor personnel, and peacekeeping forces serving in any United Nations peacekeeping mission from trafficking in persons, exploiting victims of trafficking, or committing acts of illegal sexual exploitation, and to hold accountable any such individuals who engage in any such acts while participating in the peacekeeping mission; and (3) a reprogramming of funds pursuant to section 605 of this Act is submitted, and the procedures therein followed, setting forth the source of funds that will be used to pay for the cost of the new or expanded mission: *Provided further*, That funds shall be available for peacekeeping expenses only upon a certification by the Secretary of State to the appropriate committees of the Congress that American manufacturers and suppliers are being given opportunities to provide equipment, services, and material for United Nations peacekeeping activities equal to those being given to foreign manufacturers and suppliers: *Provided further*, That none of the funds made available under this heading are available to pay the United States share of the cost of

court monitoring that is part of any United Nations peacekeeping mission.

【INTERNATIONAL COMMISSIONS

【For necessary expenses, not otherwise provided for, to meet obligations of the United States arising under treaties, or specific Acts of Congress, as follows:

【INTERNATIONAL BOUNDARY AND WATER COMMISSION, UNITED STATES AND MEXICO

【For necessary expenses for the United States Section of the International Boundary and Water Commission, United States and Mexico, and to comply with laws applicable to the United States Section, including not to exceed \$6,000 for representation; as follows:

【SALARIES AND EXPENSES

【For salaries and expenses, not otherwise provided for, \$27,000,000.

【CONSTRUCTION

【For detailed plan preparation and construction of authorized projects, \$5,300,000, to remain available until expended, as authorized.

【AMERICAN SECTIONS, INTERNATIONAL COMMISSIONS

【For necessary expenses, not otherwise provided, for the International Joint Commission and the International Boundary Commission, United States and Canada, as authorized by treaties between the United States and Canada or Great Britain, and for the Border Environment Cooperation Commission as authorized by Public Law 103-182, \$9,500,000, of which not to exceed \$9,000 shall be available for representation expenses incurred by the International Joint Commission.

【INTERNATIONAL FISHERIES COMMISSIONS

【For necessary expenses for international fisheries commissions, not otherwise provided for, as authorized by law, \$22,000,000: *Provided*, That the United States' share of such expenses may be advanced to the respective commissions pursuant to 31 U.S.C. 3324.

【OTHER

【PAYMENT TO THE ASIA FOUNDATION

【For a grant to the Asia Foundation, as authorized by the Asia Foundation Act (22 U.S.C. 4402), \$10,000,000, to remain available until expended, as authorized.

【EISENHOWER EXCHANGE FELLOWSHIP PROGRAM

【For necessary expenses of Eisenhower Exchange Fellowships, Incorporated, as authorized by sections 4 and 5 of the Eisenhower Exchange Fellowship Act of 1990 (20 U.S.C. 5204-5205), all interest and earnings accruing to the Eisenhower Exchange Fellowship Program Trust Fund on or before September 30, 2006, to remain available until expended: *Provided*, That none of the funds appropriated herein shall be used to pay any salary or other compensation, or to enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376; or for purposes which are not in accordance with OMB Circulars A-110 (Uniform Administrative Requirements) and A-122 (Cost Principles for Non-profit Organizations), including the restrictions on compensation for personal services.

【ISRAELI ARAB SCHOLARSHIP PROGRAM

【For necessary expenses of the Israeli Arab Scholarship Program as authorized by section 214 of the Foreign Relations Authorization Act, Fiscal Years 1992 and 1993 (22 U.S.C. 2452), all interest and earnings accruing to the Israeli Arab Scholarship Fund on or before September 30, 2006, to remain available until expended.

【EAST-WEST CENTER

【To enable the Secretary of State to provide for carrying out the provisions of the

Center for Cultural and Technical Interchange Between East and West Act of 1960, by grant to the Center for Cultural and Technical Interchange Between East and West in the State of Hawaii, \$6,000,000: *Provided*, That none of the funds appropriated herein shall be used to pay any salary, or enter into any contract providing for the payment thereof, in excess of the rate authorized by 5 U.S.C. 5376.

[NATIONAL ENDOWMENT FOR DEMOCRACY]

[For grants made by the Department of State to the National Endowment for Democracy as authorized by the National Endowment for Democracy Act, \$50,000,000, to remain available until expended.

[RELATED AGENCY]

[BROADCASTING BOARD OF GOVERNORS]

[INTERNATIONAL BROADCASTING OPERATIONS]

[For expenses necessary to enable the Broadcasting Board of Governors, as authorized, to carry out international communication activities, including the purchase, installation, rent, and improvement of facilities for radio and television transmission and reception to Cuba, and to make and supervise grants for radio and television broadcasting to the Middle East, \$620,000,000: *Provided*, That of the total amount in this heading, not to exceed \$16,000 may be used for official receptions within the United States as authorized, not to exceed \$35,000 may be used for representation abroad as authorized, and not to exceed \$39,000 may be used for official reception and representation expenses of Radio Free Europe/Radio Liberty; and in addition, notwithstanding any other provision of law, not to exceed \$2,000,000 in receipts from advertising and revenue from business ventures, not to exceed \$500,000 in receipts from cooperating international organizations, and not to exceed \$1,000,000 in receipts from privatization efforts of the Voice of America and the International Broadcasting Bureau, to remain available until expended for carrying out authorized purposes.

[BROADCASTING CAPITAL IMPROVEMENTS]

[For the purchase, rent, construction, and improvement of facilities for radio and television transmission and reception, and purchase and installation of necessary equipment for radio and television transmission and reception as authorized, \$10,893,000, to remain available until expended, as authorized.

[GENERAL PROVISIONS—DEPARTMENT OF STATE AND RELATED AGENCY]

[SEC. 401. Funds appropriated under this title shall be available, except as otherwise provided, for allowances and differentials as authorized by subchapter 59 of title 5, United States Code; for services as authorized by 5 U.S.C. 3109; and for hire of passenger transportation pursuant to 31 U.S.C. 1343(b).

[SEC. 402. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of State in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided*, That not to exceed 5 percent of any appropriation made available for the current fiscal year for the Broadcasting Board of Governors in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: *Provided further*, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

[SEC. 403. None of the funds made available in this Act may be used by the Department of State or the Broadcasting Board of Governors to provide equipment, technical support, consulting services, or any other form of assistance to the Palestinian Broadcasting Corporation.

[SEC. 404. (a) The Senior Policy Operating Group on Trafficking in Persons, established under section 406 of division B of Public Law 108-7 to coordinate agency activities regarding policies (including grants and grant policies) involving the international trafficking in persons, shall coordinate all such policies related to the activities of traffickers and victims of severe forms of trafficking.

[(b) None of the funds provided in this or any other Act shall be expended to perform functions that duplicate coordinating responsibilities of the Operating Group.

[(c) The Operating Group shall continue to report only to the authorities that appointed them pursuant to section 406 of division B of Public Law 108-7.

[SEC. 405. Any funds provided in this Act under "Department of State" used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

[SEC. 406. (a) Subsection (f) of section 36 of the State Department Basic Authorities Act of 1956 (22 U.S.C. 2708(f)) is amended—

[(1) by striking "(f) INELIGIBILITY.—An officer" and inserting the following:

["(f) INELIGIBILITY.—

["(1) IN GENERAL.—Except as provided in paragraph (2), an officer"; and

[(2) by adding at the end the following new paragraph:

["(2) EXCEPTION IN CERTAIN CIRCUMSTANCES.—The Secretary may pay a reward to an officer or employee of a foreign government (or any entity thereof) who, while in the performance of his or her official duties, furnishes information described in such subsection, if the Secretary determines that such payment satisfies the following conditions:

["(A) Such payment is appropriate in light of the exceptional or high-profile nature of the information furnished pursuant to such subsection.

["(B) Such payment may aid in furnishing further information described in such subsection.

["(C) Such payment is formally requested by such agency.".

[(b) Subsection (b) of such section (22 U.S.C. 2708(b)) is amended in the matter preceding paragraph (1) by inserting "or to an officer or employee of a foreign government in accordance with subsection (f)(2)" after "individual".

[This title may be cited as the "Department of State and Related Agency Appropriations Act, 2006".

[TITLE V—RELATED AGENCIES]

[ANTITRUST MODERNIZATION COMMISSION]

[SALARIES AND EXPENSES]

[For necessary expenses of the Antitrust Modernization Commission, as authorized by Public Law 107-273, \$1,172,000, to remain available until expended.

[COMMISSION FOR THE PRESERVATION OF AMERICA'S HERITAGE ABROAD]

[SALARIES AND EXPENSES]

[For expenses for the Commission for the Preservation of America's Heritage Abroad, \$499,000, as authorized by section 1303 of Public Law 99-83.

[COMMISSION ON CIVIL RIGHTS]

[SALARIES AND EXPENSES]

[For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,096,000: *Provided*, That

none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: *Provided further*, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

[COMMISSION ON INTERNATIONAL RELIGIOUS FREEDOM]

[SALARIES AND EXPENSES]

[For necessary expenses for the United States Commission on International Religious Freedom, as authorized by title II of the International Religious Freedom Act of 1998 (Public Law 105-292), \$3,200,000, to remain available until expended.

[COMMISSION ON SECURITY AND COOPERATION IN EUROPE]

[SALARIES AND EXPENSES]

[For necessary expenses of the Commission on Security and Cooperation in Europe, as authorized by Public Law 94-304, \$2,030,000, to remain available until expended as authorized by section 3 of Public Law 99-7.

[CONGRESSIONAL-EXECUTIVE COMMISSION ON THE PEOPLE'S REPUBLIC OF CHINA]

[SALARIES AND EXPENSES]

[For necessary expenses of the Congressional-Executive Commission on the People's Republic of China, as authorized, \$1,900,000, including not more than \$3,000 for the purpose of official representation, to remain available until expended.

[EQUAL EMPLOYMENT OPPORTUNITY COMMISSION]

[SALARIES AND EXPENSES]

[For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964 (29 U.S.C. 206(d) and 621-634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed \$33,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, \$331,228,000: *Provided*, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,500 from available funds: *Provided further*, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations have been notified of such proposals, in accordance with the reprogramming provisions of section 605 of this Act.

[FEDERAL COMMUNICATIONS COMMISSION]

[SALARIES AND EXPENSES]

[For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901-5902; not to exceed \$4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, \$289,771,000: *Provided*, That \$288,771,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: *Provided further*, That

the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2006 so as to result in a final fiscal year 2006 appropriation estimated at \$1,000,000: *Provided further*, That any offsetting collections received in excess of \$288,771,000 in fiscal year 2006 shall remain available until expended, but shall not be available for obligation until October 1, 2006: *Provided further*, That any funds provided under this heading used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

【FEDERAL TRADE COMMISSION

【SALARIES AND EXPENSES

【For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses, \$211,000,000, to remain available until expended: *Provided*, That not to exceed \$300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: *Provided further*, That, notwithstanding any other provision of law, not to exceed \$116,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: *Provided further*, That \$23,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telephone Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: *Provided further*, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2006, so as to result in a final fiscal year 2006 appropriation from the general fund estimated at not more than \$72,000,000: *Provided further*, That none of the funds made available to the Federal Trade Commission may be used to enforce subsection (e) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t) or section 151(b)(2) of the Federal Deposit Insurance Corporation Improvement Act of 1991 (12 U.S.C. 1831t note).

【HELP COMMISSION

【SALARIES AND EXPENSES

【For necessary expenses of the HELP Commission, \$1,000,000, to remain available until expended.

【LEGAL SERVICES CORPORATION

【PAYMENT TO THE LEGAL SERVICES CORPORATION

【For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$330,803,000, of which \$313,683,000 is for basic field programs and required independent audits; \$2,539,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$12,826,000 is for management and administration; and \$1,755,000 is for client self-help and information technology.

【ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

【None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appro-

riated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2005 and 2006, respectively.

【MARINE MAMMAL COMMISSION

【SALARIES AND EXPENSES

【For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92-522, \$1,865,000.

【SECURITIES AND EXCHANGE COMMISSION

【SALARIES AND EXPENSES

【For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed \$3,000 for official reception and representation expenses, \$888,117,000, to remain available until expended; of which not to exceed \$10,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed \$100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: *Provided*, That fees and charges authorized by sections 6(b) of the Securities Exchange Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g) and 31 of the Securities Exchange Act of 1934 (15 U.S.C. 78m(e), 78n(g), and 78ee), shall be credited to this account as offsetting collections: *Provided further*, That not to exceed \$863,117,000 of such offsetting collections shall be available until expended for necessary expenses of this account: *Provided further*, That \$25,000,000 shall be derived from prior year unobligated balances from funds previously appropriated to the Securities and Exchange Commission: *Provided further*, That the total amount appropriated under this heading from the general fund for fiscal year 2006 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2006 appropriation from the general fund estimated at not more than \$0.

【SMALL BUSINESS ADMINISTRATION

【SALARIES AND EXPENSES

【For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 108-447, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed \$3,500 for official reception and representation expenses, \$318,029,000 (reduced by \$13,441,000): *Provided*, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: *Provided further*, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations: *Provided further*, That, of the funds made available under this heading,

\$1,000,000 shall be for the National Veterans Business Development Corporation: *Provided further*, That any funds provided under this heading used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

【OFFICE OF INSPECTOR GENERAL

【For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$13,500,000.

【SURETY BOND GUARANTEES REVOLVING FUND

【For additional capital for the Surety Bond Guarantees Revolving Fund, authorized by the Small Business Investment Act, as amended, \$2,861,000, to remain available until expended.

【BUSINESS LOANS PROGRAM ACCOUNT

【For the cost of direct loans, \$1,000,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: *Provided further*, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2006 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, shall not exceed \$6,000,000,000: *Provided further*, That during fiscal year 2006 commitments for general business loans authorized under section 7(a) of the Small Business Act, shall not exceed \$16,500,000,000: *Provided further*, That during fiscal year 2006 commitments to guarantee loans for debentures under section 303(b) of the Small Business Investment Act of 1958, shall not exceed \$3,000,000,000: *Provided further*, That during fiscal year 2006 guarantees of trust certificates authorized by section 5(g) of the Small Business Act shall not exceed a principal amount of \$12,000,000,000.

【In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$124,961,000 (increased by \$79,132,000), which may be transferred to and merged with the appropriations for Salaries and Expenses.

【DISASTER LOANS PROGRAM ACCOUNT

【For the cost of direct loans authorized by section 7(b) of the Small Business Act, \$79,538,000, to remain available until expended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

【In addition, for administrative expenses to carry out the direct loan program authorized by section 7(b), of the Small Business Act, \$49,716,000, which may be transferred to and merged with appropriations for Salaries and Expenses, of which \$900,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General; of which \$40,316,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program, to remain available until expended; and of which \$8,500,000 is for indirect administrative expenses: *Provided*, That any amount in excess of \$8,500,000 to be transferred to and merged with appropriations for Salaries and Expenses for indirect administrative expenses shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

【ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

【Not to exceed 5 percent of any appropriation made available for the current fiscal

year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: *Provided*, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

[STATE JUSTICE INSTITUTE]

[SALARIES AND EXPENSES]

[For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102-572), \$2,000,000: *Provided*, That not to exceed \$2,500 shall be available for official reception and representation expenses.

[UNITED STATES-CHINA ECONOMIC AND SECURITY REVIEW COMMISSION]

[SALARIES AND EXPENSES]

[For necessary expenses of the United States-China Economic and Security Review Commission, \$4,000,000, including not more than \$5,000 for the purpose of official representation, to remain available until expended.

[UNITED STATES INSTITUTE OF PEACE]

[OPERATING EXPENSES]

[For necessary expenses of the United States Institute of Peace as authorized in the United States Institute of Peace Act, \$22,850,000, to remain available until expended.

[TITLE VI—GENERAL PROVISIONS]

[SEC. 601. No part of any appropriation contained in this Act shall be used for publicity or propaganda purposes not authorized by the Congress.

[SEC. 602. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

[SEC. 603. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

[SEC. 604. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

[SEC. 605. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2006, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices; (6) reorganizes, programs or activities; or (7) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

[(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2006, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$500,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects, or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings, including savings from a reduction in personnel, which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

[SEC. 606. None of the funds made available in this Act may be used to implement, administer, or enforce any guidelines of the Equal Employment Opportunity Commission covering harassment based on religion, when it is made known to the Federal entity or official to which such funds are made available that such guidelines do not differ in any respect from the proposed guidelines published by the Commission on October 1, 1993 (58 Fed. Reg. 51266).

[SEC. 607. None of the funds made available by this Act may be used for any United Nations undertaking when it is made known to the Federal official having authority to obligate or expend such funds that: (1) the United Nations undertaking is a peace-keeping mission; (2) such undertaking will involve United States Armed Forces under the command or operational control of a foreign national; and (3) the President's military advisors have not submitted to the President a recommendation that such involvement is in the national security interests of the United States and the President has not submitted to the Congress such a recommendation.

[SEC. 608. The Departments of Commerce, Justice, and State, the National Science Foundation, the National Aeronautics and Space Administration, the Federal Communications Commission, the Securities and Exchange Commission and the Small Business Administration shall provide to the Committees on Appropriations of the Senate and of the House of Representatives a quarterly accounting of the cumulative balances of any unobligated funds that were received by such agency during any previous fiscal year.

[SEC. 609. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 609 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

[(b) The requirements in subparagraphs (A) and (B) of section 609 of that Act shall continue to apply during fiscal year 2006.

[SEC. 610. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: *Provided*, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: *Provided further*, That use of funds to carry out this section shall be treated as a reprogramming of

funds under section 605 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

[SEC. 611. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

[SEC. 612. (a) None of the funds appropriated or otherwise made available by this Act shall be expended for any purpose for which appropriations are prohibited by section 616 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 1999.

[(b) The requirements in subsections (b) and (c) of section 616 of that Act shall continue to apply during fiscal year 2006.

[SEC. 613. None of the funds appropriated pursuant to this Act or any other provision of law may be used for—

[(1) the implementation of any tax or fee in connection with the implementation of subsection 922(t) of title 18, United States Code; and

[(2) any system to implement subsection 922(t) of title 18, United States Code, that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from possessing or receiving a firearm no more than 24 hours after the system advises a Federal firearms licensee that possession or receipt of a firearm by the prospective transferee would not violate subsection (g) or (n) of section 922 of title 18, United States Code, or State law.

[SEC. 614. None of the funds made available in this Act may be used to pay the salaries and expenses of personnel of the Department of Justice to obligate more than \$625,000,000 during fiscal year 2006 from the Fund established by section 1402 of chapter XIV of title II of Public Law 98-473 (42 U.S.C. 10601).

[SEC. 615. None of the funds made available to the Department of Justice in this Act may be used to discriminate against or denigrate the religious or moral beliefs of students who participate in programs for which financial assistance is provided from those funds, or of the parents or legal guardians of such students.

[SEC. 616. None of the funds appropriated or otherwise made available to the Department of State shall be available for the purpose of granting either immigrant or non-immigrant visas, or both, consistent with the determination of the Secretary of State under section 243(d) of the Immigration and Nationality Act, to citizens, subjects, nationals, or residents of countries that the Secretary of Homeland Security has determined deny or unreasonably delay accepting the return of citizens, subjects, nationals, or residents under that section.

[SEC. 617. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriation Act.

[SEC. 618. The Departments of Commerce, Justice, and State, the Securities and Exchange Commission and the Small Business Administration shall, not later than two months after the date of the enactment of this Act, certify that telecommuting opportunities have increased over levels certified to the Committees on Appropriations for fiscal year 2005: *Provided*, That, of the total amounts appropriated to the Departments of

Commerce, Justice, and State, the Securities and Exchange Commission and the Small Business Administration, \$5,000,000 shall be available to each only upon such certification: *Provided further*, That each Department or agency shall provide quarterly reports to the Committees on Appropriations on the status of telecommuting programs, including the number and percentage of Federal employees eligible for, and participating in, such programs: *Provided further*, That each Department or agency shall maintain a "Telework Coordinator" to be responsible for overseeing the implementation and operations of telecommuting programs, and serve as a point of contact on such programs for the Committees on Appropriations.

SEC. 619. The National Aeronautics and Space Administration and the National Science Foundation shall, not later than two months after the date of the enactment of this Act, certify that telecommuting opportunities are made available to 100 percent of the eligible workforce: *Provided*, That, of the total amounts appropriated to the National Aeronautics and Space Administration and the National Science Foundation, \$5,000,000 shall be available to each agency only upon such certification: *Provided further*, That both agencies shall provide quarterly reports to the Committees on Appropriations on the status of telecommuting programs, including the number of Federal employees eligible for, and participating in, such programs: *Provided further*, That both agencies shall designate a "Telework Coordinator" to be responsible for overseeing the implementation and operations of telecommuting programs, and serve as a point of contact on such programs for the Committees on Appropriations.

SEC. 620. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) The Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

SEC. 621. None of the funds made available in this Act may be used in violation of section 212(a)(10)(C) of the Immigration and Nationality Act.

SEC. 622. None of the funds appropriated or otherwise made available under this Act may be used to issue patents on claims directed to or encompassing a human organism.

SEC. 623. None of the funds made available in this Act may be used to pay expenses for any United States delegation to any specialized agency, body, or commission of the

United Nations if such commission is chaired or presided over by a country, the government of which the Secretary of State has determined, for purposes of section 6(j)(1) of the Export Administration Act of 1979 (50 U.S.C. App. 2405(j)(1)), has provided support for acts of international terrorism.

SEC. 624. (a) Except as provided in subsection (b), a project to construct a diplomatic facility of the United States may not include office space or other accommodations for an employee of a Federal agency or department if the Secretary of State determines that such department or agency has not provided to the Department of State the full amount of funding required by subsection (e) of section 604 of the Secure Embassy Construction and Counterterrorism Act of 1999 (as enacted into law by section 1000(a)(7) of Public Law 106-113 and contained in appendix G of that Act; 113 Stat. 1501A-453), as amended by section 629 of the Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act, 2005.

(b) Notwithstanding the prohibition in subsection (a), a project to construct a diplomatic facility of the United States may include office space or other accommodations for members of the Marine Corps.

SEC. 625. None of the funds made available in this Act shall be used in any way whatsoever to support or justify the use of torture by any official or contract employee of the United States Government.

SEC. 626. Of the amounts made available in this Act, \$393,616,321 from "Department of State"; \$27,938,072 from "Department of Justice"; \$14,107,754 from "Department of Commerce"; \$426,314 from "United States Trade Representative"; \$575,116 from "Broadcasting Board of Governors"; \$291,855 from "National Aeronautics and Space Administration"; and \$79,754 from "National Science Foundation" shall be available for the purposes of implementing the Capital Security Cost Sharing program.

SEC. 627. None of the funds made available in this Act may be used in contravention of the provisions of subsections (e) and (f) of section 301 of the United States Leadership Against HIV/AIDS, Tuberculosis, and Malaria Act of 2003 (Public Law 108-25; 22 U.S.C. 7631(e) and (f)).

SEC. 628. None of the funds made available to NASA in this Act may be used for voluntary separation incentive payments as provided for in subchapter II of chapter 35 of title 5, United States Code, unless the Administrator of NASA has first certified to Congress that such payments would not result in the loss of skills related to the safety of the Space Shuttle or the International Space Station or to the conduct of independent safety oversight in the National Aeronautics and Space Administration.

SEC. 629. Notwithstanding 40 U.S.C. 524, 571, and 572, the Administrator of the National Aeronautics and Space Administration may sell the National Aeronautics and Space Administration-owned property on the Camp Parks Military Reservation, Alameda County, California, and credit the net proceeds of such sales as offsetting collections to its Exploration, science and aeronautics account. Such funds shall be available until expended; to be used to replace the facilities at Camp Parks that are still required, to improve other National Aeronautics and Space Administration-owned facilities, or both.

SEC. 630. (a) **IN GENERAL.**—The President of the United States through his designee the Administrator of the National Aeronautics and Space Administration and in consultation with other Federal agencies shall develop a national aeronautics policy to guide the aeronautics programs of the Administration through 2020.

(b) **CONTENT.**—At a minimum, the national aeronautics policy shall describe—

(1) the priority areas of research for aeronautics through fiscal year 2011;

(2) the basis on which and the process by which priorities for ensuing fiscal years will be selected;

(3) the facilities and personnel needed to carry out the program through fiscal year 2011; and

(4) the budget assumptions on which the national aeronautics policy is based.

(c) **CONSIDERATIONS.**—In developing the national aeronautics policy, the Administrator shall consider the following questions, which shall be discussed in the policy statement—

(1) the extent to which NASA should focus on long-term, high-risk research or more incremental research or both and the expected impact on the U.S. aircraft and airline industries of those decisions;

(2) the extent to which NASA should address military and commercial needs;

(3) how NASA will coordinate its aeronautics program with other Federal agencies; and

(4) the extent to which NASA will fund university research and the expected impact of that funding on the supply of U.S. workers for the aeronautics industry.

(d) **CONSULTATION.**—In developing the national aeronautics policy, the Administrator shall consult widely with academic and industry experts and with other Federal agencies. The Administrator may enter into an arrangement with the National Academy of Sciences to help develop the national aeronautics policy.

(e) **SCHEDULE.**—The Administrator shall submit the new national aeronautics policy to the House and Senate Committees on Appropriations and to the House Committee on Science and the Senate Committee on Commerce, Science, and Transportation no later than the date on which the President submits the proposed budget for the Federal government for fiscal year 2007 to the Congress. The Administrator shall make available to the Congress any study done by a non-governmental entity that was used in the development of the national aeronautics policy.

SEC. 631. Any funds provided in this Act under "National Science Foundation" used to implement E-Government Initiatives shall be subject to the procedures set forth in section 605 of this Act.

SEC. 632. (a) Notwithstanding any other provision of law or treaty, none of the funds appropriated or otherwise made available under this Act or any other Act may be expended or obligated by a department, agency, or instrumentality of the United States to pay administrative expenses or to compensate an officer or employee of the United States in connection with requiring an export license for the export to Canada of components, parts, accessories or attachments for firearms listed in Category I, section 121.1 of title 22, Code of Federal Regulations (International Trafficking in Arms Regulations (ITAR), part 121, as it existed on April 1, 2005) with a total value not exceeding \$500 wholesale in any transaction, provided that the conditions of subsection (b) of this section are met by the exporting party for such articles.

(b) The foregoing exemption from obtaining an export license—

(1) does not exempt an exporter from filing any Shipper's Export Declaration or notification letter required by law, or from being otherwise eligible under the laws of the United States to possess, ship, transport, or export the articles enumerated in subsection (a); and

(2) does not permit the export without a license of—

[(A) fully automatic firearms and components and parts for such firearms, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada, or

[(B) barrels, cylinders, receivers (frames) or complete breech mechanisms for any firearm listed in Category I, other than for end use by the Federal Government, or a Provincial or Municipal Government of Canada; or

[(C) articles for export from Canada to another foreign destination.

[(c) In accordance with this section, the District Directors of Customs and postmasters shall permit the permanent or temporary export without a license of any unclassified articles specified in subsection (a) to Canada for end use in Canada or return to the United States, or temporary import of Canadian-origin items from Canada for end use in the United States or return to Canada for a Canadian citizen.

[(d) The President may require export licenses under this section on a temporary basis if the President determines, upon publication first in the Federal Register, that the Government of Canada has implemented or maintained inadequate import controls for the articles specified in subsection (a), such that a significant diversion of such articles has and continues to take place for use in international terrorism or in the escalation of a conflict in another nation. The President shall terminate the requirements of a license when reasons for the temporary requirements have ceased.

[SEC. 633. Notwithstanding any other provision of law, no department, agency, or instrumentality of the United States receiving appropriated funds under this Act or any other Act shall obligate or expend in any way such funds to pay administrative expenses or the compensation of any officer or employee of the United States to deny any application submitted pursuant to 22 U.S.C. 2778(b)(1)(B) and qualified pursuant to 27 CFR Sec. 478.112 or .113, for a permit to import United States origin "curios or relics" firearms, parts, or ammunition.

[SEC. 634. None of the funds made available in this Act may be used to include in any bilateral or multilateral trade agreement the text of—

[(1) paragraph 2 of Article 16.7 of the United States-Singapore Free Trade Agreement;

[(2) paragraph 4 of Article 17.9 of the United States-Australia Free Trade Agreement; or

[(3) paragraph 4 of Article 15.9 of the United States-Morocco Free Trade Agreement.

[TITLE VII—RESCISSIONS [DEPARTMENT OF JUSTICE

[LEGAL ACTIVITIES

[ASSETS FORFEITURE FUND

[(RESCISSION)

[Of the unobligated balances available under this heading, \$62,000,000 are rescinded.

[OFFICE OF JUSTICE PROGRAMS

[STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

[(RESCISSION)

[Of the unobligated balances available under this heading, \$38,500,000 are rescinded.

[COMMUNITY ORIENTED POLICING SERVICES (RESCISSION)

[Of the unobligated balances available under this heading, \$86,500,000 are rescinded.

[DEPARTMENT OF COMMERCE

[EMERGENCY STEEL GUARANTEED LOAN PROGRAM ACCOUNT

[(RESCISSION)

[Of the unobligated balances available under this heading from prior year appropriations, \$35,000,000 are rescinded.

[RELATED AGENCIES

[UNITED STATES-CANADA ALASKA RAIL COMMISSION

[SALARIES AND EXPENSES

[(RESCISSION)

[Of the unobligated balances available under this heading from prior year appropriations, \$2,000,000 are rescinded.

[TITLE VIII—ADDITIONAL GENERAL PROVISIONS

[SEC. 801. None of the funds made available in this Act may be used by the United Nations to develop or publicize any proposal concerning taxation or fees on any United States person in order to raise revenue for the United Nations or any of its specialized or affiliated agencies. None of the funds made available in this Act may be used by the United Nations to implement or impose any such taxation or fee on any United States person.

[SEC. 802. None of the funds made available by this Act may be used by the National Aeronautics and Space Administration to employ any individual under the title "artist in residence".

[SEC. 803. (a) For expenses necessary for enforcing subsections (a) and (b) of section 642 of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (8 U.S.C. 1373), \$1,000,000.

[(b) The amount otherwise provided in this Act for "DEPARTMENT OF JUSTICE—LEGAL ACTIVITIES—SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES" is hereby reduced by \$1,000,000.

[SEC. 804. None of the funds made available in this Act may be used to deny the production of safety reports regarding the NASA Space Shuttle program and the International Space Station.

[SEC. 805. None of the funds appropriated in this Act may be used to enforce the judgment of the United States District Court for the Southern District of Indiana in the case of *Russelburg v. Gibson County*, decided January 31, 2005.

[SEC. 806. None of the funds made available in this Act may be used to make an application under section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861) for an order requiring the production of library circulation records, library patron lists, book sales records, or book customer lists.

[SEC. 807. None of the funds made available in this Act may be used in contravention of the following laws enacted or regulations promulgated to implement the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (done at New York on December 10, 1984):

[(1) Section 2340A of title 18, United States Code.

[(2) Section 2242 of the Foreign Affairs Reform and Restructuring Act of 1998 (division G of Public Law 105-277; 112 Stat. 2681-822; 8 U.S.C. 1231 note) and any regulations prescribed thereto, including regulations under part 208 of title 8, Code of Federal Regulations, and part 95 of title 22, Code of Federal Regulations.

[This Act may be cited as the "Science, State, Justice, Commerce, and Related Agencies Appropriations Act, 2006".] That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I—DEPARTMENT OF JUSTICE

GENERAL ADMINISTRATION

SALARIES AND EXPENSES

For expenses necessary for the administration of the Department of Justice, \$125,936,000, of

which not to exceed \$3,317,000 is for the Facilities Program 2000, to remain available until expended: Provided, That not to exceed 45 permanent positions and 46 full-time equivalent workyears and \$11,821,000 shall be expended for the Department Leadership Program exclusive of augmentation that occurred in these offices in fiscal year 2005: Provided further, That not to exceed 24 permanent positions, 19 full-time equivalent workyears and \$2,980,000 shall be expended for the Office of Legislative Affairs: Provided further, That not to exceed 17 permanent positions, 22 full-time equivalent workyears and \$2,470,000 shall be expended for the Office of Public Affairs: Provided further, That the Offices of Legislative Affairs and Public Affairs may utilize, on a non-reimbursable basis details of career employees within the ceilings provided for the Office of Legislative Affairs and the Office of Public Affairs: Provided further, That not less than \$500,000 shall be used to contract with an independent party to carry out a privacy assessment.

JUSTICE INFORMATION SHARING TECHNOLOGY

For necessary expenses for information sharing technology, including planning, development, deployment and Departmental direction, \$135,000,000, to remain available until expended: Provided, That, of the funds available \$10,000,000 is for the unified financial management system to be administered by the United Financial Management System Executive Council: Provided further, That of the funds provided, \$20,000,000 is unavailable for obligation until the Department Chief Information Officer submits the plan described in section 111 of this title.

NARROWBAND COMMUNICATIONS

For necessary expenses for the costs of conversion to narrowband communications, including the cost for operations and maintenance of Land Mobile Radio legacy systems, \$90,000,000, to remain available until September 30, 2007: Provided, That the Attorney General shall transfer to the "Narrowband Communications" account all funds made available to the Department of Justice for the purchase of portable and mobile radios: Provided further, That any transfer made into or out of this account shall be subject to section 505 of this Act.

ADMINISTRATIVE REVIEW AND APPEALS

For expenses necessary for the administration of pardon and clemency petitions and immigration-related activities, \$216,286,000.

DETENTION TRUSTEE

For necessary expenses of the Federal Detention Trustee, \$1,222,000,000, to remain available until expended: Provided, That the Trustee shall be responsible for managing the Justice Prisoner and Alien Transportation System and for overseeing housing related to such detention: Provided further, That any unobligated balances available in prior years from the funds appropriated under the heading "Federal Prisoner Detention" shall be transferred to and merged with the appropriation under the heading "Detention Trustee" and shall be available until expended.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General, \$70,431,000, including not to exceed \$10,000 to meet unforeseen emergencies of a confidential character.

UNITED STATES PAROLE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the United States Parole Commission as authorized by law, \$11,000,000.

LEGAL ACTIVITIES

SALARIES AND EXPENSES, GENERAL LEGAL ACTIVITIES

(INCLUDING TRANSFER OF FUNDS)

For expenses necessary for the legal activities of the Department of Justice, not otherwise provided for, including not to exceed \$20,000 for expenses of collecting evidence, to be expended

under the direction of, and to be accounted for solely under the certificate of, the Attorney General; and rent of private or Government-owned space in the District of Columbia, \$648,245,000, of which not to exceed \$10,000,000 for litigation support contracts shall remain available until expended: Provided, That of the total amount appropriated, not to exceed \$1,000 shall be available to the United States National Central Bureau, INTERPOL, for official reception and representation expenses: Provided further, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for litigation activities of the Civil Division, the Attorney General may transfer such amounts to "Salaries and Expenses, General Legal Activities" from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

In addition, for reimbursement of expenses of the Department of Justice associated with processing cases under the National Childhood Vaccine Injury Act of 1986, not to exceed \$6,333,000, to be appropriated from the Vaccine Injury Compensation Trust Fund.

SALARIES AND EXPENSES, ANTITRUST DIVISION

For expenses necessary for the enforcement of antitrust and kindred laws, \$144,451,000, to remain available until expended: Provided, That, notwithstanding any other provision of law, not to exceed \$116,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2006, so as to result in a final fiscal year 2006 appropriation from the general fund estimated at not more than \$28,451,000.

SALARIES AND EXPENSES, UNITED STATES ATTORNEYS

For necessary expenses of the Offices of the United States Attorneys, including inter-governmental and cooperative agreements, \$1,572,654,000; of which not to exceed \$2,500,000 shall be available until September 30, 2007, for: (1) training personnel in debt collection; (2) locating debtors and their property; (3) paying the net costs of selling property; and (4) tracking debts owed to the United States Government: Provided, That of the total amount appropriated, not to exceed \$8,000 shall be available for official reception and representation expenses: Provided further, That not to exceed \$20,000,000 shall remain available until expended: Provided further, That not to exceed \$2,500,000 for the operation of the National Advocacy Center shall remain available until expended: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the Offices of the United States Attorneys, not to exceed 10,465 positions and 10,451 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Attorneys: Provided further, That of the funds made available under this heading, \$1,500,000 shall only be available to continue "Operation Streetsweeper".

UNITED STATES TRUSTEE SYSTEM FUND

For necessary expenses of the United States Trustee Program, as authorized, \$214,402,000, to remain available until expended and to be derived from the United States Trustee System Fund: Provided, That, notwithstanding any

other provision of law, deposits to the Fund shall be available in such amounts as may be necessary to pay refunds due depositors: Provided further, That, notwithstanding any other provision of law, \$214,402,000 of offsetting collections pursuant to 28 U.S.C. 589a(b) shall be retained and used for necessary expenses in this appropriation and remain available until expended: Provided further, That the sum herein appropriated from the Fund shall be reduced as such offsetting collections are received during fiscal year 2006, so as to result in a final fiscal year 2006 appropriation from the Fund estimated at \$0.

SALARIES AND EXPENSES, FOREIGN CLAIMS SETTLEMENT COMMISSION

For expenses necessary to carry out the activities of the Foreign Claims Settlement Commission, including services as authorized by 5 U.S.C. 3109, \$1,270,000.

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For necessary expenses of the United States Marshals Service, \$764,199,000; of which not to exceed \$6,000 shall be available for official reception and representation expenses; of which \$4,000,000 for information technology systems shall remain available until expended; and of which not less than \$13,130,000 shall be available for the costs of courthouse security equipment, including furnishings, relocations, and telephone systems and cabling, and shall remain available until September 30, 2007: Provided, That beginning in fiscal year 2007 and for each fiscal year thereafter, the Attorney General shall include in the budget justification materials that the Attorney General submits to Congress in support of the Department of Justice budget (as submitted with the budget of the President under section 1105(a) of title 31, 10 United States Code) an estimate for each United States Marshals Service courthouse security project and an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years: Provided further, That, in addition to reimbursable full-time equivalent workyears available to the United States Marshals Service, not to exceed 4,657 positions and 4,515 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the United States Marshals Service.

CONSTRUCTION

For construction in space controlled, occupied or utilized by the United States Marshals Service in United States courthouses and Federal buildings, \$12,000,000, to remain available until expended: Provided, That beginning in fiscal year 2007 and for each fiscal year thereafter, the Attorney General shall include in the budget justification materials that the Attorney General submits to Congress in support of the Department of Justice budget (as submitted with the budget of the President under section 1105(a) of title 31, 10 United States Code) an estimate for each construction project of United States Marshals Service in United States courthouses and Federal buildings and an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

FEES AND EXPENSES OF WITNESSES

For fees and expenses of witnesses, for expenses of contracts for the procurement and supervision of expert witnesses, for private counsel expenses, including advances, \$168,000,000, to remain available until expended: Provided, That not to exceed \$8,000,000 may be made available for construction of buildings for protected witness safeites: Provided further, That not to exceed \$1,000,000 may be made available for the purchase and maintenance of armored vehicles for transportation of protected witnesses; and of which not to exceed \$7,000,000 may be made available for the purchase, installation, and maintenance and upgrade of secure telecommunications equipment and a secure auto-

mated information network to store and retrieve the identities and locations of protected witnesses.

SALARIES AND EXPENSES, COMMUNITY RELATIONS SERVICE

For the necessary expenses of the Community Relations Service, \$9,659,000: Provided, That notwithstanding any other provision of law, upon a determination by the Attorney General that emergent circumstances require additional funding for conflict resolution and violence prevention activities of the Community Relations Service, the Attorney General may transfer such amounts to the Community Relations Service, from available appropriations for the current fiscal year for the Department of Justice, as may be necessary to respond to such circumstances: Provided further, That any transfer pursuant to the previous proviso shall be treated as a reprogramming under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ASSETS FORFEITURE FUND

For expenses authorized by 28 U.S.C. 524(c)(1)(B), (F), and (G), \$21,468,000, to be derived from the Department of Justice Assets Forfeiture Fund.

INTERAGENCY LAW ENFORCEMENT

INTERAGENCY CRIME AND DRUG ENFORCEMENT

For necessary expenses for the identification, investigation, and prosecution of individuals associated with the most significant drug trafficking and affiliated money laundering organizations not otherwise provided for, to include intergovernmental agreements with State and local law enforcement agencies engaged in the investigation and prosecution of individuals involved in organized crime drug trafficking, \$440,197,000, of which \$50,000,000 shall remain available until expended: Provided, That all funds appropriated under this heading shall be managed and executed by the Administrator of the Drug Enforcement Administration and all employees of the Executive Office for the Organized Crime and Drug Enforcement Task Forces shall report directly to said Administrator within 60 days of enactment of this Act: Provided further, That any amounts obligated from appropriations under this heading may be used under authorities available to the organizations reimbursed from this appropriation: Provided further, That any unobligated balances remaining available at the end of the fiscal year shall be available to the Administrator of the Drug Enforcement Administration for reallocation among participating organizations in succeeding fiscal years, subject to the reprogramming procedures set forth in section 505 of this Act.

FEDERAL BUREAU OF INVESTIGATION

SALARIES AND EXPENSES

For necessary expenses of the Federal Bureau of Investigation for detection, investigation, and prosecution of crimes against the United States; including purchase for police-type use of not to exceed 3,868 passenger motor vehicles, of which 3,039 will be for replacement only; and not to exceed \$70,000 to meet unforeseen emergencies of a confidential character pursuant to 28 U.S.C. 530C, \$5,295,513,000; of which not to exceed \$150,000,000 shall remain available until expended; of which \$1,600,000,000 shall be for counterterrorism investigations, foreign counterintelligence, and other activities related to our national security; and of which not to exceed \$20,000,000 is authorized to be made available for making advances for expenses arising out of contractual or reimbursable agreements with State and local law enforcement agencies while engaged in cooperative activities related to violent crime, terrorism, organized crime, cybercrime, and drug investigations: Provided, That not to exceed \$200,000 shall be available for official reception and representation expenses.

CONSTRUCTION

For necessary expenses to construct or acquire buildings and sites by purchase, or as otherwise

authorized by law (including equipment for such buildings); conversion and extension of federally-owned buildings; and preliminary planning and design of projects; \$25,213,000, to remain available until expended: Provided, That \$15,108,000 shall be available for the planning, design, and construction of a regional analytical training center in Redstone Arsenal: Provided further, That \$5,000,000 shall be available for a chemical and biological evidence handling and storage facility to be co-located with comparable facilities in existence for sample, handling and receipt of hazardous material by the Department of the Army.

DRUG ENFORCEMENT ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses of the Drug Enforcement Administration, including not to exceed \$70,000 to meet unforeseen emergencies of a confidential character pursuant to 28 U.S.C. 530C; expenses for conducting drug education and training programs, including travel and related expenses for participants in such programs and the distribution of items of token value that promote the goals of such programs; and purchase of not to exceed 1,043 passenger motor vehicles, of which 937 will be for replacement only, for police-type use, \$1,649,142,000; of which not to exceed \$75,000,000 shall remain available until expended; and of which not to exceed \$100,000 shall be available for official reception and representation expenses: Provided, That, in addition to reimbursable full-time equivalent workyears available to the Drug Enforcement Administration, not to exceed 8,371 positions and 8,270 full-time equivalent workyears shall be supported from the funds appropriated in this Act for the Drug Enforcement Administration.

BUREAU OF ALCOHOL, TOBACCO, FIREARMS AND EXPLOSIVES

SALARIES AND EXPENSES

For necessary expenses of the Bureau of Alcohol, Tobacco, Firearms and Explosives, including the purchase of not to exceed 822 vehicles for police-type use, of which 650 shall be for replacement only; not to exceed \$40,000 for official reception and representation expenses; for training of State and local law enforcement agencies with or without reimbursement, including training in connection with the training and acquisition of canines for explosives and fire accelerants detection; and for provision of laboratory assistance to State and local law enforcement agencies, with or without reimbursement, \$923,700,000, of which not to exceed \$1,000,000 shall be available for the payment of attorneys' fees as provided by 18 U.S.C. 924(d)(2); and of which \$10,000,000 shall remain available until expended: Provided, That no funds appropriated herein shall be available for salaries or administrative expenses in connection with consolidating or centralizing, within the Department of Justice, the records, or any portion thereof, of acquisition and disposition of firearms maintained by Federal firearms licensees: Provided further, That no funds appropriated herein shall be used to pay administrative expenses or the compensation of any officer or employee of the United States to implement an amendment or amendments to 27 CFR 178.118 or to change the definition of "Curios or relics" in 27 CFR 178.11 or remove any item from ATF Publication 5300.11 as it existed on January 1, 1994: Provided further, That none of the funds appropriated herein shall be available to investigate or act upon applications for relief from Federal firearms disabilities under 18 U.S.C. 925(c): Provided further, That such funds shall be available to investigate and act upon applications filed by corporations for relief from Federal firearms disabilities under section 925(c) of title 18, United States Code: Provided further, That no funds made available by this or any other Act may be used to transfer the functions, missions, or activities of the Bureau of Alcohol,

Tobacco, Firearms and Explosives to other agencies or Departments in fiscal year 2006: Provided further, That no funds appropriated under this or any other Act with respect to any fiscal year may be used to disclose part or all of the contents of the Firearms Trace System database maintained by the National Trace Center of the Bureau of Alcohol, Tobacco, Firearms and Explosives or any information required to be kept by licensees pursuant to section 923(g) of title 18, United States Code, or required to be reported pursuant to paragraphs (3) and (7) of such section 923(g), to anyone other than a Federal, State, or local law enforcement agency or a prosecutor solely in connection with and for use in a bona fide criminal investigation or prosecution and then only such information as pertains to the geographic jurisdiction of the law enforcement agency requesting the disclosure and not for use in any civil action or proceeding other than an action or proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms and Explosives, or a review of such an action or proceeding, to enforce the provisions of chapter 44 of such title, and all such data shall be immune from legal process and shall not be subject to subpoena or other discovery in any civil action in a State or Federal court or in any administrative proceeding other than a proceeding commenced by the Bureau of Alcohol, Tobacco, Firearms and Explosives to enforce the provisions of that chapter, or a review of such an action or proceeding; except that this proviso shall not be construed to prevent the disclosure of statistical information concerning total production, importation, and exportation by each licensed importer (as defined in section 921(a)(9) of such title) and licensed manufacturer (as defined in section 921(a)(10) of such title): Provided further, That no funds made available by this or any other Act shall be expended to promulgate or implement any rule requiring a physical inventory of any business licensed under section 923 of title 18, United States Code: Provided further, That no funds under this Act may be used to electronically retrieve information gathered pursuant to 18 U.S.C. 923(g)(4) by name or any personal identification code: Provided further, That no funds authorized or made available under this or any other Act may be used to deny any application for a license under section 923 of title 18, United States Code, or renewal of such a license due to a lack of business activity, provided that the applicant is otherwise eligible to receive such a license, and is eligible to report business income or to claim an income tax deduction for business expenses under the Internal Revenue Code of 1986: Provided further, That of the amount provided under this heading, \$5,000,000, to remain available until expended, shall be for the expenses necessary for site selection, architectural design, site preparation and the development of a total cost estimate for the construction of a permanent site for the National Center for Explosives Training and Research: Provided further, That any funds remaining shall be applied to the construction of the Center: Provided further, That the Director of the ATF, when considering site selection shall consider a site collocated with other law enforcement and Federal government entities that provide similar training and research.

FEDERAL PRISON SYSTEM

SALARIES AND EXPENSES

For expenses necessary of the Federal Prison System for the administration, operation, and maintenance of Federal penal and correctional institutions, including purchase (not to exceed 768, of which 701 are for replacement only) and hire of law enforcement and passenger motor vehicles, and for the provision of technical assistance and advice on corrections related issues to foreign governments, \$4,889,649,000: Provided, That the Attorney General may transfer to the Health Resources and Services Administration such amounts as may be necessary for direct ex-

penditures by that Administration for medical relief for inmates of Federal penal and correctional institutions: Provided further, That the Director of the Federal Prison System, where necessary, may enter into contracts with a fiscal agent/fiscal intermediary claims processor to determine the amounts payable to persons who, on behalf of the Federal Prison System, furnish health services to individuals committed to the custody of the Federal Prison System: Provided further, That not to exceed \$6,000 shall be available for official reception and representation expenses: Provided further, That not to exceed \$85,017,000 shall remain available for prison activations until September 30, 2007: Provided further, That, of the amounts provided for Contract Confinement, not to exceed \$20,000,000 shall remain available until expended to make payments in advance for grants, contracts and reimbursable agreements, and other expenses authorized by section 501(c) of the Refugee Education Assistance Act of 1980, for the care and security in the United States of Cuban and Haitian entrants: Provided further, That the Director of the Federal Prison System may accept donated property and services relating to the operation of the prison card program from a not-for-profit entity which has operated such program in the past notwithstanding the fact that such not-for-profit entity furnishes services under contracts to the Federal Prison System relating to the operation of pre-release services, halfway houses or other custodial facilities.

BUILDINGS AND FACILITIES

For planning, acquisition of sites and construction of new facilities; purchase and acquisition of facilities and remodeling, and equipping of such facilities for penal and correctional use, including all necessary expenses incident thereto, by contract or force account; and constructing, remodeling, and equipping necessary buildings and facilities at existing penal and correctional institutions, including all necessary expenses incident thereto, by contract or force account, \$222,112,000, to remain available until expended, of which not to exceed \$14,000,000 shall be available to construct areas for inmate work programs: Provided, That labor of United States prisoners may be used for work performed under this appropriation.

FEDERAL PRISON INDUSTRIES, INCORPORATED

The Federal Prison Industries, Incorporated, is hereby authorized to make such expenditures, within the limits of funds and borrowing authority available, and in accord with the law, and to make such contracts and commitments, without regard to fiscal year limitations as provided by section 9104 of title 31, United States Code, as may be necessary in carrying out the program set forth in the budget for the current fiscal year for such corporation, including purchase (not to exceed five for replacement only) and hire of passenger motor vehicles.

LIMITATION ON ADMINISTRATIVE EXPENSES, FEDERAL PRISON INDUSTRIES, INCORPORATED

Not to exceed \$3,365,000 of the funds of the corporation shall be available for its administrative expenses, and for services as authorized by 5 U.S.C. 3109, to be computed on an accrual basis to be determined in accordance with the corporation's current prescribed accounting system, and such amounts shall be exclusive of depreciation, payment of claims, and expenditures which such accounting system requires to be capitalized or charged to cost of commodities acquired or produced, including selling and shipping expenses, and expenses in connection with acquisition, construction, operation, maintenance, improvement, protection, or disposition of facilities and other property belonging to the corporation or in which it has an interest.

OFFICE ON VIOLENCE AGAINST WOMEN

VIOLENCE AGAINST WOMEN PREVENTION AND PROSECUTION PROGRAMS

For grants, contracts, cooperative agreements, and other assistance for the prevention and

prosecution of violence against women as authorized by the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Prosecutorial Remedies and Other Tools to End the Exploitation of Children Today Act of 2003 (Public Law 108-21); the Juvenile Justice and Delinquency Prevention Act of 1974 ("the 1974 Act"); and the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); \$362,997,000, to remain available until expended: Provided, That except as otherwise provided by law, not to exceed three percent of funds made available under this heading may be used for expenses related to evaluation, training and technical assistance: Provided further, That of the amounts provided—

(1) \$187,308,000 for grants to combat violence against women as authorized by part T of the 1968 Act, of which:

(A) \$5,200,000 shall be for the National Institute of Justice for research and evaluation of violence against women;

(B) \$10,000,000 shall be for the Office of Juvenile Justice and Delinquency Prevention for the Safe Start Program, as authorized by the Juvenile Justice and Delinquency Act of 1974 Act; and

(C) \$15,000,000 shall be for transitional housing assistance grants for victims of domestic violence, stalking or sexual assault as authorized by Public Law 108-21;

(2) \$62,660,000 for grants to encourage arrest policies as authorized by part U of the 1968 Act; (3) \$39,166,000 for rural domestic violence and child abuse enforcement assistance grants, as authorized by section 40295(a) of the 1994 Act;

(4) \$9,054,000 to reduce violent crimes against women on campus, as authorized by section 1108(a) of Public Law 106-386;

(5) \$39,220,000 for legal assistance for victims, as authorized by section 1201(c) of Public Law 106-386;

(6) \$4,540,000 for enhancing protection for older and disabled women from domestic violence and sexual assault, as authorized by section 40802 of the 1994 Act;

(7) \$13,894,000 for the safe havens for children pilot program, as authorized by section 1301(a) of Public Law 106-386; and

(8) \$7,155,000 for education and training to end violence against and abuse of women with disabilities, as authorized by section 1402(a) of Public Law 106-386.

OFFICE OF JUSTICE PROGRAMS

JUSTICE ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by title I of the Omnibus Crime Control and Safe Streets Act of 1968, as amended, the Missing Children's Assistance Act, as amended, including salaries and expenses in connection therewith, the Victims of Child Abuse Act of 1990 ("the 1990 Act"), the Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (Public Law 108-21), and with the Victims of Crime Act of 1984, as amended, \$221,000,000, to remain available until expended: Provided, That of the amount provided—

(1) \$4,958,000 for training programs as authorized by section 40152 of the 1994 Act, and for related local demonstration projects;

(2) \$986,000 for grants for televised testimony, as authorized by Part N of the 1968 Act;

(3) \$2,962,000 for grants to improve the stalking and domestic violence databases, as authorized by section 40602(a) of the 1994 Act;

(4) \$2,287,000 for child abuse training programs for judicial personnel and practitioners, as authorized by section 222 of the 1990 Act;

(5) \$11,846,000 for the court-appointed special advocate program, as authorized by section 217 of the 1990 Act.

STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE

For grants, contracts, cooperative agreements, and other assistance authorized by the Violent

Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) ("the 1994 Act"); the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act"); and the Victims of Trafficking and Violence Protection Act of 2000 (Public Law 106-386); and other programs; \$1,078,350,000 (including amounts for administrative costs which shall be transferred to and merged with the "Justice Assistance" account): Provided, That funding provided under this heading shall remain available until expended: Provided further, That funds provided under this heading shall be distributed in the manner described in the following table:

Program	Amount
Justice Assistance Grants	\$530,000,000
Boys and Girls Clubs	\$85,000,000
National Institute of Justice	\$10,000,000
Indian Assistance Programs	\$15,000,000
State Criminal Alien Assistance Programs	\$170,000,000
SW Border Prosecutors	\$30,000,000
Byrne Grants (discretionary)	\$177,000,000
Drug Courts	\$25,000,000
Marketing Scams Against Senior Citizens	\$1,000,000
Missing Alzheimer's Disease Patient Alert Program	\$850,000
Assistance for Victims of Trafficking	\$2,000,000
Prison Rape Prevention	\$1,500,000
State Prison Drug Treatment	\$15,000,000
National Criminal Intelligence Sharing Plan	\$6,000,000
Capital Litigation	\$1,000,000
Justice For All	\$4,000,000
State and Local Anti-Terrorism Training	\$5,000,000:

Provided further, That, if a unit of local government uses any of the funds made available under this title to increase the number of law enforcement officers, the unit of local government will achieve a net gain in the number of law enforcement officers who perform non-administrative public safety service.

WEED AND SEED PROGRAM FUND

For necessary expenses, including salaries and related expenses of the Executive Office for Weed and Seed, to implement "Weed and Seed" program activities, \$50,280,000, to remain available until September 30, 2007, for inter-governmental agreements, including grants, cooperative agreements, and contracts, with State and local law enforcement agencies, non-profit organizations, and agencies of local government engaged in the investigation and prosecution of violent crimes and drug offenses in "Weed and Seed" designated communities, and for either reimbursements or transfers to appropriation accounts of the Department of Justice and other Federal agencies which shall be specified by the Attorney General to execute the "Weed and Seed" program strategy: Provided, That funds designated by Congress through language for other Department of Justice appropriation accounts for "Weed and Seed" program activities shall be managed and executed by the Attorney General through the Executive Office for Weed and Seed: Provided further, That the Attorney General may direct the use of other Department of Justice funds and personnel in support of "Weed and Seed" program activities only after the Attorney General notifies the Committees on Appropriations of the House of Representatives and the Senate in accordance with section 505 of this Act: Provided further, That of the funds appropriated for the Executive Office for Weed and Seed, \$2,000,000 shall be directed for comprehensive community development training and technical assistance.

COMMUNITY ORIENTED POLICING SERVICES

For activities authorized by the Violent Crime Control and Law Enforcement Act of 1994 (Public Law 103-322) (including administrative costs), \$515,087,000, to remain available until expended: Provided, That funds that become available as a result of deobligations from prior

year balances may not be obligated except in accordance with section 505 of this Act: Provided further, That of the funds under this heading, not to exceed \$2,575,000 shall be available for the Office of Justice Programs for reimbursable services associated with programs administered by the Community Oriented Policing Services Office: Provided further, That section 1703(b) and (c) of the Omnibus Crime Control and Safe Streets Act of 1968 ("the 1968 Act") shall not apply to non-hiring grants made pursuant to part Q of title I thereof (42 U.S.C. 3796dd et seq.): Provided further, That funds provided under this heading shall be distributed in the manner described in the following table:

Program	Amount
Hiring	\$2,000,000
Training and Technical Assistance	\$14,000,000
Bullet Proof Vests	\$27,000,000
Tribal Law Enforcement	\$20,000,000
Methamphetamine Hot Spots	\$60,100,000
Police Corps	\$10,000,000
Law Enforce Technologies (projects)	\$137,000,000
Interoperable Communications	\$37,500,000
Criminal Records Upgrade ...	\$20,000,000
DNA Initiative	\$89,500,000
Coverdell Forensics Science Improvements	\$22,000,000
Crime Identification Technology	\$30,000,000
Offender Reentry	\$3,000,000
Safe Schools Initiative	\$5,000,000
Police Integrity	\$7,500,000
Management and Administration	\$30,487,000.

JUVENILE JUSTICE PROGRAMS

For grants, contracts, cooperative agreements, and other assistance authorized by the Juvenile Justice and Delinquency Prevention Act of 1974 ("the Act") and other juvenile justice programs, including salaries and expenses in connection therewith to be transferred to and merged with the appropriations for Justice Assistance, \$350,000,000, to remain available until expended: Provided, That funds provided under this heading shall be distributed in the manner described in the following table:

Program	Amount
Part A, Concentration of Federal Efforts	\$1,000,000
Part B, Formula Grants	\$82,000,000
Part C, Discretionary Grants	\$5,000,000
Part D, Research, Evaluation, TA and Training	\$8,000,000
Part E, Developing New Initiatives	\$75,000,000
Part G, Juvenile Mentoring Program (JUMP)	\$15,000,000
Title V, At Risk Children Programs	\$20,000,000
Title V, Tribal Youth	\$10,000,000
Title V, Gang Prevention	\$25,000,000
Title V, Prevention of Underage Drinking	\$25,000,000
Secure Our Schools Act	\$15,000,000
Project Childsafe	\$5,000,000
Juvenile Accountability Block Grants	\$49,000,000
Victims of Child Abuse Act ...	\$15,000,000.

PUBLIC SAFETY OFFICERS BENEFITS

To remain available until expended, for payments authorized by part L of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796), as amended, such sums as are necessary, as authorized by section 6093 of Public Law 100-690 (102 Stat. 4339-4340); and \$4,884,000, to remain available until expended for payments as authorized by section 1201(b) of said Act; and \$4,064,000 for educational assistance, as authorized by section 1212 of the 1968 Act.

GENERAL PROVISIONS—DEPARTMENT OF JUSTICE

SEC. 101. In addition to amounts otherwise made available in this title for official reception

and representation expenses, a total of not to exceed \$60,000 from funds appropriated to the Department of Justice in this title shall be available to the Attorney General for official reception and representation expenses.

SEC. 102. None of the funds appropriated by this title shall be available to pay for an abortion, except where the life of the mother would be endangered if the fetus were carried to term, or in the case of rape: Provided, That should this prohibition be declared unconstitutional by a court of competent jurisdiction, this section shall be null and void.

SEC. 103. None of the funds appropriated under this title shall be used to require any person to perform, or facilitate in any way the performance of, any abortion.

SEC. 104. Nothing in the preceding section shall remove the obligation of the Director of the Bureau of Prisons to provide escort services necessary for a female inmate to receive such service outside the Federal facility: Provided, That nothing in this section in any way diminishes the effect of section 103 intended to address the philosophical beliefs of individual employees of the Bureau of Prisons.

SEC. 105. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Justice in this Act may be transferred between such appropriations, but no such appropriation, except as otherwise specifically provided, shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation except in compliance with the procedures set forth in that section: Provided further, That none of the funds appropriated to "Buildings and Facilities, Federal Prison System" in this or any other Act may be transferred to "Salaries and Expenses, Federal Prison System", or any other Department of Justice account, unless the President certifies that such a transfer is necessary to the national security interests of the United States, and such authority shall not be delegated, and shall be subject to section 505 of this Act.

SEC. 106. The Attorney General is authorized to make permanent the Personnel Management Demonstration Project transferred to the Attorney General pursuant to section 1115 of the Homeland Security Act of 2002, Public Law 107-296 (6 U.S.C. 533) without limitation on the number of employees or the positions covered.

SEC. 107. Notwithstanding any other provision of law, Public Law 102-395 section 102(b) shall extend to the Bureau of Alcohol, Tobacco, Firearms and Explosives in the conduct of undercover investigative operations and shall apply without fiscal year limitation with respect to any undercover investigative operation initiated by the Bureau of Alcohol, Tobacco, Firearms and Explosives that is necessary for the detection and prosecution of crimes against the United States.

SEC. 108. Funds appropriated by this Act for the Federal Prisons System shall be in the amounts and accounts specified in the report accompanying this Act: Provided, That within 30 days of enactment of this Act, the Bureau of Prisons will submit a comprehensive financial plan for the Federal Prison System to the Committees on Appropriations: Provided further, That no funds appropriated for the Federal Prison System in this or any other Appropriations Act for the construction of new facilities may be rescinded, cancelled, or used for any other purpose.

SEC. 109. None of the funds made available to the Department of Justice in this Act may be used for the purpose of transporting an individual who is a prisoner pursuant to conviction for crime under State or Federal law and is classified as a maximum or high security prisoner, other than to a prison or other facility certified by the Federal Bureau of Prisons as appropriately secure for housing such a prisoner.

SEC. 110. (a) None of the funds appropriated by this Act may be used by Federal prisons to purchase cable television services, to rent or purchase videocassettes, videocassette recorders, or other audiovisual or electronic equipment used primarily for recreational purposes.

(b) The preceding sentence does not preclude the renting, maintenance, or purchase of audiovisual or electronic equipment for inmate training, religious, or educational programs.

SEC. 111. Within the funds provided under "Justice Information Sharing Technology", the Attorney General shall establish an investment review board, which the Deputy Attorney General shall head: Provided, That within 90 days of enactment of this Act, the Department shall submit a plan that outlines the governance structure and membership of the board: Provided further, That the Department shall submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives, within 90 days of enactment of this Act, the project criteria that will trigger the board's oversight, to include a listing of all projects to be reviewed during fiscal year 2006.

SEC. 112. Section 3151(b) of title 5, United States Code, is amended by—

- (1) striking paragraph (2)(A) and (B);
- (2) in paragraph (1) by striking "(1)"; and
- (3) redesignating subparagraphs (A) and (B) as paragraphs (1) and (2), respectively.

This title may be cited as the "Department of Justice Appropriations Act, 2006".

TITLE II—DEPARTMENT OF COMMERCE AND RELATED AGENCIES

TRADE AND INFRASTRUCTURE DEVELOPMENT

RELATED AGENCIES

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

SALARIES AND EXPENSES

For necessary expenses of the Office of the United States Trade Representative, including the hire of passenger motor vehicles and the employment of experts and consultants as authorized by 5 U.S.C. 3109, \$40,997,000, of which \$1,000,000 shall remain available until expended: Provided, That not to exceed \$124,000 shall be available for official reception and representation expenses: Provided further, That not less than \$2,000,000 provided under this heading shall be for expenses authorized by 19 U.S.C. 2451 and 1677b(c): Provided further, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from anti-dumping and countervailing duties: Provided further, That negotiations shall be conducted within the World Trade Organization consistent with the negotiating objectives contained in the Trade Act of 2002, Public Law 107-210.

INTERNATIONAL TRADE COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the International Trade Commission, including hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, and not to exceed \$2,500 for official reception and representation expenses, \$62,752,000, to remain available until expended.

DEPARTMENT OF COMMERCE

INTERNATIONAL TRADE ADMINISTRATION

OPERATIONS AND ADMINISTRATION

For necessary expenses for international trade activities of the Department of Commerce provided for by law, and for engaging in trade promotional activities abroad, including expenses of grants and cooperative agreements for the purpose of promoting exports of United States firms, without regard to 44 U.S.C. 3702 and 3703; full medical coverage for dependent members of immediate families of employees stationed overseas and employees temporarily posted overseas; travel and transportation of employees of the United States and Foreign Commercial Service

between two points abroad, without regard to 49 U.S.C. 40118; employment of Americans and aliens by contract for services; rental of space abroad for periods not exceeding 10 years, and expenses of alteration, repair, or improvement; purchase or construction of temporary demountable exhibition structures for use abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$327,000 for official representation expenses abroad; purchase of passenger motor vehicles for official use abroad, not to exceed \$45,000 per vehicle; obtaining insurance on official motor vehicles; and rental of tie lines, \$409,625,000, to remain available until expended, of which \$8,000,000 is to be derived from fees to be retained and used by the International Trade Administration, notwithstanding 31 U.S.C. 3302: Provided, That \$48,134,000 shall be for Manufacturing and Services; \$39,815,000 shall be for Market Access and Compliance; \$64,134,000 shall be for the Import Administration; \$231,722,000 shall be for Trade Promotion and the United States and Foreign Commercial Service; and \$25,820,000 shall be for Executive Direction and Administration: Provided further, That negotiations shall be conducted within the World Trade Organization to recognize the right of members to distribute monies collected from antidumping and countervailing duties: Provided further, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities without regard to section 5412 of the Omnibus Trade and Competitiveness Act of 1988 (15 U.S.C. 4912); and that for the purpose of this Act, contributions under the provisions of the Mutual Educational and Cultural Exchange Act of 1961 shall include payment for assessments for services provided as part of these activities: Provided further, That the International Trade Administration shall be exempt from the requirements of Circular A-25 (or any successor administrative regulation or policy) issued by the Office of Management and Budget: Provided further, That negotiations shall be conducted within the World Trade Organization consistent with the negotiating objectives contained in the Trade Act of 2002, Public Law 107-210.

BUREAU OF INDUSTRY AND SECURITY

OPERATIONS AND ADMINISTRATION

For necessary expenses for export administration and national security activities of the Department of Commerce, including costs associated with the performance of export administration field activities both domestically and abroad; full medical coverage for dependent members of immediate families of employees stationed overseas; employment of Americans and aliens by contract for services abroad; payment of tort claims, in the manner authorized in the first paragraph of 28 U.S.C. 2672 when such claims arise in foreign countries; not to exceed \$15,000 for official representation expenses abroad; awards of compensation to informers under the Export Administration Act of 1979, and as authorized by 22 U.S.C. 401(b); and purchase of passenger motor vehicles for official use and motor vehicles for law enforcement use with special requirement vehicles eligible for purchase without regard to any price limitation otherwise established by law, \$77,000,000, to remain available until expended, of which \$7,200,000 shall be for inspections and other activities related to national security: Provided, That the provisions of the first sentence of section 105(f) and all of section 108(c) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2455(f) and 2458(c)) shall apply in carrying out these activities: Provided further, That payments and contributions collected and accepted for materials or services provided as part of such activities may be retained for use in covering the cost of such activities, and for

providing information to the public with respect to the export administration and national security activities of the Department of Commerce and other export control programs of the United States and other governments.

ECONOMIC DEVELOPMENT ADMINISTRATION ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

For grants for economic development assistance as provided by the Public Works and Economic Development Act of 1965, and for trade adjustment assistance, \$283,985,000, to remain available until expended.

SALARIES AND EXPENSES

For necessary expenses of administering the economic development assistance programs as provided for by law, \$30,939,000: Provided, That these funds may be used to monitor projects approved pursuant to title I of the Public Works Employment Act of 1976, title II of the Trade Act of 1974, and the Community Emergency Drought Relief Act of 1977.

MINORITY BUSINESS DEVELOPMENT AGENCY MINORITY BUSINESS DEVELOPMENT

For necessary expenses of the Department of Commerce in fostering, promoting, and developing minority business enterprise, including expenses of grants, contracts, and other agreements with public or private organizations, \$30,727,000.

ECONOMIC AND INFORMATION INFRASTRUCTURE

ECONOMIC AND STATISTICAL ANALYSIS

SALARIES AND EXPENSES

For necessary expenses, as authorized by law, of economic and statistical analysis programs of the Department of Commerce, \$81,283,000, to remain available until September 30, 2006.

BUREAU OF THE CENSUS

SALARIES AND EXPENSES

For expenses necessary for collecting, compiling, analyzing, preparing, and publishing statistics, provided for by law, \$183,029,000.

PERIODIC CENSUSES AND PROGRAMS

For necessary expenses related to the 2010 decennial census, \$390,000,000, to remain available until September 30, 2006.

In addition, for expenses to collect and publish statistics for other periodic censuses and programs provided for by law, \$154,356,000, to remain available until September 30, 2006.

NATIONAL TELECOMMUNICATIONS AND INFORMATION ADMINISTRATION

SALARIES AND EXPENSES

For necessary expenses, as provided for by law, of the National Telecommunications and Information Administration (NTIA), \$20,255,000, to remain available until September 30, 2007: Provided, That, notwithstanding 31 U.S.C. 1535(d), the Secretary of Commerce shall charge Federal agencies for costs incurred in spectrum management, analysis, and operations, and related services and such fees shall be retained and used as offsetting collections for costs of such spectrum services, to remain available until expended: Provided further, That the Secretary of Commerce is authorized to retain and use as offsetting collections all funds transferred, or previously transferred, from other Government agencies for all costs incurred in telecommunications research, engineering, and related activities by the Institute for Telecommunication Sciences of NTIA, in furtherance of its assigned functions under this paragraph, and such funds received from other Government agencies shall remain available until expended.

PUBLIC TELECOMMUNICATIONS FACILITIES, PLANNING AND CONSTRUCTION

For the administration of grants authorized by section 392 of the Communications Act of 1934, \$22,000,000, to remain available until expended as authorized by section 391 of the Act: Provided, That not to exceed \$2,000,000 shall be available for program administration as authorized by section 391 of the Act: Provided further,

That, notwithstanding the provisions of section 391 of the Act, the prior year unobligated balances may be made available for grants for projects for which applications have been submitted and approved during any fiscal year.

INFORMATION INFRASTRUCTURE GRANTS

For grants authorized by section 392 of the Communications Act of 1934, \$15,000,000, to remain available until expended as authorized by section 391 of the Act: Provided, That not to exceed \$3,000,000 shall be available for program administration and other support activities as authorized by section 391: Provided further, That, of the funds appropriated herein, not to exceed 5 percent may be available for telecommunications research activities for projects related directly to the development of a national information infrastructure: Provided further, That, notwithstanding the requirements of sections 392(a) and 392(c) of the Act, these funds may be used for the planning and construction of telecommunications networks for the provision of educational, health care, or public information: Provided further, That, notwithstanding any other provision of law, no entity that receives telecommunications services at preferential rates under section 254(h) of the Act (47 U.S.C. 254(h)) or receives assistance under the regional information sharing systems grant program of the Department of Justice under part M of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796h) may use funds under a grant under this heading to cover any costs of the entity that would otherwise be covered by such preferential rates or such assistance, as the case may be.

UNITED STATES PATENT AND TRADEMARK OFFICE

SALARIES AND EXPENSES

For necessary expenses of the United States Patent and Trademark Office provided for by law, including defense of suits instituted against the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office, \$1,703,300,000, to remain available until expended: Provided, That the sum herein appropriated from the general fund shall be reduced as offsetting collections assessed and collected pursuant to 15 U.S.C. 1113 and 35 U.S.C. 41 and 376 are received during fiscal year 2006, so as to result in a fiscal year 2006 appropriation from the general fund estimated at \$0: Provided further, That during fiscal year 2006, should the total amount of offsetting fee collections be less than \$1,703,300,000, this amount shall be reduced accordingly: Provided further, That from amounts provided herein, not to exceed \$1,000 shall be made available in fiscal year 2006 for official reception and representation expenses: Provided further, That of amounts made available under this heading, \$500,000 is only for the National Intellectual Property Law Enforcement Coordinating Council: Provided further, That in fiscal year 2006 and hereafter, from the amounts made available for "Salaries and Expenses" for the United States Patent and Trademark Office (PTO), the amounts necessary to pay: (1) the difference between the percentage of basic pay contributed by the PTO and employees under section 8334(a) of title 5, United States Code, and the normal cost percentage (as defined by section 8331(17) of that title) of basic pay, of employees subject to subchapter III of chapter 83 of that title; and (2) the present value of the otherwise unfunded accruing costs, as determined by the Office of Personnel Management, of post-retirement life insurance and postretirement health benefits coverage for all PTO employees, shall be transferred to the Civil Service Retirement and Disability Fund, the Employees Life Insurance Fund, and the Employees Health Benefits Fund, as appropriate, and shall be available for the authorized purposes of those accounts.

OTHER

DEPARTMENTAL MANAGEMENT

SALARIES AND EXPENSES

For expenses necessary for the departmental management of the Department of Commerce and the Technology Administration provided for by law, including not to exceed \$5,000 for official entertainment, \$49,605,000: Provided, That not to exceed 9 full-time equivalents and \$181,000 shall be expended for the legislative affairs function of the Department.

OFFICE OF THE INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978 (5 U.S.C. App.), \$22,758,000.

GENERAL PROVISIONS, DEPARTMENT OF COMMERCE

SEC. 201. During the current fiscal year, applicable appropriations and funds made available to the Department of Commerce by this Act shall be available for the activities specified in the Act of October 26, 1949 (15 U.S.C. 1514), to the extent and in the manner prescribed by the Act, and, notwithstanding 31 U.S.C. 3324, may be used for advanced payments not otherwise authorized only upon the certification of officials designated by the Secretary of Commerce that such payments are in the public interest.

SEC. 202. During the current fiscal year, appropriations made available to the Department of Commerce by this Act for salaries and expenses shall be available for hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344; services as authorized by 5 U.S.C. 3109; and uniforms or allowances therefore, as authorized by law (5 U.S.C. 5901–5902).

SEC. 203. Any costs incurred by a department or agency funded under this title resulting from personnel actions taken in response to funding reductions included in this title or from actions taken for the care and protection of loan collateral or grant property shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

SEC. 204. Funds made available for salaries and administrative expenses to administer the Emergency Steel Loan Guarantee Program in section 211(b) of Public Law 108–199 shall remain available until expended: Provided, That section 101(k) of the Emergency Steel Loan Guarantee Act of 1999 (Public Law 106–51; 15 U.S.C. 1841 note) is amended by striking "2005" and inserting "2007".

SEC. 205. Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Department of Commerce in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section: Provided further, That the Secretary of Commerce shall notify the Committees on Appropriations at least 15 days in advance of the acquisition or disposal of any capital asset (including land, structures, and equipment) not specifically provided for in this or any Departments of Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Act: Provided further, That for the National Oceanic and Atmospheric Administration this section shall provide for transfers among

appropriations made only to the National Oceanic and Atmospheric Administration and such appropriations may not be transferred and reprogrammed to other Department of Commerce bureaus and appropriation accounts.

This title may be cited as the "Department of Commerce and Related Agencies Appropriations Act, 2006".

TITLE III—SCIENCE

DEPARTMENT OF COMMERCE

NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY

SCIENTIFIC AND TECHNICAL RESEARCH AND SERVICES

For necessary expenses of the National Institute of Standards and Technology, \$399,869,000, to remain available until expended, of which not to exceed \$3,000,000 may be transferred to the "Working Capital Fund": Provided, That from amounts provided herein, not to exceed \$5,000 shall be made available in fiscal year 2006 for official reception and representation expenses.

INDUSTRIAL TECHNOLOGY SERVICES

For necessary expenses of the Hollings Manufacturing Extension Partnership of the National Institute of Standards and Technology, \$106,000,000, to remain available until expended.

In addition, for necessary expenses of the Advanced Technology Program of the National Institute of Standards and Technology, \$140,000,000, to remain available until expended, of which \$60,000,000 shall be expended for the award of new grants before September 30, 2006.

CONSTRUCTION OF RESEARCH FACILITIES

For construction of new research facilities, including architectural and engineering design, and for renovation and maintenance of existing facilities, not otherwise provided for the National Institute of Standards and Technology, as authorized by 15 U.S.C. 278c-278e, \$198,631,000, to remain available until expended: Provided, That beginning in fiscal year 2007 and for each fiscal year thereafter, the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, 10 United States Code) an estimate for each National Institute of Standards and Technology construction project having a total multiyear program cost of more than \$5,000,000 and simultaneously the budget justification materials shall include an estimate of the budgetary requirements for each such project for each of the five subsequent fiscal years.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES (INCLUDING TRANSFERS OF FUNDS)

For necessary expenses of activities authorized by law for the National Oceanic and Atmospheric Administration, including maintenance, operation, and hire of aircraft and vessels; grants, contracts, or other payments to nonprofit organizations for the purposes of conducting activities pursuant to cooperative agreements; relocation of facilities, \$3,199,983,000, to remain available until September 30, 2007, except for funds provided for cooperative enforcement which shall remain available until September 30, 2008: Provided, That in addition, \$3,000,000 shall be derived by transfer from the fund entitled "Coastal Zone Management" and in addition \$62,000,000 shall be derived by transfer from the fund entitled "Promote and Develop Fishery Products and Research Pertaining to American Fisheries": Provided further, That fees and donations received for the management of the national marine sanctuaries may be retained and used for the salaries and expenses associated with those activities, notwithstanding 31 U.S.C. 3302: Provided further, That grants to States pursuant to sections 306 and 306A of the Coastal

Zone Management Act of 1972, as amended, shall not exceed \$2,000,000, unless funds provided for "Coastal Zone Management Grants" exceed funds provided in the previous fiscal year: Provided further, That if funds provided for "Coastal Zone Management Grants" exceed funds provided in the previous fiscal year, then no State shall receive more than 5 percent or less than 1 percent of the additional funds: Provided further, That, of the \$3,264,983,000 provided for in direct obligations under this heading, \$610,462,000 shall be for the National Ocean Service, \$763,783,000 shall be for the National Marine Fisheries Service, \$470,109,000 shall be for Oceanic and Atmospheric Research, \$772,762,000 shall be for the National Weather Service, \$180,412,000 shall be for the National Environmental Satellite, Data, and Information Service, and \$402,455,000 shall be for Program Support: Provided further, That payments of funds made available under this heading to the Department of Commerce Working Capital Fund including Department of Commerce General Counsel legal services shall not exceed \$40,693,000: Provided further, That the personnel management demonstration project established at the National Oceanic and Atmospheric Administration pursuant to 5 U.S.C. 4703 may be expanded by 3,500 full-time positions to include up to 6,925 full time positions and may be extended indefinitely: Provided further, That none of the funds in this Act may be used for the National Oceanic and Atmospheric Administration to implement the Department of Commerce's E-Government initiatives: Provided further, That, notwithstanding any other provision of law, the authorities provided to National Aeronautics and Space Administration pursuant to 42 U.S.C. 2473 shall be available to the National Oceanic and Atmospheric Administration in the furtherance of its oceanic, atmospheric and space mission and programs: Provided further, That the obligated balance of such sums shall remain available through September 30, 2012 for liquidating obligations made in fiscal years 2004 and 2005.

In addition, for necessary retired pay expenses under the Retired Serviceman's Family Protection and Survivor Benefits Plan, and for payments for medical care of retired personnel and their dependents under the Dependents Medical Care Act (10 U.S.C. ch. 55), such sums as may be necessary.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For procurement, acquisition and construction of capital assets, including alteration and modification costs, of the National Oceanic and Atmospheric Administration, \$1,195,017,000, to remain available until September 30, 2008, except funds provided for construction of facilities which shall remain available until expended: Provided, That funds provided under this heading for the National Polar-orbiting Operational Environmental Satellite System shall only be made available on a dollar for dollar matching basis with funds provided for the same purpose by the Department of Defense: Provided further, That except to the extent expressly prohibited by any other law, the Department of Defense may delegate procurement functions related to the National Polar-orbiting Operational Environmental Satellite System to officials of the Department of Commerce pursuant to section 2311 of title 10, United States Code: Provided further, That beginning in fiscal year 2006 and for each fiscal year thereafter, the Secretary of Commerce shall include in the budget justification materials that the Secretary submits to Congress in support of the Department of Commerce budget (as submitted with the budget of the President under section 1105(a) of title 31, 10 United States Code) an estimate for each National Oceanic and Atmospheric Administration procurement, acquisition and construction program having a total multiyear program cost of more than \$5,000,000 and an estimate of the budgetary requirements for each such program for each of the five subsequent fiscal years.

PACIFIC COASTAL SALMON RECOVERY

For necessary expenses associated with the restoration of Pacific salmon populations, \$90,000,000 to remain available under September 30, 2007.

COASTAL ZONE MANAGEMENT FUND

Of amounts collected pursuant to section 308 of the Coastal Zone Management Act of 1972 (16 U.S.C. 1456a), not to exceed \$3,000,000 shall be transferred to the "Operations, Research and Facilities" account to offset the costs of implementing such Act.

FISHERIES FINANCE PROGRAM ACCOUNT

For the costs of direct loans, \$287,000, as authorized by the Merchant Marine Act of 1936: Provided, That such costs, including the cost of modifying such loans, shall be as defined in the Federal Credit Reform Act of 1990: Provided further, That these funds are only available to subsidize gross obligations for the principal amount of direct loans not to exceed \$5,000,000 for Individual Fishing Quota loans, and not to exceed \$59,000,000 for traditional direct loans, of which \$19,000,000 may be used for direct loans to the United States menhaden fishery: Provided further, That none of the funds made available under this heading may be used for direct loans for any new fishing vessel that will increase the harvesting capacity in any United States fishery.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

SCIENCE, AERONAUTICS, AND EXPLORATION

(INCLUDING TRANSFERS OF FUNDS)

For necessary expenses, not otherwise provided for, in the conduct and support of science, aeronautics and exploration research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization, and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and restoration, and acquisition or condemnation of real property, as authorized by law; environmental compliance and restoration; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901-5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$9,761,000,000, to remain available until September 30, 2007, of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to "Exploration Capabilities" in accordance with section 312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106-377: Provided, That within the amounts provided under this heading, \$250,000,000 shall be for a Hubble servicing mission, \$1,120,100,000 shall be for Constellation systems, and \$132,930,000 shall be for other related exploration, science, and aeronautics activities.

EXPLORATION CAPABILITIES

(INCLUDING TRANSFER OF FUNDS)

For necessary expenses, not otherwise provided for, in the conduct and support of exploration capabilities research and development activities, including research, development, operations, support and services; maintenance; construction of facilities including repair, rehabilitation, revitalization and modification of facilities, construction of new facilities and additions to existing facilities, facility planning and design, and acquisition or condemnation of real property, as authorized by law; environmental

compliance and restoration; space flight, spacecraft control and communications activities including operations, production, and services; program management; personnel and related costs, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; travel expenses; purchase and hire of passenger motor vehicles; not to exceed \$35,000 for official reception and representation expenses; and purchase, lease, charter, maintenance and operation of mission and administrative aircraft, \$6,603,000,000, to remain available until September 30, 2007, of which amounts as determined by the Administrator for salaries and benefits; training, travel and awards; facility and related costs; information technology services; science, engineering, fabricating and testing services; and other administrative services may be transferred to “Science, Aeronautics, and Exploration” in accordance with section 312(b) of the National Aeronautics and Space Act of 1958, as amended by Public Law 106–377.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the Inspector General Act of 1978, as amended, \$32,400,000, to remain available until September 30, 2007.

ADMINISTRATIVE PROVISIONS

Notwithstanding the limitation on the availability of funds appropriated for “Science, Aeronautics, and Exploration”, or “Exploration capabilities” by this appropriations Act, when any activity has been initiated by the incurrence of obligations for construction of facilities or environmental compliance and restoration activities as authorized by law, such amount available for such activity shall remain available until expended. This provision does not apply to the amounts appropriated for minor institutional revitalization and construction of facilities, and institutional facility planning and design.

Notwithstanding the limitation on the availability of funds appropriated for “Science, Aeronautics, and Exploration”, or “Exploration capabilities” by this appropriations Act, the amounts appropriated for construction of facilities shall remain available until September 30, 2008.

Funds for announced prizes otherwise authorized shall remain available, without fiscal year limitation, until the prize is claimed or the offer is withdrawn. Funding shall not be made available for Centennial Challenges unless authorized.

The unexpired balances of prior appropriations to National Aeronautics and Space Administration for activities for which funds are provided under this Act may be transferred to the new account established for the appropriation that provides such activity under this Act. Balances so transferred may be merged with funds in the newly established account and thereafter may be accounted for as one fund under the same terms and conditions.

NATIONAL SCIENCE FOUNDATION

RESEARCH AND RELATED ACTIVITIES

For necessary expenses in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), and the Act to establish a National Medal of Science (42 U.S.C. 1880–1881); services as authorized by 5 U.S.C. 3109; maintenance and operation of aircraft and purchase of flight services for research support; acquisition of aircraft; and authorized travel; \$4,345,213,000, of which at least \$386,930,000 shall remain available until expended for Polar research and operations support, of which up to \$58,000,000 shall be used for the procurement of polar ice breaking services from the U.S. Coast Guard, and that in the event that the U.S. Coast Guard is unable to provide said ice breaking services, then the National Science Foundation shall procure such services from alternative sources, and for reimbursement to other Federal agencies for operational and science support and logistical and other related activities for the United States Antarctic program; the balance to

remain available until September 30, 2006: Provided, That receipts for scientific support services and materials furnished by the National Research Centers and other National Science Foundation supported research facilities may be credited to this appropriation: Provided further, That to the extent that the amount appropriated is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

MAJOR RESEARCH EQUIPMENT AND FACILITIES CONSTRUCTION

For necessary expenses for the acquisition, construction, commissioning, and upgrading of major research equipment, facilities, and other such capital assets pursuant to the National Science Foundation Act of 1950, as amended, including authorized travel, \$193,350,000, to remain available until expended.

EDUCATION AND HUMAN RESOURCES

For necessary expenses in carrying out science and engineering education and human resources programs and activities pursuant to the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875), including services as authorized by 5 U.S.C. 3109, authorized travel, and rental of conference rooms in the District of Columbia, \$747,000,000, to remain available until September 30, 2006: Provided, That to the extent that the amount of this appropriation is less than the total amount authorized to be appropriated for included program activities, all amounts, including floors and ceilings, specified in the authorizing Act for those program activities or their subactivities shall be reduced proportionally.

SALARIES AND EXPENSES

For salaries and expenses necessary in carrying out the National Science Foundation Act of 1950, as amended (42 U.S.C. 1861–1875); services authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; not to exceed \$9,000 for official reception and representation expenses; uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; rental of conference rooms in the District of Columbia; and reimbursement of the General Services Administration for security guard services; \$229,896,000: Provided, That contracts may be entered into under “Salaries and expenses” in fiscal year 2006 for maintenance and operation of facilities, and for other services, to be provided during the next fiscal year.

OFFICE OF THE NATIONAL SCIENCE BOARD

For necessary expenses (including payment of salaries, authorized travel, hire of passenger motor vehicles, the rental of conference rooms in the District of Columbia, and the employment of experts and consultants under section 3109 of title 5, United States Code) involved in carrying out section 4 of the National Science Foundation Act of 1950 (42 U.S.C. 1863) and Public Law 86–209 (42 U.S.C. 1880 et seq.), \$4,000,000: Provided, That not more than \$9,000 shall be available for official reception and representation expenses.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General as authorized by the Inspector General Act of 1978, as amended, \$11,500,000, to remain available until September 30, 2006.

EXECUTIVE OFFICE OF THE PRESIDENT

OFFICE OF SCIENCE AND TECHNOLOGY POLICY

For necessary expenses of the Office of Science and Technology Policy, in carrying out the purposes of the National Science and Technology Policy, Organization, and Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire of passenger motor vehicles, and services as authorized by 5 U.S.C. 3109, not to exceed \$2,500 for official reception and representation expenses, and rental of conference rooms in the District of Columbia, \$5,564,000.

GENERAL PROVISIONS—SCIENCE

(INCLUDING TRANSFER OF FUNDS)

SEC. 301. Notwithstanding any other provision of law, of the amounts made available elsewhere in this title to the “National Institute of Standards and Technology, Construction of Research Facilities”, \$8,000,000 is for a cooperative agreement with the Medical University of South Carolina; \$20,000,000 is for the National Formulation Science Laboratory at the University of Southern Mississippi; \$20,000,000 is for the University of Mississippi Research Park; \$5,000,000 is for the Alabama State University Science and Education Building; \$8,000,000 is for Tuscaloosa, Alabama, revitalization; \$20,000,000 is for the Biomedical Research Center at the University of Alabama at Birmingham; and \$30,000,000 is for the University of Alabama for the design and construction of the Science and Engineering Center.

SEC. 302. Of the amount available from the fund entitled “Promote and Develop Fishery Products and Research Pertaining to American Fisheries”, \$10,000,000 shall be provided to the Alaska Fisheries Marketing Board, \$5,000,000 shall be available to the Southern Shrimp Alliance for its “Wild American Shrimp Marketing Program”.

SEC. 303. Of the amounts made available under the heading “Procurement, Acquisition and Construction, National Oceanic and Atmospheric Administration”, \$12,000,000 shall be transferred to the National Aeronautics and Space Administration for the planning, design, and construction of Building 3203, and for the planning and design of Buildings 3205 and 3216.

This title may be cited as the “Science Appropriations Act, 2006”.

TITLE IV—RELATED AGENCIES

COMMISSION ON CIVIL RIGHTS

SALARIES AND EXPENSES

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,000,000: Provided, That not to exceed \$50,000 may be used to employ consultants: Provided further, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

SALARIES AND EXPENSES

For necessary expenses of the Equal Employment Opportunity Commission as authorized by title VII of the Civil Rights Act of 1964 (29 U.S.C. 206(d) and 621–634), the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, including services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles as authorized by 31 U.S.C. 1343(b); non-monetary awards to private citizens; and not to exceed \$33,000,000 for payments to State and local enforcement agencies for services to the Commission pursuant to title VII of the Civil Rights Act of 1964, sections 6 and 14 of the Age Discrimination in Employment Act, the Americans with Disabilities Act of 1990, and the Civil Rights Act of 1991, \$331,228,000: Provided, That the Commission is authorized to make available for official reception and representation expenses not to exceed \$2,500 from available funds: Provided further, That the Commission may take no action to implement any workforce repositioning, restructuring, or reorganization until such time as the Committees on Appropriations have been notified of such proposals, in accordance with the reprogramming provisions of section 505 of this Act.

FEDERAL COMMUNICATIONS COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the Federal Communications Commission, as authorized by law, including uniforms and allowances therefor, as authorized by 5 U.S.C. 5901–5902; not to exceed \$9,900,000 for land and structure; not to exceed \$500,000 for improvement and care of grounds and repair to buildings; not to exceed \$4,000 for official reception and representation expenses; purchase and hire of motor vehicles; special counsel fees; and services as authorized by 5 U.S.C. 3109, \$297,370,000: Provided, That \$296,370,000 of offsetting collections shall be assessed and collected pursuant to section 9 of title I of the Communications Act of 1934, shall be retained and used for necessary expenses in this appropriation, and shall remain available until expended: Provided further, That the sum herein appropriated shall be reduced as such offsetting collections are received during fiscal year 2006 so as to result in a final fiscal year 2006 appropriation estimated at \$1,000,000: Provided further, That any offsetting collections received in excess of \$296,370,000 in fiscal year 2006 shall remain available until expended, but shall not be available for obligation until October 1, 2006: Provided further, That notwithstanding 47 U.S.C. 309(j)(8)(B), proceeds from the use of a competitive bidding system that may be retained and made available for obligation shall not exceed \$85,000,000 for fiscal year 2006: Provided further, That, in addition, not to exceed \$20,000,000 may be transferred from the Universal Service Fund to monitor the Universal Service Fund program to prevent and remedy waste, fraud and abuse, and to conduct audits and investigations by the Office of Inspector General: Provided further, That any sums that are transferred from such Fund for such purposes shall be subject to the reprogramming requirements set forth in section 505 of this Act.

FEDERAL TRADE COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the Federal Trade Commission, including uniforms or allowances therefor, as authorized by 5 U.S.C. 5901–5902; services as authorized by 5 U.S.C. 3109; hire of passenger motor vehicles; and not to exceed \$2,000 for official reception and representation expenses, \$211,000,000, to remain available until expended: Provided, That not to exceed \$300,000 shall be available for use to contract with a person or persons for collection services in accordance with the terms of 31 U.S.C. 3718: Provided further, That, notwithstanding any other provision of law, not to exceed \$116,000,000 of offsetting collections derived from fees collected for premerger notification filings under the Hart-Scott-Rodino Antitrust Improvements Act of 1976 (15 U.S.C. 18a), regardless of the year of collection, shall be retained and used for necessary expenses in this appropriation: Provided further, That, notwithstanding any other provision of law, \$23,000,000 in offsetting collections derived from fees sufficient to implement and enforce the Telemarketing Sales Rule, promulgated under the Telephone Consumer Fraud and Abuse Prevention Act (15 U.S.C. 6101 et seq.), shall be credited to this account, and be retained and used for necessary expenses in this appropriation: Provided further, That the sum herein appropriated from the general fund shall be reduced as such offsetting collections are received during fiscal year 2006, so as to result in a final fiscal year 2006 appropriation from the general fund estimated at not more than \$72,000,000: Provided further, That none of the funds made available to the Federal Trade Commission may be used to enforce subsection (e) of section 43 of the Federal Deposit Insurance Act (12 U.S.C. 1831t) or section 151(b)(2) of the Federal Deposit Insurance Corporation Improvement Act of 1991 (12 U.S.C. 1831t note): Provided further, That hereafter no funds appropriated in this or any other Act shall be expended to remove the Federal Trade Commission from its

headquarters building, the Federal Trade Commission Building, located at 600 Pennsylvania Avenue, Northwest, Washington, DC; to render such building appropriate for occupation by another Federal agency or other organization or division thereof; or to locate any such agency, organization, or division in said building.

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$324,527,000, of which \$312,251,000 is for basic field programs and required independent audits; \$2,600,000 is for the Office of Inspector General, of which such amounts as may be necessary may be used to conduct additional audits of recipients; \$13,900,000 is for management and administration; \$3,400,000 is for client self-help and information technology; and \$2,849,000 is for grants to offset losses due to census adjustments.

ADMINISTRATIVE PROVISION—LEGAL SERVICES CORPORATION

None of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105–119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2005 and 2006, respectively, and except that section 501(a)(1) of Public Law 104–134 (110 Stat. 1321–51, et seq.) shall not apply to the use of the \$1,775,000 to address loss of funding due to Census-based reallocations.

MARINE MAMMAL COMMISSION
SALARIES AND EXPENSES

For necessary expenses of the Marine Mammal Commission as authorized by title II of Public Law 92–522, \$2,000,000.

NATIONAL VETERANS BUSINESS DEVELOPMENT CORPORATION

For necessary expenses of the National Veterans Business Development Corporation as authorized under section 33(a) of the Small Business Act, \$2,000,000, to remain available until expended.

SECURITIES AND EXCHANGE COMMISSION

SALARIES AND EXPENSES

For necessary expenses for the Securities and Exchange Commission, including services as authorized by 5 U.S.C. 3109, the rental of space (to include multiple year leases) in the District of Columbia and elsewhere, and not to exceed \$3,000 for official reception and representation expenses, \$888,117,000; of which not to exceed \$13,000 may be used toward funding a permanent secretariat for the International Organization of Securities Commissions; and of which not to exceed \$100,000 shall be available for expenses for consultations and meetings hosted by the Commission with foreign governmental and other regulatory officials, members of their delegations, appropriate representatives and staff to exchange views concerning developments relating to securities matters, development and implementation of cooperation agreements concerning securities matters and provision of technical assistance for the development of foreign securities markets, such expenses to include necessary logistic and administrative expenses and the expenses of Commission staff and foreign invitees in attendance at such consultations and meetings including: (1) such incidental expenses as meals taken in the course of such attendance; (2) any travel and transportation to or from such meetings; and (3) any other related lodging or subsistence: Provided, That fees and charges authorized by sections 6(b) of the Securities Exchange Act of 1933 (15 U.S.C. 77f(b)), and 13(e), 14(g) and 31 of the Securities Exchange Act of

1934 (15 U.S.C. 78m(e), 78n(g), and 78ee), shall be credited to this account as offsetting collections: Provided further, That not to exceed \$863,117,000 of such offsetting collections shall be available until expended for necessary expenses of this account: Provided further, That \$25,000,000 shall be derived from prior year unobligated balances from funds previously appropriated to the Securities and Exchange Commission: Provided further, That the total amount appropriated under this heading from the general fund for fiscal year 2006 shall be reduced as such offsetting fees are received so as to result in a final total fiscal year 2006 appropriation from the general fund estimated at not more than \$0.

SMALL BUSINESS ADMINISTRATION
SALARIES AND EXPENSES

For necessary expenses, not otherwise provided for, of the Small Business Administration as authorized by Public Law 106–554, including hire of passenger motor vehicles as authorized by 31 U.S.C. 1343 and 1344, and not to exceed \$3,500 for official reception and representation expenses, \$336,084,000: Provided, That the Administrator is authorized to charge fees to cover the cost of publications developed by the Small Business Administration, and certain loan servicing activities: Provided further, That, notwithstanding 31 U.S.C. 3302, revenues received from all such activities shall be credited to this account, to be available for carrying out these purposes without further appropriations: Provided further, That \$89,000,000 shall be available to fund grants for performance in fiscal year 2006 or fiscal year 2007 as authorized: Provided further, That the Small Business Administration is authorized to award grants under the Women's Business Center Sustainability Pilot Program established by section 4(a) of Public Law 106–165 (15 U.S.C. 656(l)): Provided further, That, of the amounts provided for Women's Business Centers, not less than 48 percent shall be available to continue Women's Business Centers in sustainability status.

OFFICE OF INSPECTOR GENERAL

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, \$14,500,000.

SURETY BOND GUARANTEES REVOLVING FUND

For additional capital for the Surety Bond Guarantees Revolving Fund, authorized by the Small Business Investment Act, as amended, \$3,000,000, to remain available until expended.

BUSINESS LOANS PROGRAM ACCOUNT
(INCLUDING TRANSFER OF FUNDS)

For the cost of guaranteed loans, \$2,000,000, as authorized by 15 U.S.C. 631 note, to remain available until September 30, 2006: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974: Provided further, That subject to section 502 of the Congressional Budget Act of 1974, during fiscal year 2006 commitments to guarantee loans under section 503 of the Small Business Investment Act of 1958, shall not exceed the levels established under 20(e)(1)(B)(ii) of the Small Business Act: Provided further, That during fiscal year 2006 commitments for general business loans authorized under section 7(a) of the Small Business Act, shall not exceed the levels established under 20(e)(1)(B)(i) of the Small Business Act: Provided further, That during fiscal year 2006 commitments to guarantee loans for debentures and participating securities under section 303(b) of the Small Business Investment Act of 1958, shall not exceed the levels established by section 20(i)(1)(C) of the Small Business Act.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$126,653,000, which may be transferred to and merged with the appropriations for Salaries and Expenses.

DISASTER LOANS PROGRAM ACCOUNT

For the cost of direct loans authorized by section 7(b) of the Small Business Act, \$83,335,000,

to remain available until expended: Provided, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974.

In addition, for administrative expenses to carry out the direct loan program, \$56,000,000, which may be transferred to and merged with appropriations for Salaries and Expenses, of which \$1,500,000 is for the Office of Inspector General of the Small Business Administration for audits and reviews of disaster loans and the disaster loan program and shall be transferred to and merged with appropriations for the Office of Inspector General, of which \$46,100,000 is for direct administrative expenses of loan making and servicing to carry out the direct loan program; and of which \$9,000,000 is for indirect administrative expenses and may be transferred to and merged with funds in the Salaries and Expenses appropriations account: Provided, That any amount to be transferred to and merged with appropriations for Salaries and Expenses for any purpose shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

ADMINISTRATIVE PROVISION—SMALL BUSINESS ADMINISTRATION

Not to exceed 5 percent of any appropriation made available for the current fiscal year for the Small Business Administration in this Act may be transferred between such appropriations, but no such appropriation shall be increased by more than 10 percent by any such transfers: Provided, That any transfer pursuant to this paragraph shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except in compliance with the procedures set forth in that section.

STATE JUSTICE INSTITUTE

SALARIES AND EXPENSES

For necessary expenses of the State Justice Institute, as authorized by the State Justice Institute Authorization Act of 1992 (Public Law 102-572), \$5,000,000: Provided, That not to exceed \$2,500 shall be available for official reception and representation expenses.

TITLE V—GENERAL PROVISIONS

SEC. 501. The Departments of Commerce and Justice, the National Aeronautics and Space Administration, the Federal Communications Commission, the Securities and Exchange Commission, and the Small Business Administration shall provide to the Committees on Appropriations of the Senate and of the House of Representatives a quarterly accounting of the cumulative balances of any unobligated funds that were made available to any such agency in any previous appropriations Act.

SEC. 502. No part of any appropriation contained in this Act shall remain available for obligation beyond the current fiscal year unless expressly so provided herein.

SEC. 503. The expenditure of any appropriation under this Act for any consulting service through procurement contract, pursuant to 5 U.S.C. 3109, shall be limited to those contracts where such expenditures are a matter of public record and available for public inspection, except where otherwise provided under existing law, or under existing Executive order issued pursuant to existing law.

SEC. 504. If any provision of this Act or the application of such provision to any person or circumstances shall be held invalid, the remainder of the Act and the application of each provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

SEC. 505. (a) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2006, or provided from any ac-

counts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure through a reprogramming of funds that: (1) creates new programs; (2) eliminates a program, project, or activity; (3) increases funds or personnel by any means for any project or activity for which funds have been denied or restricted; (4) relocates an office or employees; (5) reorganizes or renames offices; (6) reorganizes programs or activities; or (7) contracts out or privatizes any functions or activities presently performed by Federal employees; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds.

(b) None of the funds provided under this Act, or provided under previous appropriations Acts to the agencies funded by this Act that remain available for obligation or expenditure in fiscal year 2006, or provided from any accounts in the Treasury of the United States derived by the collection of fees available to the agencies funded by this Act, shall be available for obligation or expenditure for activities, programs, or projects through a reprogramming of funds in excess of \$1,000,000 or 10 percent, whichever is less, that: (1) augments existing programs, projects (including construction projects), or activities; (2) reduces by 10 percent funding for any existing program, project, or activity, or numbers of personnel by 10 percent as approved by Congress; or (3) results from any general savings from a reduction in personnel which would result in a change in existing programs, activities, or projects as approved by Congress; unless the Appropriations Committees of both Houses of Congress are notified 15 days in advance of such reprogramming of funds: Provided, That transfers may not be made from "Buildings and Facilities, Federal Prison System" to any other Department of Justice account.

SEC. 506. Hereafter, none of the funds made available in this Act or any other Act may be used for the construction, repair (other than emergency repair), overhaul, conversion, or modernization of vessels for the National Oceanic and Atmospheric Administration in shipyards located outside of the United States.

SEC. 507. If it has been finally determined by a court or Federal agency that any person intentionally affixed a label bearing a "Made in America" inscription, or any inscription with the same meaning, to any product sold in or shipped to the United States that is not made in the United States, the person shall be ineligible to receive any contract or subcontract made with funds made available in this Act, pursuant to the debarment, suspension, and ineligibility procedures described in sections 9.400 through 9.409 of title 48, Code of Federal Regulations.

SEC. 508. None of the funds appropriated or otherwise made available by this Act or any other Act may be used to implement, enforce, or otherwise abide by the Memorandum of Agreement signed by the Federal Trade Commission and the Antitrust Division of the Department of Justice on March 5, 2002.

SEC. 509. Section 704 of the Public Works and Economic Development Act of 1965 (42 U.S.C. 3234) shall not apply to any funds made available by this Act or an amendment made by this Act.

SEC. 510. Any costs incurred by a department or agency funded under this Act resulting from personnel actions taken in response to funding reductions included in this Act shall be absorbed within the total budgetary resources available to such department or agency: Provided, That the authority to transfer funds between appropriations accounts as may be necessary to carry out this section is provided in addition to authorities included elsewhere in this Act: Provided further, That use of funds to carry out this section shall be treated as a reprogramming of funds under section 505 of this Act and shall not be available for obligation or expenditure except

in compliance with the procedures set forth in that section.

SEC. 511. Of the funds appropriated in this Act under the heading "Office of Justice Programs—State and Local Law Enforcement Assistance", not more than 90 percent of the amount to be awarded to an entity under the Local Law Enforcement Block Grant shall be made available to such an entity when it is made known to the Federal official having authority to obligate or expend such funds that the entity that employs a public safety officer (as such term is defined in section 1204 of title 1 of the Omnibus Crime Control and Safe Streets Act of 1968) does not provide such a public safety officer who retires or is separated from service due to injury suffered as the direct and proximate result of a personal injury sustained in the line of duty while responding to an emergency situation or a hot pursuit (as such terms are defined by State law) with the same or better level of health insurance benefits at the time of retirement or separation as they received while on duty.

SEC. 512. None of the funds provided by this Act shall be available to promote the sale or export of tobacco or tobacco products, or to seek the reduction or removal by any foreign country of restrictions on the marketing of tobacco or tobacco products, except for restrictions which are not applied equally to all tobacco or tobacco products of the same type.

SEC. 513. Notwithstanding any other provision of law, amounts deposited or available in the Fund established under 42 U.S.C. 10601 in any fiscal year in excess of \$625,000,000 shall not be available for obligation until the following fiscal year.

SEC. 514. Of the amounts made available under the heading "Small Business Administration, Salaries and Expenses", \$50,000,000 shall be available for programs described in the statement accompanying this Act.

SEC. 515. None of the funds appropriated pursuant to this Act or any other provision of law may be used for—

(1) the implementation of any tax or fee in connection with the implementation of subsection 922(t) of title 18, United States Code; and

(2) any system to implement subsection 922(t) of title 18, United States Code, that does not require and result in the destruction of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from possessing or receiving a firearm no more than 24 hours after the system advises a Federal firearms licensee that possession or receipt of a firearm by the prospective transferee would not violate subsection (g) or (n) of section 922 of title 18, United States Code, or State law.

SEC. 516. All disaster loans issued in Alaska shall be administered by the Small Business Administration and shall not be sold during fiscal year 2006.

SEC. 517. None of the funds made available in this Act may be transferred to any department, agency, or instrumentality of the United States Government, except pursuant to a transfer made by, or transfer authority provided in, this Act or any other appropriations Act.

SEC. 518. The Secretary of Commerce shall represent the United States Government in negotiating and monitoring international agreements regarding fisheries, marine mammals, or sea turtles: Provided, That the Secretary of Commerce shall be responsible for the development and interdepartmental coordination of the policies of the United States with respect to the international negotiations and agreements referred to in this section.

SEC. 519. Any funds provided in this Act used to implement E-Government Initiatives shall be subject to the procedures set forth in section 505 of this Act.

SEC. 520. UNIVERSAL SERVICE SUPPORT. None of the funds appropriated by this Act may be used by the Federal Communications Commission to modify, amend, or change its rules or

regulations for universal service support payments to implement the February 27, 2004 recommendations of the Federal-State Joint Board on Universal Service regarding single connection or primary line restrictions on universal service support payments.

SEC. 521. (a) Tracing studies conducted by the Bureau of Alcohol, Tobacco, Firearms and Explosives are released without adequate disclaimers regarding the limitations of the data.

(b) The Bureau of Alcohol, Tobacco, Firearms and Explosives shall include in all such data releases, language similar to the following that would make clear that trace data cannot be used to draw broad conclusions about firearms-related crime:

(1) Firearm traces are designed to assist law enforcement authorities in conducting investigations by tracking the sale and possession of specific firearms. Law enforcement agencies may request firearms traces for any reason, and those reasons are not necessarily reported to the Federal Government. Not all firearms used in crime are traced and not all firearms traced are used in crime.

(2) Firearms selected for tracing are not chosen for purposes of determining which types, makes or models of firearms are used for illicit purposes. The firearms selected do not constitute a random sample and should not be considered representative of the larger universe of all firearms used by criminals, or any subset of that universe. Firearms are normally traced to the first retail seller, and sources reported for firearms traced do not necessarily represent the sources or methods by which firearms in general are acquired for use in crime.

TITLE VI—RESCISSIONS
DEPARTMENT OF JUSTICE
GENERAL ADMINISTRATION
COUNTERTERRORISM FUND
(RESCISSION)

Of the unobligated balances available under this heading, \$11,000,000 are rescinded.

LEGAL ACTIVITIES
ASSETS FORFEITURE FUND
(RESCISSION)

Of the unobligated balances available under this heading, \$82,000,000 are rescinded.

FEDERAL BUREAU OF INVESTIGATION
SALARIES AND EXPENSES
(RESCISSION)

Of the unobligated balances available under this heading, \$103,502,000 are rescinded; of which \$30,000,000 shall be from funding for J. Edgar Hoover Federal Bureau of Investigation Building tours; and of which \$73,502,000 shall be from funding for the Federal Bureau of Investigation's failed computer modernization program.

This Act may be cited as the "Departments of Commerce and Justice, Science, and Related Agencies Appropriations Act, 2006".

Amend the title so as to read: "An Act making appropriations for the Departments of Commerce and Justice, Science, and related agencies, for the fiscal year ending September 30, 2006, and for other purposes."

The committee amendment in the nature of a substitute was agreed to.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

Mr. COCHRAN. Mr. President, on behalf of the distinguished chairman of the Subcommittee on Commerce, Justice, Science, and Related Agencies of the Senate Appropriations Committee, Mr. SHELBY, I am pleased to present to the Senate the appropriations bill written by the subcommittee for fiscal year 2006.

Senators Shelby and Mikulski have done an outstanding job producing this

bill at a time when discretionary dollars are scarce. The subcommittee chairman and ranking member have had to make many difficult decisions on issues that were presented during the writing of this bill.

The consideration of the bill also comes at a time when we have witnessed a terrible tragedy in the gulf coast region of our Nation. The entire region, including specifically Alabama, Louisiana, Mississippi, and other areas have suffered serious damages, the loss of lives and livelihoods.

This bill provides funding for many Government functions and programs that are important to hurricane prediction, response, and recovery. Small Business Administration disaster loans, Economic Development Administration public works grants, and State and local law enforcement assistance grants are a few examples of programs contained in the bill that can help disaster victims in the short run.

We do need immediate assistance available, and these funds will become available at the beginning of the fiscal year, starting October 1.

The National Oceanic and Atmospheric Administration is a major agency involved in researching, forecasting, monitoring, and warning of hurricanes. Funding for that agency is included in this bill.

But this bill also reflects a commitment to responsibility in holding down the level of spending at a time when we see the Federal Government building up deficits that some worry threaten the economic livelihood and growth potential of our economy. So this is a lean bill. Senator SHELBY and Senator MIKULSKI have had to refuse to include in the bill a lot of requested projects for funding. These are difficult decisions because the needs are real and many are very meritorious. But I think Senators will find this bill supports the functions and responsibilities of the agencies and the Departments that are funded in the bill. There are increases provided where those increases are necessary and important to include.

The bill is within the 302(b) allocation of the Budget Act, and the total amount recommended in the bill is \$885 million above the fiscal year 2005 level. This is a 2-percent increase over last year's level of spending.

The bill includes an increase of over \$1 billion above the President's budget request for the Department of Justice. This is primarily due to the restoration of the proposed cuts to State and local law enforcement grant programs. I am sure the funds will be helpful and important in the discharge of those responsibilities at the local level throughout the country.

The bill recommends nearly \$7.2 billion for the Department of Commerce, including the National Oceanic and Atmospheric Administration and the National Institute of Standards Technology, which is an 8-percent increase over last year's level of funding. This part of the bill is particularly impor-

tant because it provides funding for hurricane prediction and warning, including the National Data Buoy Center which provides data from the oceans to help assess the strength and speed of hurricanes.

The bill also provides funding for NASA, the National Aeronautics and Space Administration, to move forward with the exploration vision, while fully funding activities of the space shuttle and the International Space Station.

In the related agencies title of the bill, funding is included for the Securities and Exchange Commission and the Federal Communications Commission.

The bill also addresses very important needs that were brought to the attention of the committee during hearings by both the administration and other Senators. Overall, the subcommittee chairman and ranking member have crafted a bill that reflects the committee's and the Senate's priorities as well as those of the administration.

I hope Senators will support the bill. And we hope we can complete action on it today.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Ms. MIKULSKI. Thank you very much, Mr. President.

I come to the floor as the ranking member of this very brandnew subcommittee called Commerce, Justice, and Science. As the Presiding Officer knows, and our colleagues remember, the Appropriations Committee reorganized itself, and I had been the ranking member of a subcommittee called VA-HUD and Independent Agencies. It exists no more. But now we have Commerce, Justice, and Science, which we think is an outstanding subcommittee, funding the important agencies related to making us a safer, stronger, smarter, more innovative country.

Originally, I anticipated our bill would come up today with such enthusiasm and such joy in working with my colleague, Senator SHELBY, whom I served with in the House, that we would work together on a bipartisan basis to fashion the bill, but on its way to the floor a great national tragedy occurred with Hurricane Katrina.

I want to say here today on the floor to the distinguished Senator from Mississippi, who has just spoken, Mr. COCHRAN, the chairman of the Appropriations Committee, first of all, know that you can count on me for full support to move all appropriate legislation to help the people of our gulf coast. I know the distinguished Senator is from a wonderful State with a great heritage and is a great contributor to our economy. And we know his State has been hit hard. We watched him tour the hit zones.

This is a time we all do work together. I know all of our colleagues are so proud of the rescue workers who are going to continue to rescue people throughout the gulf coast region. Our hearts and prayers and thoughts go out

to the families who have lost everything in this terrible tragedy.

At the same time, we acknowledge the tremendous role of scores of National Guard soldiers, our Coast Guard rescuers, those Navy guys who rescued 110 people—and they might have gotten a reprimand from their commander, but they would certainly get a hug and kiss from this Senator for what they did—and the doctors and nurses and the paramedics and all the first responders and law enforcement. Everybody who is out there working a 36-hour day, we thank you and we salute you.

As of Monday, there have been so many who have been rescued, shelters that have been opened, and hot meals being served. Also, under the doctrine of mutual assistance, other States have opened their doors—Texas, Arkansas. My own State of Maryland has sent tremendous help and support. So we all need to pull together now.

I am glad the press has stopped calling those people who have lost everything refugees. “Refugee” is an honorable title, but this is not “Hotel Rwanda.” This is the United States of America. All those people are our citizens. They have been evacuated, but they have a home to go back to. And they have another home called the United States of America, where every State, every city would have an open door toward them. They have not lost their home. They have not lost their homeland. And they cannot lose their way.

In my own home State, we have sent people down to rescue people—first responders. Governor Ehrlich sent our National Guard. We are so proud of the hospital ship, the USS *Comfort*, that is steaming down heading toward the coast of New Orleans. But whether it has been first responders, local law enforcement, charitable aid from the nonprofits and faith-based organizations, they all wanted to offer a contribution.

But we cannot do this on philanthropic activity alone. We cannot do this with just good will. And to be sure, eventually fatigue will set in. But the U.S. Federal Government must be tireless. It must be responsive. It is critical we approve the Commerce, Justice, Science appropriations bill quickly. The distinguished Senator from Mississippi has outlined this bill.

This bill provides a downpayment for the victims of Katrina to rebuild their lives and communities. We know a supplemental is coming, and we will work expeditiously on a bipartisan basis to also help. We will not play politics with the lives of our citizens and with all of those who are conducting the rescue and cleanup.

There are some important things in this bill that can be of specific and immediate help. One is the Small Business Administration's disaster loan program. It is not just for business, it is for families. SBA provides low-interest loans of up to \$200,000 to repair damaged property to primary resi-

dences, and up to \$40,000 for personal property.

SBA provides low-interest loans to businesses and nonprofits of up to \$1.5 million to repair damage to their real estate, machinery, equipment, and inventory. So SBA will not only help businesses become businesses again, but it will help families be able to get their home going again. And for all those nonprofits that will be there when the TV cameras leave, this will also help them get on their feet.

Another area where we will be very helpful is in the area of the Economic Development Administration. This is in the Commerce Department. It provides grants to State and local governments for infrastructure repair and modernization. And, boy, do they do that. Roads need to be built, and not only the great Federal highways, but those blue highways that make our rural areas so great and provide a livelihood to those communities.

Economic development assistance money can help recover from sudden and severe dislocation. This bill includes \$315 million for EDA, and we presume that in the supplemental this could be a very specific line item that would not get lost in big bureaucracy.

We want to provide assistance in the Department of Justice to our State and local police. They provide the safety and security of first choice so we want to make sure that they are supported. They themselves have lost police stations. They have lost their equipment. They have lost their homes. We need to be able to help them.

While we also are repairing the damage, we need to look ahead and be sure we can always give the best predictions possible so people can get out of harm's way. This bill funds the National Weather Service. It is a branch of NOAA, and it has already done a great job of predicting hurricanes, storms, flooding, and tornadoes. But we want to bring even more innovation to them and more resources so they can predict not only hurricanes but any other natural disaster coming to a community so that we can prevent loss of life and secure property. Those are some of the things that can be focused immediately on Katrina and future prevention. As we know, there are some hurricanes gathering with names like Ophelia off the coast now. That is what we can do.

At the same time, Senator SHELBY and I, taking our new charge very seriously, said we wanted to work together to build a safer, stronger, smarter America. So we concentrated on the Department of Justice to make this a safer country. What we then did was look at the agencies within our portfolio, the FBI, Drug Enforcement, the U.S. Marshals Service, as well as alcohol and firearms. We know that the Department of Justice protects us from terrorists and protects our neighborhoods and communities. They protect us against those who have a predatory intent against our country, the terrorists, but it also protects our children

against sexual predators. We want to salute President Bush and Attorney General Gonzales for developing a specific watch list for the registration of sexual predators. It has given a wake-up call to all States. Predatory behavior doesn't go in our country.

The Department of Justice accounts for almost 50 percent of our entire bill. The FBI is the lead agency. It will receive \$5.3 billion, a \$100 million increase, so that they can continue to fight organized terrorism and organized crime as well. We have given the FBI a record amount to do that. We look forward to working with them to correct some of their problems in technology, and we know they are improving their management. At the same time, we thank them for focusing, No. 1, on protecting our children through the Missing and Exploited Children's Program, which, by the way, the Missing and Exploited Children's Program is now going to be used to help locate over 100 to 1,000 children, where their parents don't know where they are. We are going to find those children, and we are going to bring them back to their parents one way or another.

Working together with the Bureau of Alcohol, Tobacco, and Firearms, we want to make sure they have the resources to protect us against arson, street crime, and gangs that are now menacing our communities. We thank them for the outstanding job that the ATF arson laboratory did in Maryland. It identified the DC serial arsonist that burned down homes in Charles County. It also provided the ballistic laboratory that helped to solve the DC sniper case. Our law enforcement is on the job, and they are protecting us every day. We have tried to protect them in the Federal budget so that they can do their job.

At the same time, while we are doing law enforcement, we look at commerce and science. This is where we talk about building a stronger economy and a smarter America. We do all we can to fund the programs in the Commerce Department. One of our most important places, though, is where we protect our intellectual property. As we are working to protect our citizens, we have to protect what our citizens invent. We are the country of discovery, of innovation, of invention. If you invented it, we think you ought to be able to keep it. We, therefore, provided \$1.7 billion for the Patent and Trademark Office. It is a record amount that should help them reduce their backlog of patent applications and help us make sure we secure those new ideas that are going to create the new jobs right here in the United States.

We are also supporting our great Federal laboratories that help come up with the new ideas and set the standards for products so they can go to the marketplace. That is the National Institute of Standards and Technology located in Maryland. It sets standards that are critical to successful commerce and, because of what they do,

transfers technology to the American business community.

The bill fully funds the Advanced Tech Program and the Manufacturing Extension Program which are important to fostering competitiveness. In science, we have NOAA, which I have spoken about, which does fantastic work on weather prediction, saving lives, and saving communities through their predictions. But at the same time, they do fantastic research on our oceans, on our bays and so on. We know that we are going to face, because of Katrina, a real impact on oysters and clams and shrimp on the gulf coast. What are the ideas to be able to help out and restore the bays that produce those delicious morsels but that are so important to the economy and to little people who have names like watermen and fishermen and seafood? This is what we are challenging NOAA to do, continue their great research. But we need immediate and practical solutions to protect the seafood industry on the gulf coast.

Then there is NASA. Originally, we thought the only risky operation was going to be the Hubble telescope. Now we have human need pressing us, and we are going to meet that need. For NASA, we have provided \$16.4 billion, a \$200 million increase over last year. This does include the money for the Hubble servicing mission. We are going to provide full funding for the space shuttle, for the space station, and work with Dr. Griffin on the new Crew Exploration Vehicle.

Because of Katrina, we know two major NASA facilities were heavily damaged. One was the Michoud assembly facility in New Orleans. The other was the Stennis facility in Mississippi. This is everything from shipyards to spaceships, from Navy ships to spaceships. We know those facilities suffered tremendous damage, and 50 percent of the employees lost their homes. We expect the administration and the agencies to tell us what happened to those employees and how we can help them.

On the bright side, we are so happy about the successful mission of *Discovery* last month. Weren't we proud of Colonel Collins and that daring-do, can-do crew that got out there and did the kind of repair work that had never been done in space, showed our courage and our tenacity and our technological capability. We want to support them. We know they want to return to space. The shuttle tanks were to be prepared in New Orleans. We are going to have to make adjustments. But then again, everybody is making adjustments, and we are all going to work together. The National Science Foundation is also in here. Just think what the Committee on Science is—NIST, NOAA, NASA, the Science Foundation. These are the new ideas. It is going to help with funding for important research in new ideas in basic science like physics and also breakthrough things again for new jobs like biotech and nanotech.

One of the important things we did was preserve the funding for histori-

cally Black colleges and universities. This is also coming at a very important time. Louisiana, I believe the entire gulf, was the home of 28 colleges and universities that were affected by Katrina. Historically Black colleges all over America, such as Morgan State in my hometown, are accepting the young men and women from the historically Black colleges of the gulf coast. They are accepting them and not asking questions about tuition and other things. This is a way of also being of help. So we are all pitching in together.

One of the flashing yellow lights in the bill is the census. Because of staying within our 302(b) allocation, we funded the Census Bureau with \$17 million below last year's level and \$150 million below the President's request. The census is important. They don't just do something every 10 years where they knock on your door and give you a complicated form. It continually evaluates who we are and where we live and gives us important information so that communities and businesses can develop everything from transportation and education plans to business targeting the new demography in our country. We are proud of the civil servants that work in Maryland, and we look forward to looking at how we can restore funding. When we looked at our priorities, we thought Census could do without an increase and even a very modest \$17 million cut. We hope to restore that in conference. But when we looked at all that we needed to do in Justice and all that we needed to do, particularly in agencies such as the FBI, we felt that these were our priorities. Now that Katrina has hit us, we will be reevaluating as we go along.

That is our bill. We are proud of our bill because we have tried to focus on where America is today and where America needs to go tomorrow. We tried to look at the day-to-day needs of our constituents and know that they needed to be protected in their local communities. That is why we looked at local law enforcement. We know that we face predatory assault from everything from organized crime to organized terrorists. We focused on our Justice Department, but also on our science and on our commerce for new ideas, for new products and invention, but also to fund those agencies that help them protect their intellectual property against often international predators and also come up with those new ideas.

Along the way, Katrina has happened. We are going to make sure this bill serves the needs now, the immediate needs of our neighbors in the gulf and those States that have been so kind and so generous and welcoming. We view this bill as a work in progress, but work it will be, and progress we will make. We are going to work together.

These are not refugees. They are evacuees, as our Senators are. We need to remember all of the people who have

been affected. We are one nation, under God, and we are indivisible.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am impressed with the comprehensive statement made by the distinguished Senator from Maryland, describing the provisions of this bill that have been prepared and are being presented today to the Senate by her subcommittee. Her comments and the tone that she has set reflects so well on the Senate. It also reflects a bipartisanship that is so important to the writing of this bill. This is not a Republican bill nor a Democratic bill. It is a bill that reflects a consensus of the members of the subcommittee and also respect for the requests being made by the administration for funding of these agencies and departments for the next fiscal year.

We have all had what some might say is a wake-up call about hurricane warnings, mobilization of State and local resources, and relocation of people who are threatened by the ravages of storms such as Katrina. This bill is designed to meet the challenge that is so fresh in our minds. It can be presented to Government officials, private individuals, and businesses as we seek to protect our families and our property and our lives from the threats hurricanes and other storms might pose. It also reflects, as the distinguished Senator pointed out, funding that provides the resources we need for law-and-order activities, crime prevention, and investigations to ensure we are doing what has to be done to protect the security of our country.

I know of no more important bill that will come before the Senate this year from our committee than the one being presented today by Senators SHELBY and MIKULSKI. They have done a wonderful job working together. They have set an example by which we could all profit.

We need to act expeditiously on the bill, consider any amendments that any Senator has to add money or delete funding that is contained in the bill. We assure everyone that we want to act in a thoughtful way and one that will reflect credit on the Senate.

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

The PRESIDING OFFICER (Mr. ENSIGN). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

The Senator from Louisiana.

Ms. LANDRIEU. Mr. President, I ask unanimous consent to speak for approximately 30 minutes, perhaps more.

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

HURRICANE KATRINA

Ms. LANDRIEU. Mr. President, I rise today as the senior from Louisiana. But I was not born a Senator. I was born a Louisianian. I am a daughter of the Crescent City, raised by a family of places whose names may seem strange and exotic to people in Washington, DC, and around the Nation places like Plaquemines, Cocodrie, Kenner, Slidell, St. Tammany, St. Bernard and Bogalusa.

Most people refer to this region of the country—Mississippi, Louisiana and Alabama—as the energy coast the maritime coast, the gulf coast. The largest city in this area is the city of New Orleans, almost 500,000 people, my hometown. At one time or another every Member of this body has told me their own story about what they love about New Orleans and south Louisiana. For some, it is our music. For others it is Mardi Gras. And yet others, it is that special magic. Each one of you has come away from our State with a special memory, a singular moment that reflects the vibrant culture and personality of our State. And what all of my colleagues have mentioned to me over many years is the special, special spirit of the people.

Today, I stand before my colleagues, Democrats and Republicans, to report to the Senate that our people are hurting. Some are despairing and many are still crying. But our spirit is strong and it will be this spirit, along with the best work the Senate has ever done, that we will lift this region and rebuild it.

Thousands are dead, and only God knows how many. Hundreds and thousands are homeless, jobless, and without their businesses, large and small. But amidst water, death, destruction, anguish and anger, our spirit is strong.

And today, there are thousands of heroes. Those heroes may not be anybody in this Chamber, but I will tell you who the heroes are. They are the leaders of Plaquemines Parish and St. Bernard and Orleans and Jefferson and counties in Mississippi that kept their government functioning even as much of their parish laid under water. In St. Bernard and Plaquemines Parish, that water was 8 to 20 feet high in places. And in New Orleans, the water still stands 6 to 10 feet in some places on the east bank. The only thing out of the water the last time I left was Jackson Square, the Cathedral and the French Quarter. Because the people who settled the city were smart enough to put it on the highest ground they could find, and that high ground has been serving this Nation so well and so magnificently for over 300 years. And it is still there.

The heroes are the New Orleans sheriffs who secured and evacuated the city jail, not because they were trying to coddle the prisoners, but because there was a threatened jail break when the system failed and the electricity went off. So the deputies who had lost their own homes and had lost maybe members of their own family, swam through

water to get the prisoners out of the prison, not to give them a warm meal but to secure them, so hardened rapists and murderers would not plague the city at its time of greatest distress.

Our local leaders never once flinched from their duty to protect their residents and save every man, woman or child, regardless of race or income.

It was so desperate that the law enforcement didn't have to triage. The people were triaging themselves. In other words, when the boat drove up, they would put the old people first in the boat. Then they would put the babies in the boat. And all the young, "healthy" people would just stay on the roof until the boat could come back. Sometimes it did and in some cases it was too late.

I flew back here after one plane that I got on had no fuel. I had to come back with the Commandant of the Coast Guard, and he told me himself yesterday the Coast Guard rescued 32,000 people either by boat or by helicopter. And that is not counting what Wildlife and Fisheries agents did in Louisiana, Mississippi, or Alabama. That is not counting what regular boat owners, once they could wade through water and turn their boats on went down and did themselves, of which the news media did not cover. Because the only thing the news media could focus on was the Convention Center and the Superdome because it made the best picture. We understand that as politicians. They need visuals. I am sorry I couldn't provide any more visuals for them, but there was a lot more going on than just at the Superdome and the Convention Center.

Across the State, perhaps the greatest heroes are those we don't know about the concerned and courageous friends who took care of elderly neighbors and ensured their safe evacuation. One brief story: An elderly African-American woman in a shelter came up to me. She was a retired teacher. Her feet were wrapped because she had cut up her feet in this episode. She said, "Ms. Landrieu, please go back and tell those people in Washington we were fine after the hurricane hit. It wasn't the hurricane that put us under. It was that water that came up from the levee. Don't they know anything up there about the 17th Street Canal? Don't they know anything about the Florida Street Canal?"

I said, "No, Ma'am, but we're going to tell them more about that."

She said, "I stood on my ladder for 2 days. I've never seen water like that. That water kept going up 6 inches and going down 6 inches." Do you know what she was experiencing with the water rising and receding? She was feeling the tide of Lake Ponchartrain. She said, "It kept going up to my nose and going down to my chest."

The Louisiana State flag depicts a pelican. The pelican takes from herself, her own breast to feed her young. Thousands of Louisianians this week brought that state symbol to life.

As brave and bold as my fellow Louisianians have been—and our heart goes out to the people in Mississippi and Alabama—we have been moved beyond measure by the generosity and selflessness of our fellow Americans. New York City itself sent 600 of its finest and bravest police officers and firefighters who were willing to run into a collapsing tower on September 11 knowing what we didn't know, knowing that the radios on their hips were not going to work. But they ran in the building anyway. Those police officers are on their way right now to help the city of New Orleans. And I want to thank the Senators from New York, the delegation from New York, for sending them.

Cities, suburbs, and States across the Nation have welcomed our citizens as their own. Senator LINCOLN told me yesterday on the phone, "Mary, send them north. As soon as they cross the borders, I've got them in my arms." I thank Senator Lincoln and thank all the Senators that have called.

And so, if it is possible that my heart is a little heavy today, I've seen more in the last 2 weeks than in my entire life, and I hope never to witness it again. But while my heart is heavy, my heart today is also lifted with gratitude for my fellow Americans.

Of course, already some in Washington are pointing fingers at State and local officials—officials who had little more than just the good sense that God gave them while trying to save everyone that they could, all amidst criticism that they have had to bear from other government officials.

In this Chamber alone, every one of you voted the other night to send billions of dollars of aid and assistance. As HARRY REID said earlier today, it will probably cost us a lot more. I am sorry I could not even report to you an accurate estimate of what that might be, but I predict it will be over \$200 billion.

As I stand here today, Senator VITTER, my partner, remains in the State to continue assessing damage. He has been a steady voice through this, and I want to acknowledge him.

This unprecedented catastrophe will require unprecedented support. I am concerned today because our Nation, our national government failed in its greatest responsibility, and that is protecting the lives of Americans. I am not saying the military failed, or the Coast Guard failed and most certainly not the National Guard that was there before the storm hit and is still there.

Let me talk a minute about my National Guard. Eight thousand of them have already been to Iraq and back, not once but twice. Three thousand of them are scheduled to come home in September. The Governor and I and Senator VITTER were planning a homecoming for them. They are going to get quite a homecoming because many of them are from south Louisiana, and they don't have houses to come home to. I am here to tell you, that while

they may not have houses, they do have a home. We will do the best we can, and General Landreneau is well aware of the situation with his men and women on their way back from Iraq to hold their families tight.

We must learn from this experience. If we do not, we will fail again.

I have learned more in 2 weeks than I could ever have hoped to learn. I am going to continue to learn, and I ask the Senators to open their hearts and minds and learn. We don't ever want this to happen to any other city or any other place in this country for as long as we are on this Earth.

It is not true that Louisiana was not prepared. Surely we could have done a better job in every case, but our evacuation plan—and I want to give credit to the Governor of Mississippi and the Governor of Louisiana—Haley Barbour and Kathleen Blanco, who have been planning since Hurricane Ivan struck a year ago where everyone got stuck on the interstates and the back roads, those two Governors worked out a plan because we share a highway. We don't have a Louisiana highway that goes north and a Mississippi highway. We share our highways, and those Governors made a plan to get everybody out, and it worked as well as something like that can work. We had 2 million people approximately to evacuate in about 2 days. We got a lot of people out.

But when the storm hit and the levees broke, our calls went unanswered. In years past, our bills have languished here on the calendar. Money we requested before has been postponed year after year, year after year. I don't even want to talk to my colleagues about coastal erosion. They have heard it from me so many times and from everybody in the Louisiana delegation. They can give that speech better than I can.

But I will tell you one thing about our Federal Government. Our Federal Government, whether it was FEMA or this administrator or former administration or us, gambled that the predictions that countless experts voiced time and time again were mere rhetoric. They gambled that no one would notice if Louisiana's critical and vital role in our national economy was threatened.

And Washington rolled the dice and Louisiana lost.

I cannot stand here today and tell you that if all the money we had asked for, if it would have kept the levees up, but I can tell you that it would have given us more protection than we had.

Nor can I say with certainty that full funding for restoring our coasts would have protected those who perished in St. Bernard or in Jefferson or Washington parish or the counties in Mississippi and Alabama. But I can assure you that we would have had at least had a fighting chance. And I intend to find out just how much of a fighting chance we would have had.

And I intend to find out why the Federal response, particularly the response

of FEMA, was so incompetent and insulting to the people of our States.

Already some in Washington are pointing fingers that something is wrong with my state and local officials, and if they would have been a little smarter, a little tougher, a little braver maybe this could have been avoided. This hurricane was a category four. It was one of the worst storms we have seen in this century. The eye of the storm went right over Slidell, LA. Waveland, MS, I understand from Senators COCHRAN and LOTT, is gone. Biloxi is quite damaged, and that is where the storm came.

I am sorry we couldn't do anything about that, but I want you to know the people of our States have survived storms before. That was not what put us under. It was the levee systems that broke in New Orleans, a city that invented the gravity pump, a city that helped the Dutch secure the Netherlands and sent our engineering to Venice to keep that city floating. We invented those pumps in south Louisiana. We know about pumps. HARRY REID's seen them himself.

We know that the head of the National Hurricane Center said that he briefed the President of the United States on the threat of Katrina in a video conference call the day before she hit land.

We know the President said, quote, I don't think anybody anticipated the breach of the levees. Everybody anticipated the breach of the levee, including computer simulations in which this administration participated. Even the clay figurine, Mr. Bill, from "Saturday Night Live" anticipated the breach. His creator, a friend of mine, has used him in public service announcements for over 2 years, saying this will be the effect if this happens. How can it be that Mr. Bill was better informed than Mr. Bush?

We know the Secretary of Homeland Security pronounced himself, quote, extremely pleased with the response of every element of the Federal Government, even as the cable news networks were broadcasting images telling how he was so tragically wrong.

We know that FEMA was unaware that 20,000 Americans were stranded at the Convention Center without food, without water, without security, without clothes, without buses, without toilets and with no way out, and I had to stand there and listen to the news media say these people were lawless. These were mothers and fathers trying to find water for their kids. I might have been a little upset under the circumstances myself.

We know that someone has to be accountable. Let me be the first to take any blame that is to be assigned.

I will not allow my local officials to be made into scapegoats for others. I will not allow carping from those who were not there to diminish my Governor, my Lieutenant Governor, who happens to be my brother, who spent 3 days in a rescue boat, despite the pleas

of his own wife, his sister, his mother and father not to go. He went anyway, and he lifted both the living and the dead out with his own hands.

Within 24 hours of the storm hitting the Gulf Coast, Senator FRIST called and Senator REID called. I appreciate so much that they were right there. I tried to reach THAD COCHRAN; he tried to reach me. I tried to reach TRENT LOTT. And DAVID VITTER and I were together the whole time, but we couldn't get through on our cell phones. I know they called, and I thank them very much.

The record for rebuilding costs will be staggering, but it will pale in comparison to the staggering incompetence of this national government which is responsible.

Black people suffered. White people suffered, poor people suffered, and rich people suffered. The whole city is under water on the east bank. The wealthy neighborhoods have 10 feet of water, and the poor neighborhoods have 10 feet of water. Water does not know boundaries. It doesn't know demographics. It doesn't know Democrat or Republican. It doesn't know to stop at rich neighborhoods. It doesn't know just to go to poor neighborhoods. It goes everywhere. And there are wealthy people who are desperate. They don't know how to restart their businesses and keep their employees paid. They have no idea where to put their businesses. Do they leave the state? Do they go to Atlanta? Do they come back? What do they do with their wife and children? Do they take them and put them to school in Atlanta, or do they set their businesses up on the highest ground they can find?

The poor people are very disoriented. They have a hard time normally and they are having a real hard time now.

I want to say a special word of thanks personally to Ted Koppel for the beautiful piece he did last night, because I haven't been able to watch much television myself, but I got to see his piece. And we need journalists like that. I kept thinking, where's Walter Cronkite, and all I had was Geraldo Rivera.

I want to personally thank my family, my parents, my children, who evacuated with me that morning.

And the final word is this to the President: Mr. President, we need you. We need your help. The last time I shook the President's hand he looked at me and he said, "Senator, I appreciate your passion."

And I said, "Thank you, Mr. President, because passion is what we need."

He said, "I'm sorry you lost your childhood home. I know that's upsetting to you." I want to be clear for the record in that piece that you all saw with me with George Stephanopoulos. I was not crying in anguish because the home that I walked out of with my children was gone. I knew it would be gone when I left. It was an anguished cry, a plea to the only one that I thought could hear, and that was God

himself, and I know he has heard, because the people of my state have cried out to him for now over a week and a half. But as he gives us the grace and the wisdom to do our job, I hope we can do it well because there are hundreds of thousands of families who are depending on us to do our best work.

Today we are going to rebuild New Orleans and the coasts of Mississippi and Alabama because America needs New Orleans right where it is, as well as the parishes of St. Bernard, St. Tammany, Orleans, Jefferson, and Plaquemines, and Hancock, Harrison and Jackson counties in Mississippi; and Baldwin and Mobile counties in Alabama.

The gulf coast region of our Nation is simply too important to be left for dead. One of the founding geniuses of our freedom, Thomas Jefferson, understood that. Two hundred years ago he purchased Louisiana—then it stretched from the Mississippi to the Rocky Mountains. And that purchase put us on the road to greatness, from sea to shining sea.

It is an energy coast. It was put there for a reason. We did not go there to sunbathe. We went there to set up the Mississippi River, to tame that river, to create channels for this country to grow and prosper. The Higgins boats that saved us from World War II were built in New Orleans. Forty-three thousand people built those boats and headed them out to Normandy. We are going to rebuild our shipping industry, we are going to rebuild our maritime industry, and we are going to rebuild this great gulf coast of the United States.

I ask unanimous consent have printed in the RECORD a letter dated September 7, 2005.

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

U.S. SENATE,

Washington, DC, September 7, 2005.

Hon. BILL FRIST,
U.S. Senate Majority Leader,
Washington, DC.
Hon. HARRY REID,
U.S. Senate Minority Leader,
Washington, DC.

DEAR LEADERS: As the U.S. Senate begins work on further Hurricane Katrina relief and rebuilding legislation, we write to implore both of you to do everything in your power to ensure it is done in a spirit and through a process that is fully bipartisan.

Now, just nine days after this devastating storm hit, we have already detected some troubling signs in Washington and in the Senate. There are signs that some might try to maneuver in the debate on relief legislation specifically for partisan gain. We view any such attempt as abhorrent and injurious to the already suffering victims of the hurricane.

We implore both of you to lead in a completely different direction. This must be done not only through words and symbols but by developing all relief legislation in a fully bipartisan way.

The Senate has always acted this way in the past in developing disaster relief legislation, whether to address 9/11, Hurricane Andrew, or a myriad of other challenges. The need for this method of action and leadership is even greater now.

There is no question that there were mistakes made and lessons learned from this tragic experience. The Senate will have ample time to thoroughly investigate this event, and we plan to play a major role in these investigations. Now, all of our resources and efforts should be dedicated to the rescuing of victims, providing food, shelter, employment, education and healthcare to the victims of Hurricane Katrina. We must also begin laying the groundwork for the long-term recovery and re-building of our great state. Please do not make the citizens of Louisiana a victim once again by allowing our immediate needs to be delayed by partisanship.

In these past situations, committee chairmen and ranking members always developed legislation together and it passed with near unanimity.

Thank you for your leadership and your attention to this vital plea.

Sincerely,

MARY LANDRIEU.

U.S. Senate.

DAVID VITTER.

U.S. Senate.

Mr. LEAHY. Mr. President, as ranking member of the Subcommittee on Research, Nutrition, and General Legislation of the Agriculture, Nutrition and Forestry Committee I am today introducing a bill with Senator HARKIN, the ranking member on that committee, to provide additional emergency food assistance in response to the devastation caused by Hurricane Katrina, and the flooding in the aftermath of that massive storm. It is very similar to the efforts of Senator LANDRIEU and Leader REID but it just focuses on food assistance.

This legislation will provide USDA with additional funding and authorities to provide a strong and continuous response to the food needs of thousands of families adversely affected by Hurricane Katrina.

While thousands may have perished in America's largest natural disaster, we must turn to the living to do what we can to help. I am especially troubled by the horror stories I have heard about the treatment of the elderly. It was almost impossible to watch the images on television.

Another terrifying image was of children separated from their parents, trying to survive on their own. The most gruesome was the bodies floating in black water.

In the Federal response to this national catastrophe there is a bright spot.

The U.S. Department of Agriculture has done a good job. FEMA gets an "F," in contrast. In fact, I heard today on NPR that the Navy was not given the go-ahead by FEMA to send ships with hospital facilities down to New Orleans and that senior naval officers were very frustrated that they could not help earlier.

In contrast, USDA has quietly and efficiently assisted thousands of displaced persons. Secretary Johanns, Deputy Secretary Conner and Under Secretary Bost have done a great job within the limitations of their authority. They responded immediately.

I also appreciate the work of the Food and Nutrition Service within USDA. I thank them.

This bill provides USDA with additional funding to continue its efforts and gives USDA some additional authorities regarding the food stamp program and child nutrition programs. Our effort on this legislation should be taken as a supplement to what they are already doing, and an enhancement of their authority.

USDA is not only helping in areas which will need to be rebuilt, but they are helping those families who have been displaced and been forced to move.

There has been a huge outpouring of sympathy from every corner of every county in my home State of Vermont. In addition to the assistance already provided, Vermont stands ready to help the displaced families, the unemployed workers, the distraught children, and the destroyed communities.

This bill was written to be referred to the Agriculture, Nutrition and Forestry Committee where nutrition bills have always been handled in a bipartisan fashion.

I look forward to working with all the Senators on that committee.

Chairman CHAMBLISS has tackled every issue the committee has faced this year in a direct and effective fashion and I look forward to working with him, and all members of the committee, on an emergency food assistance package that goes to the White House for signature.

I know that he and his staff have been coordinating with USDA and that Senators on the Committee will, of course, work with Senators from all of the affected States on any advice or changes that are appropriate. Some of the provisions in the bill are modeled after ideas that worked well in responding to Hurricane Andrew where, once again, USDA was commended for handling the emergency very well.

This bill is a starting point, not an end point. I know that, but I wanted to get the ball rolling to have language to run by my colleagues who represent areas demolished in this disaster. I want to thank Senator REID and Senator LANDRIEU for coordinating with Senator HARKIN and me on this matter.

All the Senators in the affected areas have been working day and night on trying to get aid to those in need, whether from local, State, charitable, non-profit or Federal Government sources. I will continue to work with all of them.

I ask unanimous consent that a summary of Hurricane response to food stamps and food assistance be printed in the RECORD.

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

SUMMARY OF HURRICANE RESPONSE/FOOD
STAMP AND FOOD ASSISTANCE RESPONSE

THE FOOD STAMP PROGRAM

This proposal would provide USDA with additional funding and authorities to provide

a strong and continuous response to the food needs of thousands of families adversely affected by Hurricane Katrina. It would improve the Food Stamp Program's response to Hurricane Katrina. It generally would expire no later than the end of federal fiscal year 2006. The President would have the authority to terminate its provisions earlier if conditions improved. The proposal would target three groups of low-income households: those living in areas Katrina hit, those that lost jobs in the disaster area, and those relocated from the disaster area to other parts of the country.

The proposal would incorporate the terms of USDA's Hurricane Katrina disaster relief policy for the period specified above:

States must act within seven days on all food stamp applications from affected households.

Households doubled up with friends or relatives could apply for food stamps on their own.

Work requirements and the three-month time limit on childless adults regarding finding a job would be suspended for disaster victims.

The legislation would expand food stamp assistance to disaster victims:

To account for higher food costs for people in disaster areas and people displaced by Hurricane Katrina, the maximum benefit provided through the food Stamp Program is increased by 10 percent.

The gross income limit for disaster victims would increase from 130 percent of the poverty line to 150 percent. This would help disaster survivors that suddenly incur high shelter costs when, for example, they temporarily live in a motel. (The net income limit would remain at 100 percent of the poverty line to ensure that only low-income people receive food stamps.)

All vehicles of disaster survivors, both those that they have with them and those they left behind, would be excluded from determining the household's resources.

For one year, all vehicles and bank accounts would be exempt from the \$2,000 resource limit in recognition that households are facing many extraordinary expenses and should not be required to spend down to \$2,000 when their savings may have to last them until they can find new jobs. In addition, disaster relief aid from federal, state, or local governments, charities, insurance settlements, and other sources would not count as resources.

Assets owned by a household, but which are currently inaccessible to the household due to the emergency, will not be counted for purposes of determining food stamp eligibility. For example, a family should not be rendered ineligible because of a house or car the family had to leave behind in the disaster area.

Food stamp benefits would not be prorated for the month based on the date the household applies. Under disaster conditions, families' applications may be postponed through no fault of their own. During this time, the families are forced to spend their scarce funds on food and remain just as needy as families that were able to get a ride to the food stamp office sooner.

The legislation also would streamline procedures for aiding affected households by:

Having the federal government assume 100 percent (rather than the usual 50 percent) of the administrative costs of serving disaster victims. State expenses to address the range of issues presented by these disaster victims are rising constantly and this change will assist states in their time of need.

Encouraging states to work aggressively to serve affected households by excluding any errors in applying disaster procedures from error rate calculations.

Waiving any claims for inaccurate issuances to affected households except in cases of fraud.

Requiring USDA to work with states to eliminate duplication between households initially certified for food stamps in their home state that are then relocated to a different state. Except where someone deliberately lies to get double benefits, displaced persons would not be required to keep track of which food stamps they received from which state while this overlap is being resolved. Recipients should be encouraged to spend food stamp benefits to feed their families even when they are uncertain about the status of their cases. This is particularly true since overburdened state food stamp agencies may be ill-equipped to answer their questions.

THE EMERGENCY FOOD ASSISTANCE PROGRAM AND COMMODITY DISTRIBUTION

In terms of immediate emergency relief, food stamp receipt may, in some cases, not be the most timely form of assistance that a family may access. Emergency commodities may be a faster and more efficient manner by which to provide immediate food assistance through food banks, food pantries, and congregate meal sites. In order to provide USDA with sufficient funding by which to provide emergency funding, this food assistance emergency package includes:

\$200 million for The Emergency Food Assistance Program (TEFAP), to be spent either on commodities or for transportation, processing, and administrative costs.

\$200 million for USDA to procure bulk commodities using Section 32 authority.

\$20 million for USDA to replenish Commodity Supplemental Food Program commodity stocks destroyed by Hurricane Katrina.

SPECIAL SUPPLEMENTAL NUTRITION PROGRAM FOR WOMEN, INFANTS, AND CHILDREN (WIC)

To allow for unexpected increases in WIC caseload as well as the possibility of rising food costs in the WIC program, this package provides \$200 million dollars (available October 1) for the WIC program.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

TO ALLOW UNITED STATES COURTS TO CONDUCT BUSINESS DURING EMERGENCY CONDITIONS

Mr. FRIST. Mr. President, I ask unanimous consent the Senate proceed to the immediate consideration of S. 1634 and H.R. 3650, en bloc.

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

The clerk will report the bills en bloc.

The assistant legislative clerk read as follows:

A bill (S. 1634) to allow United States courts to conduct business during emergency conditions, and for other purposes.

A bill (H.R. 3650) to allow United States courts to conduct business during emergency conditions, and for other purposes.

There being no objection, the Senate proceeded to consider the bills.

Mr. SPECTER. Mr. President, I seek recognition to support legislation that is urgently needed in light of the devastation caused by Hurricane Katrina. This legislation would authorize Federal circuit, district, and bankruptcy courts to conduct special sessions outside their respective boundaries in times of emergency. Currently there is no authority in the law for Federal courts to hold session beyond their geographical districts.

The need for such authority initially became apparent following the terrorist attacks of September 11, 2001. Those attacks seriously impaired Federal court operations in New York City at the time. Court facilities available in nearby districts, such as New Jersey, could have alleviated the disruption in court services, but the authority provided in this legislation did not exist.

The recent impact of Hurricane Katrina on the Federal courts in Louisiana, Alabama, and Mississippi has heightened the urgency of congressional action on this proposal. When emergencies, whether they be natural disasters or terrorist attacks, make shifting court operations to other court facilities within the affected district impossible, a Federal court facility in an adjoining district or circuit might be more readily and safely available to court personnel, litigants, jurors, and the public.

The widespread flooding and vast destruction caused by Hurricane Katrina has created precisely this scenario. All of the Federal court facilities in the Eastern District of Louisiana are severely damaged and will not be available for a significant period of time. Courthouses have roof and window damage, extensive water infiltration, and no electrical power. Senior court management are meeting in Lafayette to discuss finding viable and possibly long-term alternative sites for court operations for that entire district, but such alternative sites most certainly must be outside the geographical boundaries of that district.

Federal courts in the Middle and Western Districts of Louisiana are expected to remain open for business and possibly could provide temporary courtroom facilities, and the judiciary will be exploring these and other possibilities if given the authority proposed in this bill.

In the Southern District of Alabama, seawater has flooded the basement of the Mobile, AL, courthouse, and debris is scattered throughout the grounds. The court does not know when that facility will become operational again, and this court too, may have to be temporarily relocated outside of the district. Similarly, in the Southern District of Mississippi, seawater has flooded the Gulfport facility, and communications and electrical power are down. Court operations in the Gulfport area have been shifted within that district to the court facility in Jackson, MS.

The Fifth Circuit operations in New Orleans are completely closed and will

remain so for the foreseeable future. In the meantime, the judiciary has undertaken efforts to determine how much of the Fifth Circuit operations in New Orleans can be shifted within the circuit to Houston, and for what period of time.

The Federal courts in these areas devastated by Hurricane Katrina simply must be able to shift court proceedings temporarily into a neighboring district. Without this legislation, the Federal criminal justice system risks grounding to a protracted halt throughout the gulf region at a time when it is needed most. This legislation is needed now to avoid undue delay in bringing criminals to swift justice and resolving civil matters important to private citizens, especially bankruptcy proceedings in anticipation of an increase in bankruptcy filings in Hurricane Katrina's wake.

The need for this bill was brought to my attention by Judge Edward Becker of the Third Circuit and his colleagues at the Administrative Office of the Federal Courts and it enjoys their strong support. This bill is supported by my Democratic colleague, Senator LEAHY, as well as Senators from the States ravaged by Hurricane Katrina. Since this bill is noncontroversial and clearly urgent, it is my hope that it can be passed by unanimous consent before the end of business today.

Mr. LEAHY. Mr. President, the devastation wrought by the Hurricane Katrina to New Orleans and the gulf coast is not yet fully known. As the fate of thousands of our fellow Americans remains uncertain and the lives of many have been uprooted and the livelihood of many others affected, we must do all we can to assist those still suffering.

During this time of crisis, one thing we can do is ensure that the Federal courts in these afflicted regions continue to function. I worked with Senators LANDRIEU, VITTER, and Chairman SPECTER, Chairman SENSENBRENNER and Congressman CONYERS to respond to a request from the Judicial Conference for additional authority to conduct court business outside the traditional territorial jurisdiction of a court. I thank them for including in this bill important reporting and accountability requirements.

In implementing this legislation, I want to be sure that we work with the court, the Judicial Conference, and the Justice Department—but also with the local bar and others who will be most directly affected by the invocation of the authority this legislation would grant.

Mr. FRIST. Mr. President, I ask unanimous consent the bills be read the third time and passed, the motion to reconsider be laid upon the table, and any statements relating to the bills be printed in the RECORD.

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

The bill (H.R. 3650) was read the third time and passed.

The bill (S. 1634) was read the third time and passed, as follows:

S. 1634

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

SECTION 1. SHORT TITLE.

(a) SHORT TITLE.—This Act may be cited as the “Federal Judiciary Emergency Special Sessions Act of 2005”.

SEC. 2. EMERGENCY AUTHORITY TO CONDUCT COURT PROCEEDINGS OUTSIDE THE TERRITORIAL JURISDICTION OF THE COURT.

(a) CIRCUIT COURTS.—Section 48 of title 28, United States Code, is amended by adding at the end the following:

“(e) Each court of appeals may hold special sessions at any place within the United States outside the circuit as the nature of the business may require and upon such notice as the court orders, upon a finding by either the chief judge of the court of appeals (or, if the chief judge is unavailable, the most senior available active judge of the court of appeals) or the judicial council of the circuit that, because of emergency conditions, no location within the circuit is reasonably available where such special sessions could be held. The court may transact any business at a special session outside the circuit which it might transact at a regular session.

“(f) If a court of appeals issues an order exercising its authority under subsection (e), the court—

“(1) through the Administrative Office of the United States Courts, shall—

“(A) send notice of such order, including the reasons for the issuance of such order, to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives; and

“(B) not later than 180 days after the expiration of such court order submit a brief report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives describing the impact of such order, including—

“(i) the reasons for the issuance of such order;

“(ii) the duration of such order;

“(iii) the impact of such order on litigants; and

“(iv) the costs to the judiciary resulting from such order; and

“(2) shall provide reasonable notice to the United States Marshals Service before the commencement of any special session held pursuant to such order.”.

(b) DISTRICT COURTS.—Section 141 of title 28, United States Code, is amended—

(1) by inserting “(a)(1)” before “Special”;

(2) by inserting “(2)” before “Any”; and

(3) by adding at the end the following:

“(b)(1) Special sessions of the district court may be held at such places within the United States outside the district as the nature of the business may require and upon such notice as the court orders, upon a finding by either the chief judge of the district court (or, if the chief judge is unavailable, the most senior available active judge of the district court) or the judicial council of the circuit that, because of emergency conditions, no location within the district is reasonably available where such special sessions could be held.

“(2) Pursuant to this subsection, any business which may be transacted at a regular session of a district court may be transacted at a special session conducted outside the district, except that a criminal trial may not be conducted at a special session outside of the State in which the crime has been committed unless the defendant consents to such a criminal trial.

“(3) Notwithstanding any other provision of law, in any case in which a special session is conducted pursuant to this subsection, the district court may summon jurors—

“(A) in civil proceedings, from any part of the district in which the court ordinarily conducts business or the district in which the court is holding a special session; and

“(B) in criminal trials, from any part of the district in which the crime has been committed and, if a defendant so consents, from any district in which the court is conducting business pursuant to this subsection.

“(4) If a district court issues an order exercising its authority under paragraph (1), the court—

“(A) through the Administrative Office of the United States Courts, shall—

“(i) send notice of such order, including the reasons for the issuance of such order, to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives; and

“(ii) not later than 180 days after the expiration of such court order submit a brief report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives describing the impact of such order, including—

“(I) the reasons for the issuance of such order;

“(II) the duration of such order;

“(III) the impact of such order on litigants; and

“(IV) the costs to the judiciary resulting from such order; and

“(B) shall provide reasonable notice to the United States Marshals Service before the commencement of any special session held pursuant to such order.”.

(c) BANKRUPTCY COURTS.—Section 152(c) of title 28, United States Code, is amended—

(1) by inserting “(1)” after “(c)”;

(2) by adding at the end the following:

“(2)(A) Bankruptcy judges may hold court at such places within the United States outside the judicial district as the nature of the business of the court may require, and upon such notice as the court orders, upon a finding by either the chief judge of the bankruptcy court (or, if the chief judge is unavailable, the most senior available bankruptcy judge) or by the judicial council of the circuit that, because of emergency conditions, no location within the district is reasonably available where the bankruptcy judges could hold court.

“(B) Bankruptcy judges may transact any business at special sessions of court held outside the district pursuant to this paragraph that might be transacted at a regular session.

“(C) If a bankruptcy court issues an order exercising its authority under subparagraph (A), the court—

“(i) through the Administrative Office of the United States Courts, shall—

“(I) send notice of such order, including the reasons for the issuance of such order, to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives; and

“(II) not later than 180 days after the expiration of such court order submit a brief report to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives describing the impact of such order, including—

“(aa) the reasons for the issuance of such order;

“(bb) the duration of such order;

“(cc) the impact of such order on litigants; and

“(dd) the costs to the judiciary resulting from such order; and

“(ii) shall provide reasonable notice to the United States Marshals Service before the

commencement of any special session held pursuant to such order.”.

(d) UNITED STATES MAGISTRATE JUDGES.—Section 636 of title 28, United States Code, is amended in subsection (a) by striking “territorial jurisdiction prescribed by his appointment—” and inserting “district in which sessions are held by the court that appointed the magistrate judge, at other places where that court may function, and elsewhere as authorized by law—”.

Mr. FRIST. Mr. President, for the information of colleagues, the bills, as stated, S. 1634 and H.R. 3650, are to address the issue of responding to the emergency of the national disaster which has occurred and in some ways is ongoing in the Gulf States. This allows our Federal court system to continue its operation. This legislation requires it to do so. This likely will be among a series of bills we will address over the coming days and weeks that respond to the disaster itself and to service the victims of that disaster, the people who are still in that coastal area of Louisiana and Mississippi and Alabama, to the victims who have been displaced, and to help volunteers and those people who are pitching in around the country, both government and private sector, as we come together to respond to this disaster that may well be the largest natural disaster we have seen in the last 100 years.

The pending legislation is the Commerce, Science, and Justice appropriations bill. In this bill, as has been discussed, are a number of provisions related to Katrina and our response to Katrina, things such as the small business disaster loans.

We will be, in fact, on that bill shortly, and the chairman will be here. I encourage Members to come over and talk to the chairman and ranking member. We want to move expeditiously with this appropriations bill, in part, because it does have Katrina-related issues in it. I would love to be able to finish this bill this week, if at all possible.

Second, just for the information of our colleagues, the House will pass, at some point today or this afternoon, our second supplemental request to respond to this disaster. We have passed a \$10.5 billion bill in an urgent emergency session last Thursday night. The Senate addressed it. This will be a second supplemental. As most know, it is more than \$50 billion, a very large sum, but that is the appropriate sum, as a second phase, as determined by our appropriate personnel and staff.

The House will pass that later today. Once they pass that, it will come to the Senate either this afternoon or this evening. I want to make sure our members know we will have rollover votes today. It may well be tonight, but we need to pass the supplemental as soon as we possibly can.

Ms. MIKULSKI. Mr. President, this side of the aisle concurred when the majority leader offered the unanimous consent allowing the Federal court to do their business outside of their jurisdiction. It is the people's business. How

fitting we have the wheels of justice providing that flexibility. I am sure there will be other legislation; we hope it all goes as smoothly.

MAKING APPROPRIATIONS FOR SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES FOR FISCAL YEAR 2006—Continued

Ms. MIKULSKI. For the Commerce, State, Justice appropriations, we are now waiting for the chairman to give his statement. We will correct some technical amendments. We are urging colleagues to come and offer amendments. We know of six on our side of the aisle. We are doing our best. We would like to be able to finish this bill today, but if we start offering amendments at sundown—sundown is a great cocktail party, but that is not a great way to do appropriations. So we really want to do this bill because it funds the FBI, it funds the Justice Department, it funds important help to the FEMA victims. We would like to move it along.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mrs. LINCOLN. Mr. President, I first compliment my colleagues, Senator MIKULSKI and Senator SHELBY, for doing such a fine job and for the hard work they have done on a very important issue. I compliment my colleague and neighbor from Tennessee, Senator FRIST, for working so diligently to get the supplemental emergency appropriations bill over here so we can help our neighbors in the delta region, in the Midsouth, lower Midsouth region. And I again compliment my colleagues from the States of Mississippi and Alabama and Louisiana for their incredible passion and concern, as well as their hard work and their diligent efforts in responding to the needs of their constituency.

Sitting here on the Senate floor listening to my colleague from Louisiana, Senator LANDRIEU, I thought so desperately about some lessons I had learned growing up along the Mississippi River. My father was very emphatic about how important it is to not only have good neighbors but to be a good neighbor, how critically important it is that you have good neighbors that can help you raise your children, educate them, to help out with a cup of sugar or other needs you might have at the end of the month if you do not have enough, to make sure if you are trying to harvest your crops—as many of our farmers are right now—and you find out that to diligently get those crops

out of the field you may not have enough hands or equipment to do that, that you can look to your neighbor to help you do that and others things.

I think during times like these, as we look to our neighbors from Louisiana and Mississippi and Alabama and the needs they have, it is important for us—as we have been the recipient of their generosity and their camaraderie and fellowship—to understand how important it is for us, as neighbors, to be the good neighbor they have been to us and welcoming their constituency into our homes in Arkansas, to help provide them not only the necessities of life—the water, the food, the rest, the shelter, the clothes—they might need right now in such a difficult time but also to provide them the hug, the love, the comfort, the stability, the idea that we will be there with them, we will be there for them, as long as they need us.

That is why I come to the floor of the Senate today. As Senator FRIST has mentioned, bringing an emergency supplemental appropriations bill over is really critical. But as many of us know who have worked diligently on so many of the components of our Government—that provides assistance and aid as well as just everyday services to the people we represent—it is very important to enable these agencies, these providers of services the language and the ability to use these dollars as efficiently, as effectively, and as quickly as they possibly can be used in reaching the needs of our fellow Americans whose lives have been shattered.

AMENDMENT NO. 1652

(Purpose: To provide for temporary medicaid disaster relief for survivors of Hurricane Katrina, and for other purposes)

Mr. President, I wanted to wait until the Senator from Alabama had come to offer an amendment, but I do rise today to offer an amendment to respond to the dire health care crisis that has been created by Hurricane Katrina.

Hurricane Katrina has created a crisis of epic proportions for our Nation but particularly in the Midsouth region. It is a humanitarian crisis for the people of Louisiana, Mississippi, and Alabama. It is a capacity crisis for hospitals, for clinics, and community health centers, for physicians and nursing homes that are bursting at the seams with a surge in demand for care, mostly emergency care, mostly dire care, that has been evidenced by not only those who have been victimized by the dangerous natural elements but also by those who have been removed at a moment's notice from their homes where they have left their insulin, perhaps, or their high blood pressure medicine or other things that allow them a quality of life and a sustainability of life on a day-to-day basis.

It is a fiscal crisis for the States directly affected as well as those which have welcomed the displaced survivors, including Arkansas, Florida, Oklahoma, Texas, and so many other States. When New York City faced a

similar set of crises after 9/11, the city turned to Medicaid, the Federal-State partnership of health care for the poor, to provide temporary coverage for victims of the tragedy. Our Nation's health care safety net met the needs of millions of New York families, ensuring them access to comprehensive health care services.

Current law restrictions on Medicaid eligibility impede our efforts to let Medicaid provide a safety net for Katrina's victims. Under current law, low-income individuals must be residents of a State in order to qualify for Medicaid coverage in that State. Once the individual is determined eligible and enrolled in Medicaid, Federal and State Governments share in the cost of purchasing medically necessary services from hospitals, clinics, and other providers. The amount the State pays varies from State to State—from 29 percent in Louisiana to 39 percent in Texas to 50 percent in the State of Virginia.

Katrina has displaced tens and perhaps hundreds of thousands of citizens of Louisiana, Mississippi, and Alabama who have lost everything and who will not be able to return to their homes until their communities are rebuilt. We are looking here to put into place some commonsense directives, some flexibility to allow these individuals to be able to access the kind of health care we in this Nation know they need and as Americans we want to provide.

These citizens cannot return to their homes and may not return to their homes for months, but under current Medicaid law, they are only eligible for benefits as residents of their home State. Under current law, Medicaid services can only be provided if the State puts up its own money for the match for the survivors, but the States directly affected by Katrina and those hosting the survivors will not be able to put up their match payments due to the fiscal crisis Katrina has created. This could put Medicaid coverage for our Nation's neediest individuals in jeopardy.

We want to prevent that from happening. We want to assure our providers and those in the communities who are there to wrap their arms around their fellow Americans—their neighbors, many of them to the south or to the east or wherever their neighbors from Louisiana, Alabama, and Mississippi have come from—that the Federal Government has the common sense and the wisdom to be able to provide these services with the flexibility and without the redtape that in many instances would cause providers to turn them away.

In the face of the public health, and State budget crises Katrina has created, current law is not plausible. If normal application procedures apply, the displaced survivors will face delays in establishing their eligibility for Medicaid. The providers serving them during these delays will not be reimbursed until after eligibility is estab-

lished and may not receive reimbursement for their services at all. And for many of us from States that already have a disproportionate share of low-income individuals who depend on Medicaid services, this could be detrimental to not just those who are surviving Katrina but those who are hosting those victims and those survivors as well. The host States could incur large, unexpected increases in their Medicaid costs at the same time their revenues are reduced by the economic dislocation caused by Katrina.

What we are looking for here is something very similar to what we did in New York—to try to provide that flexibility that is needed, streamlining those services, and, more importantly, making sure the paperwork is not the mountain of paperwork that so many are used to but that they are simplistic and something that can expedite getting the needs of these individuals met.

This is a critical issue that has to be addressed immediately. Our States and our fellow Americans deserve it. To address these crises, I have proposed the temporary disaster relief Medicaid amendment.

The amendment, just briefly, is as follows:

It would provide the Katrina survivors with health coverage through Medicaid wherever they find refuge. A simplified eligibility and enrollment process would be created for people from Federal disaster counties in Mississippi and Alabama and Federal disaster parishes in Louisiana. It would be extended to those who live in those States and who have lost their jobs since the Hurricane Katrina crisis has happened. This, again, is something very similar to what we did in New York after 9/11. Using what we have learned there, we want to expedite these services for the victims today.

We want to make it easy for health providers to care for Katrina survivors. Once enrolled, Katrina survivors who are in other States would receive Medicaid as though they were Medicaid enrollees in that very State. Medicaid would also temporarily finance people's private insurance if they have access to it. This means no new systems or rules for health care providers so they can again rest assured that they are providing these services and will still be able to maintain their wholeness in providing services to their own communities.

It would guarantee Federal funding for health care for Katrina survivors. The Federal Government would fully finance the cost of providing Medicaid to Katrina survivors in any State in which they are enrolled. Additionally, the scheduled decline in some States' Medicaid matching rate for fiscal year 2006 would be canceled.

Mr. President, you may be certainly well aware, as many of us are here in the Senate, that the Federal matching rate was due to change as of October 1 of this year. We want to make sure we extend, for those who are affected, the

current Federal matching rate in order to be able to maintain their wholeness and for those to be able to continue to offer their services, as a good neighbor wants to, to those victims of this crisis. This would continue for 6 months, with a possible extension for another 6 months if the need exists and continues.

It would also ensure a smooth transition to the Medicare drug benefit for Katrina survivors. In addition, parts of the implementation of the drug benefit would be delayed in States directly affected by the hurricane, along with their neighbors. Specifically, the transition of "dual eligibles" from Medicaid to Medicare—as well as the "clawback" payments, which we discussed at great length when we did the Medicare reform package—would be temporarily suspended to prevent survivors from losing their drug coverage. We have tried—and I know I have in my own home State, having supported the Medicare reform package—to make sure the information is out there for the elderly and the disabled and those who use Medicare as to what their opportunities and options are through Medicare, particularly the new Part D Medicare drug component.

For the low-income, there is an incredibly good component of the Medicare drug piece in the Medicare reform package. All of these are available, but they do have deadlines. They do have deadlines. The enrollment begins on November 15 of this year. Those who do not enroll in a drug plan by May 15, 2006, this coming spring, will see a premium penalty. Many of us have learned, as we have delved into Medicare over the years, that those others receive premium penalties if they don't sign up for Medicare on time. We want to make sure those kinds of penalties don't exist for victims who find themselves not only displaced from their families, their homes, their regular medical providers, but also all of their information, their documents, the kind of information and certainly the normalcy of life that allows one to go through that kind of paperwork and try to make the best decisions possible.

The requirement of proof of assets for the low-income drug benefit would be delayed. As we know, many of these individuals have no idea if their old job will be there; will there be a new job; how long it will take for these businesses to rebuild, to replenish, to be back in action. There are so many who are dealing with so much unknown. It is certainly our responsibility, not only as legislators but as fellow Americans, to recognize they need time. They need time and flexibility to work through these issues and to access the programs that we have very carefully designed to fit their needs.

The penalties for not immediately enrolling in Medicare and its drug program would also be temporarily suspended. Providing this assistance—certainly the dollars Senator FRIST spoke of, the ability to make sure that the

victims, our fellow Americans who have gone through such atrocities, and the health care providers in the communities who want to be there to serve them, making sure of the technical parts of this recovery—is our responsibility. I hope the managers of the bill will understand how important it is for us to move quickly to ensure that those who are providing the relief and those who are receiving it can take it with great comfort levels that they won't have to deal with the bureaucracy but that they will be dealing with a compassionate Federal Government that understands the necessity of making this process more streamlined and more accessible.

It is not only the right thing to do; it is what we must do to ensure that our Nation's safety net does not unravel in the face of this growing national emergency. We still have the precautions in here. We still have the fraud and abuse precautions that exist in our current law. We just want to make sure that our fellow man, our fellow Americans, in a time of dire need, as has been described eloquently by Senators from those States who have been there with these individuals, for those of us who are from States where they are coming, seeing these individuals coming in—we had a group come in through Fort Chaffee, AR, almost 10,000 evacuees processed in about a 12-hour period, all of whom came with what they had left in a plastic sack, perhaps, who had been sitting on buses for almost 2 days while people figured out where they should go, what they should do, where they should be sent, who should be taking care of them. We don't want that to happen in their medical care and in their access to the kind of things that we know they are going to need now and they are going to need in the coming weeks and months.

I hope we will do our homework quickly. I urge my colleagues to support this amendment to create temporary disaster relief Medicaid today. I ask them all to think about how they would feel, many of whom have experienced it. Senators from Alabama and Mississippi and Louisiana who have lost their homes and have found their family members displaced can understand how heavy the hearts are of our fellow Americans who have been victimized by this incredible storm. We, in our way, can help in bringing down the wall of bureaucracy and redtape to allow them the helping hand that we can provide.

I send the amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Arkansas [Mrs. LINCOLN] proposes an amendment numbered 1652.

Mrs. LINCOLN. I ask unanimous consent that reading of the amendment be dispensed with.

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

(The amendment is printed in today's RECORD under "Text of Amendments.")

Mrs. LINCOLN. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I am pleased to present to the Senate the Commerce, Justice, Science, and Related Agencies appropriations bill for fiscal year 2006. Since August 25, our Nation has been gripped by the devastation and destruction left in the wake of Hurricane Katrina. We have all watched in horror as this category 4 hurricane ravaged an entire region, and each of us share in the sorrow of those who have lost their lives and their livelihoods. I am confident that the strength of the American spirit will rise to this challenge and, just as we have many times before, that we can and will recover.

The bill before us today provides funding for many U.S. Government functions that are critical to hurricane prediction, response, and recovery. The Small Business Administration provides low-interest loans to disaster victims to rebuild their homes and businesses. The Economic Development Administration, under the Department of Commerce, can make funds available to distressed communities to help repair their physical infrastructure. Under the Department of Justice, State and local law enforcement assistance grants can help provide relief to gulf coast law enforcement agencies. Finally, the National Oceanic and Atmospheric Administration is one of three lead agencies responsible for researching, forecasting, monitoring, and warning of hurricanes.

It is timely that this bill is being considered on the Senate floor, and I commend the leader for recognizing how important it is to send this bill to the President.

This afternoon, I want to take a moment to provide some general background about the bill before us and the programs it funds. The reorganization of the Appropriations Committee earlier this year significantly changed the jurisdiction of the subcommittee. The newly formed subcommittee has jurisdiction over the Departments of Justice and Commerce, as well as the National Aeronautics and Space Administration, the National Science Foundation, and a number of independent agencies such as the Securities and Exchange Commission, the Federal Trade Commission, the Federal Communications Commission, and the Small Business Administration. The major areas of jurisdiction of the CJS bill are counterterrorism, Federal, State, and local law enforcement, our Nation's economy, regulation of the banking and telecommunications sectors, scientific research, including programs to study the oceans and atmosphere, and our Nation's space program.

In a year when domestic discretionary dollars are scarce, it has been our goal to ensure that the priorities of our Nation and our States are met while remaining within our allocation. I believe we have accomplished those

savings wherever possible and that we have allocated limited resources to meet the highest priority programs. These priorities include bolstering our capabilities for fighting terrorism, assisting with law enforcement activities at the State and local level, measuring and strengthening our Nation's economy, furthering scientific research, and reforming and reenergizing our Nation's space program. In the wake of three successive hurricanes last year and now Hurricane Katrina, we have also taken steps to ensure our Nation's ability to predict and monitor hurricanes. And we have done what we reasonably could within our purview to improve our response and recovery capabilities.

The total amount recommended is \$885 million above the fiscal year 2005 level at this point in the debate, which is a 2-percent increase. These numbers might suggest that the bill is well below the budget request. However, the bill does not include the proposed Strengthening America's Communities Initiative. The President's budget request for the Department of Commerce included \$3.7 billion to implement this new program. The bill before us does not reflect the President's proposal to transfer and significantly reduce these programs.

Another noteworthy aspect of the bill is that it includes an increase of over \$1 billion above the budget request for the Department of Justice. This is mainly due to the restoration of the proposed cuts to State and local law enforcement grants. I know the Presiding Officer is very involved in that. The bill also recommends nearly \$7.2 billion for the Department of Commerce, including NOAA and NIST, which is an 8-percent increase over last year's funding level. Many Department of Commerce programs were proposed for termination in the President's budget for 2006. Rather than terminating these programs, the bill before us includes funding for the Economic Development Administration, which is so important to every State, the public telecommunications facilities, planning and construction grants, and the Technology Opportunities Program.

In the science title of the bill, we have restored the 8-percent reduction from last year's enacted level that was proposed by NOAA. There is continued frustration among many of my Senate colleagues about the Department's repeated request to reduce NOAA funding. NOAA provides many critical functions to hurricane prediction and warning. Further, our oceans and atmosphere constitute one of our most precious natural resources, and I believe we can all appreciate the importance of both to human subsistence. I believe we should be increasing NOAA's budget, as the bill does, not cutting it.

In addition, this bill provides funding for NASA to move forward with the exploration vision while fully funding the ongoing activities of the space shuttle and the International Space Station.

The recommendation fully funds constellation systems and provides NASA with funds to prepare a servicing mission to the Hubble space telescope. Many of NASA's facilities in the gulf region sustained significant damage from Hurricane Katrina, and we have not addressed those issues in this bill. We expect to address them in the next supplemental spending measure that will be considered.

Finally, in the related agencies title of the bill, we include full funding for the Securities and Exchange Commission, for the Federal Communications Commission. The recommendation rejects a number of proposed program eliminations within the Small Business Administration.

This, overall, is a pretty lean bill. We had to work with our allocation. We had to make tough decisions to get here. I think my colleagues will find that this bill does support core functions and even provides increases where critical. The bill addresses the most pressing needs that were brought to our attention both by the administration and by my colleagues on both sides of the aisle. Overall we believe we have crafted a bill that reflects the priorities of this committee, as well as of the entire Senate.

I take this opportunity to thank Senator MIKULSKI, my friend and colleague, who is the ranking member on the committee. We have worked together this year, as we have in many years, to produce a bill that is fair and forward looking under intense time and budget constraints. I look forward to continuing to work with Senator MIKULSKI on the Senate floor and in the future.

I also reiterate the leader's position, which is that we must act on this bill expeditiously. I urge my colleagues to come to the floor and offer their amendments. I will try to work with them, but let's act in a timely manner. Time is of the essence now.

AMENDMENTS NOS. 1655 THROUGH 1658, EN BLOC

Mr. President, I now send a series of amendments to the desk. I ask that the amendments be considered read and agreed to, the motions to reconsider be laid upon the table, and that any statements relating to these amendments be printed in the RECORD, with all of the above occurring en bloc. These amendments have been cleared on both sides of the aisle.

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

The amendments were agreed to, as follows:

AMENDMENT NO. 1655

On page 144, line 10, strike "\$409,625,000" and insert "\$404,625,000".

On page 152, between line 20 and 21, insert the following: "United States Travel and Tourism Promotion

For necessary expenses of the United States Travel and Tourism Promotion Program, as authorized by section 210 of Public Law 108-7, for programs promoting travel to the United States including grants, contracts, cooperative agreements and related costs, \$5,000,000, to remain available until September 30, 2007."

AMENDMENT NO. 1656

(Purpose: To provide funding and personnel for the National Hurricane Center)

On page 170, between lines 9 and 10, insert the following:

SEC. 304. Notwithstanding any other provision of this Act, of the amounts made available in this title under the heading "NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION" and under the subheading "OPERATIONS, RESEARCH, AND FACILITIES", not less than \$5,800,000 shall be made available for the National Hurricane Center and that such amount may be used to employ individuals in 43 full-time equivalent positions at the National Hurricane Center.

AMENDMENT NO. 1657

On page 173, beginning in line 2, strike "Provided further," and all that follows through "this Act" in line 10.

AMENDMENT NO. 1658

(Purpose: To expand the disaster loans that shall not be sold by the Small Business Administration)

On page 188, line 10, after "Alaska" insert "or North Dakota".

The PRESIDING OFFICER (Mr. DEMINT). The Senator from Iowa.

Mr. HARKIN. Mr. President, I have an amendment to this bill that I will be offering shortly along with Senator SMITH of Oregon, my cosponsor, and cosponsored by Senators BINGAMAN, WYDEN, FEINGOLD, and KENNEDY.

This amendment will increase the amount of money going to legal aid programs across the country from \$324.5 million to \$358.5 million.

Again, this amendment will throw a lifeline of legal services assistance to people in need.

I point out that this is \$4 million less than what the Legal Services Corporation requested in their budget earlier this year. The reason it is slightly less is because we had to do that to get the proper offset for the amendment. Forty-five Members of the Senate, on a strong bipartisan basis, sent a letter to the chairman and ranking member earlier this year seeking the full funding for legal services, which was \$362.5 million. As I said, this amendment is \$4 million less than what 45 Members of the Senate, on a bipartisan basis, requested earlier this year.

I also point out that 25 percent of the increase goes specifically to those programs providing assistance to victims of Hurricane Katrina.

Even before the devastation and displacement of Katrina, this increase was sorely needed. That is because today, as I stand here, 50 percent of the people eligible for legal services in America are being turned away because the programs simply are underfunded.

Keep in mind, to even be eligible for legal services, one must be below 125 percent poverty. That means for a family of four, you have to have less than a \$23,000-per-year income to even qualify for legal services. Again, we are now turning away half of the families in America who need civil legal help who make less than \$23,000 a year. That is not justice.

Furthermore, the clients served by legal services are overwhelmingly fe-

male. Seventy-two percent of the clients served by legal services are women, most of whom are seeking help with domestic abuse issues, including custody, retraining orders, and safe housing.

Legal services is also the only assistance most low-income women have in getting and keeping safe, habitable housing. It is critical in reducing homelessness among women and children.

In the last 2 years, cuts to legal services programs have resulted in the loss of funding for 200 attorney positions. Every single one of those attorney positions means at least 385 people a year not able to get the legal help they need.

To sum it up, last year, legal services was forced to serve 77,000 fewer people than they did the year before.

The Senate bill before us today, instead of taking a small step to fix this injustice, imposes an additional \$6 million in cuts to legal services programs. This is simply unacceptable.

I don't want anyone here to think this amendment we are offering is a drastic fix to the problem. All this amendment does is restore funding for legal services to the fiscal year 2003 level adjusted for inflation. This amendment restores legal services funding to the 2003 level.

If we were serious about providing equal justice under law for all of our citizens and providing the resources that legal services really needs, we would restore legal services to the 1995 funding level of over \$500 million a year.

Think about it this way: Since 1995, we have cut legal services, the only civil legal help poor people have in this country, by a third. And need I remind anyone what has happened to poverty since 1995? Has it gone down by a third? No; it has gone up. So poverty has gone up, and we have cut legal services by a third since 1995. Unconscionable.

This, of course, is the picture legal services was facing before Hurricane Katrina. Legal services always plays a critical role in a national disaster, but this disaster will impose more burdens and more challenges than ever before. That is why this amendment devotes \$8 million or, as I said, 25 percent of the increase goes to programs directly helping victims of Hurricane Katrina. Again, is that enough? Hardly. This will be a small downpayment on the funding that will be needed, and I hope will be provided, in some of the supplemental funding bills coming down the road.

I heard the majority leader today saying there is going to be a supplemental on the floor today. I don't know what is in it, but there better be something in it to help legal services serve the people displaced. We have to have immediate assistance to these programs to help assist people in the largest displacement in this country since the Civil War. Think about it: The largest displacement of people since the Civil War.

One might say people need food, water, they need clothing, they need shelter, they need schooling. Yes, they need all those immediate needs. But here is why they are going to need legal services immediately, not a year from now.

Let me share with you an e-mail from the State director of the Alabama program, one of the hardest hit States, describing what they will be doing in the next few weeks:

... legal services programs are traditionally a critical partner in long-term disaster response. We will be doing everything from trying to clear title for FEMA award purposes (many low-income folks land in houses passed from generation to generation without any formal conveyance . . .); to contractor fraud; to handling credit problems for folks who are trying to get SBA or other loans with which to rebuild their lives. Not only will we be helping victims of Hurricane Katrina [in this State], but there are over 35,000 evacuees from Louisiana and Mississippi in the State. Every one of our offices in the State will be serving Hurricane Katrina victims with already scarce resources.

So it is not something they are going to need a year or two from now, they need it now because, in the initial stages, legal services will be responsible for helping hundreds of thousands of people navigate the system for obtaining disaster-related food stamps, unemployment compensation, and housing assistance. They will be on the frontlines representing people with the agencies to get the needed relief.

Legal services will be the best on-the-ground arbiters of whether deadlines need to be extended to reach the hundreds of thousands eligible for assistance.

I have a little experience in this from both standpoints: One, I was a legal services attorney before I came to Congress. That was my job. So I know a little bit about how legal services work and who they serve. Second, our State of Iowa in 1993 was hit by a devastating flood. Every single one of our counties—99 counties—was declared a disaster area. Some of our small towns were totally wiped out.

So I have a great deal of sympathy and empathy for what is going on in New Orleans. We saw whole towns in our State underwater. Some of them were never rebuilt. We had to move people to other places.

That was 1993. Legal aid lawyers represented thousands of clients in the State of Iowa in landlord-tenant disputes about the ability to terminate leases of uninhabitable property. They assisted people in Iowa with a whole range of issues.

In one example, there was a certain FEMA determination that a woman was not entitled to compensation because the property was in the name of an ex-spouse. It turned out it was not an ex-spouse; it was her spouse who had died, and only legal services could help clear this up for this poor woman. She didn't have enough money to hire an attorney. As I said, to be qualified, one

has to have an income of less than 25 percent of the poverty level.

Another example of what they did in Iowa: FEMA determinations that massive property damages were, in fact, preexisting conditions; determinations of SBA loan eligibility.

This all happened in Iowa in 1993, so I know what it means to go through a devastating flood such as this and to have people who are homeless, without housing, with no place to go and needing the help of legal services to navigate, to find out what they can get, to know for what they are eligible.

In the situation we are now facing, much bigger than the flood of Iowa, legal services lawyers will be trying to represent clients who have no access to their homes, many who are temporarily living out of State. At least that did not happen in Iowa, at least not to any great extent. There are evacuees in Texas, in Arkansas, some in Washington, DC. Providing legal help to those most in need is critical in this instance.

Beyond the immediate need of helping the victims of Hurricane Katrina, legal services is critical to reducing violence in this country. When people cannot get results through the legal system, they resort to extralegal means. We have seen that in all areas of the country. We have seen that sometimes in disaster areas in the last week, and we should expect to see more if we cannot quickly get legal help to the people displaced.

It is not true because of Hurricane Katrina; it is true in everyday disputes. Having access to quality legal help reduces tensions, focuses people on compromise, negotiations. Legal services reduces the burdens on our courts. They help to ensure that those people with disabilities get the benefits to which they are entitled.

That is why the Legal Services Program has the complete support of the American Bar Association and every State bar in the United States. I point out that the American Bar Association supports the amendment we are offering.

Let me add that this amendment is fully offset, as it stands now.

I want to also add Senator OBAMA as a cosponsor to this amendment.

I urge my colleagues to support this amendment. As I said, 45 Senators signed a letter earlier this year seeking this level of funding; \$4 million actually more than what we are asking for in this amendment.

So I hope and trust that we will hold this in conference. We cannot continue to say we are a nation of equal justice under law when the poverty rate keeps going up and the amount of money we are giving the Legal Services keeps going down. Poor people are being excluded from our civil justice system. That is wrong. It should not happen in this country.

So this year, next year, the year after, I will be here, and I am sure along with many others on both sides

of the aisle, saying we have to get this funding back up. Our courts are plugged with people sometimes with crimes that have to do with property. How many of those might have been forestalled if they had had Legal Services help—or courts plugged because someone is there because of domestic violence. It could have been forestalled if people had had Legal Services.

So that is why we need to get the Legal Services Corporation back up to the level it was at least in the mid-1990s, and actually it probably should be more than that because of the huge increase in poverty in this country.

So if my colleagues believe in equal justice under law, if they believe an ounce of prevention is worth a pound of cure, if they believe by a little bit of money upfront helping people solve their legal problems, domestic violence problems, and things like that it will help keep people out of court, which we have proven is true, then we ask for support for this amendment, and hopefully we can hold this amount when we go to conference.

AMENDMENT NO. 1659

I send the amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. Without objection, the pending amendment is laid aside.

The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Iowa [Mr. HARKIN], for himself, Mr. SMITH, Mr. BINGAMAN, Mr. WYDEN, Mr. FEINGOLD, Mr. KENNEDY, and Mr. OBAMA, proposes an amendment numbered 1659.

Mr. HARKIN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase the appropriation for nationwide legal services field programs and to provide additional funds to programs providing legal services to the victims of Hurricane Katrina)

On page 175, strike lines 6 through 9 and insert the following:

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$358,527,000, of which \$346,251,000 is for basic field programs and required independent audits (of which \$8,000,000 is for basic field programs providing legal assistance to victims of Hurricane Katrina)

Notwithstanding any other provisions in the Act, the sums appropriated for the Department of Justice are reduced by \$37 million. This reduction is to be taken by the Attorney General from accounts receiving an increase in travel and transportation of persons as specified in the President's Fiscal Year 2006 Budget Submittal to Congress pursuant to 31 U.S.C. section 1105 and which are in excess of the fiscal year 2005 level;

Mr. HARKIN. I yield the floor.

Mr. DURBIN. Mr. President, I am pleased to speak in support of Senator HARKIN's amendment to add \$38.2 million to the reported funding level for the Legal Services Corporation, and am

proud to join him as a cosponsor. I was one of 47 colleagues joining in a bipartisan letter in June urging the subcommittee to support the Legal Services Corporation quest for \$363.8 million.

Liberty and justice for all is one of America's most cherished principles, and a fundamental part of the very fabric of our Nation. Our Founding Fathers fought a revolution for it. Thousands of brave men and women since then—from Abraham Lincoln to Susan B. Anthony to Martin Luther King and all who fought with them—risked their lives to ensure that the principle of justice for all truly applied to all Americans. And today, thousands of men and women of our armed forces are fighting and sacrificing their own lives to secure these freedoms for the people of Afghanistan and Iraq.

Justice for all knows no political exclusivity. It is not a Democrat or Republican value, but an American value. At the opening of each and every session of this Senate, we stand together and pledge our allegiance to this founding principle. Millions of schoolchildren pledge their allegiance every day to this fundamental tenet of our country.

Yet today in Illinois and throughout the United States, we are falling far short of fulfilling our Nation's promise of "justice for all."

A recently released study, "The Legal Aid Safety Net: A Report on the Legal Needs of Low-Income Illinoisans," found that over the course of a year, tens of thousands of less fortunate Illinois residents were unable to obtain legal assistance that was often critical to their safety and independence. Hundreds of thousands more attempted to solve often complex legal problems on their own.

Studies in other parts of the country have reached similar conclusions. Millions of Americans are being shut out of our civil justice system, with grave consequences for themselves personally and for our country as a whole when legal assistance is not available to them. We are a long way from fulfilling our Nation's promise of equal justice for all.

This widespread lack of access to justice can only be described as a crisis for our country, and with increases in the poverty rate compounded by the vast devastation to so many of our fellow citizens caused by Hurricane Katrina, it will only get worse if we do not act.

Those being left behind by the alarming gap in access to our justice system are our friends, relatives and neighbors. They are children, families and the elderly of diverse creeds and backgrounds, and they often are the men and women fighting for our country and their families.

The story of a young man in our armed forces from Galesburg, a small city in the western part of Illinois, is a prime illustration. Before being deployed to Iraq, he visited Prairie State Legal Services, an organization funded

by the Legal Services Corporation that serves residents in 36 mostly rural counties in northern Illinois, to seek help in getting a power of attorney and will prepared so that if something happened to him his family would know what to do.

Other examples of the Americans who are helped every day by legal aid groups funded by the Legal Services Corporation—and for too many of whom help is not available—include a woman and her children victimized by domestic violence seeking an order of protection and child support to give them a fair chance to start a new life, a senior couple facing foreclosure of the only home they have ever lived in after being victimized by consumer fraud, a World War II veteran who served his country so well but now is being denied the benefits we have promised him, and numerous other less fortunate residents facing legal matters critical to their safety and independence as they try to pursue the American dream.

The legal aid system in Illinois is able to address only a small fraction of the civil legal problems encountered by low-income Illinoisans. The "safety net" is inadequate and fraying. Low-income Illinoisans faced over 1.3 million civil legal problems in 2003—from child custody disputes to mortgage foreclosure to physical and financial elder abuse. Low-income Illinoisans had the assistance of an attorney for only one of every six legal problems they encountered. Illinois's legal aid system is facing critical shortage of resources, with layoffs and hiring freezes becoming widespread at programs throughout the State.

The Legal Services Corporation has historically been grossly underfunded. In 1996, Congress reduced funding by 33 percent—from \$415 million to \$278 million, resulting in closure of more than 100 legal aid offices across the country. By fiscal year 2003, the appropriation had been increased to \$338.8 million, but levels have steadily declined as a result of Government-wide reductions.

The Legal Services Corporation has already had to absorb \$9 million in cuts over the last 2 years. That translates to almost 200 attorney positions across the country who are no longer helping those in need of legal assistance. Just in the last 2 years, the number of people that were able to receive needed services declined from 978,000 to 901,000. Three States are experiencing layoffs and many other States have a hiring freeze in place that has led to as many as one third of the staffing positions being vacant.

While it is not the Federal Government's responsibility to be the sole source of legal aid funding, the Federal Government has a significant role to play in partnership with State and local governments, the legal community and other public and private sources.

The need and the cost effectiveness of increased funding for civil legal aid

have been amply demonstrated. The excuse that there is not enough money is no longer acceptable. We are failing to protect the legal rights of too many of our most vulnerable residents.

But if Congress adopts the Harkin amendment reflecting the bipartisan Legal Services Corporation Board's funding request, it would mean almost \$1 million in additional funding for Illinois programs over last year's appropriation and thereby ensure services for thousands of lower-income Illinois residents.

By contrast, if the appropriation remains at the \$324 million level in the underlying bill we are considering, it will result in additional cuts of more than \$200,000 for Illinois programs. Attorneys throughout Illinois already contribute more than \$5 million annually to civil legal aid, as well as providing hundreds of thousands of hours of pro bono services. While members of the legal community must continue to be leaders in this effort, they cannot do it alone. Congress must step up to the plate.

Access to and availability of legal services will be even more acute in the coming months as thousands of victims of the devastation in the wake of Hurricane Katrina grapple with housing, unemployment, and other complicated assistance programs. Prior to Hurricane Katrina, there was already a critical need for an increase in the budget for legal services programs. Between March and May of 2005, legal service programs across the country were forced to turn away 50 percent of people eligible for assistance. An additional 20 percent were forced to make due with less legal help than necessary.

By adopting this very modest amendment offered by Senator HARKIN, we can ensure that tens of thousands more Americans like those I described have access to critical legal services that will enable them to continue to be independent and productive members of our communities.

Senator HARKIN's amendment would merely restore Legal Services Corporation funding to its level from 2 years ago when adjusted for inflation. It is only a modest increase from last year's \$335 million pre-rescission funding level, yet it would help ensure services for tens of thousands of Americans are protected. It will help give them access to reliable web-based legal information and resources, legal aid hotlines, and extended representation by legal aid attorneys in more complex matters.

I hope we will all join in full support of Senator HARKIN's reasonable amendment. Let's demonstrate that "justice for all" is a meaningful commitment—and never becomes a meaningless cliché.

Mr. OBAMA. Mr. President. I rise in strong support of the amendment offered by Senator HARKIN to increase funding for the Legal Services Corporation. I am proud to be a cosponsor of the amendment.

The Legal Services Corporation provides vital legal assistance to the poor

around the country. It was created in 1974 with bipartisan congressional sponsorship and the support of the Nixon administration.

In Chicago, the Legal Services Corporation funds make it possible for the Legal Assistance Foundation to help my constituents navigate the foster care system and receive compensation after violent crimes. In Galesburg and Peoria, these funds make it possible for the Prairie State Legal Services organization to help people dealing with domestic violence issues and elder abuse.

In the aftermath of Hurricane Katrina, you can bet that Legal Services Corporation will be in Louisiana, Alabama, Mississippi, and the many States where hurricane victims are being relocated helping newly impoverished citizens obtain food and shelter assistance, health care and insurance benefits, unemployment insurance, Social Security benefits, and FEMA assistance.

This program makes a real difference in people's lives. Take the story of Irene and her family for example, who live in Section 8 housing and needed help. They visited the Prairie State Legal Services office in Illinois. Every day, Irene had to get two wheelchair-bound grandchildren up the stairs and into a second floor apartment. Both her grandchildren have cerebral palsy and are confined to wheelchairs. The oldest is now 14 and weighs 160 lbs. And after 11 years, as I am sure you can imagine, Irene was having a hard time getting her grandchildren up those stairs. But when she tried to make this difficult situation better, it only got worse.

Irene applied for and received a transfer certificate from Section 8 to allow her to move to a new apartment. But she could not find a first-floor apartment to transfer to within the 60 days that the transfer allowed. Irene tried calling the Section 8 offices to let them know of the delay, but she was forced to leave messages. When she finally sent a letter asking for a response to her messages, she was informed that she was too late—not only was the Public Housing Agency terminating her transfer, it was also terminating the Section 8 subsidy for her current apartment.

But that is when Prairie State and Legal Services Corporation intervened. A staff attorney represented Irene in an administrative appeal, and pointed out that under the Fair Housing Act and the Americans with Disabilities Act, Irene had not been provided the support needed to assist her in finding an apartment. As a result of her attorney's efforts, Irene's subsidy was reinstated, she was given a new transfer certificate and was provided with active assistance in helping her find a new apartment.

Legal Services Corporation helps folks like Irene all across the country, from South Carolina to South Dakota, Illinois to Iowa. And when someone displaced by Hurricane Katrina cannot

afford a lawyer but is having trouble getting her unemployment insurance or Social Security benefits, or getting her utilities turned back on, Legal Services Corporation will be right there. Legal Services Corporation-funded organizations have won dozens of awards, and groups ranging from AARP to the American Bar Association have voiced their strong support of LSC. We should do the same.

Over the last decade, the LSC budget has suffered \$196 million in cuts. The Appropriations Committee proposed this year to cut \$6 million more. I do not think this is the time to deny legal services to those who need them most. I believe that in light of the pressing crises confronting individuals in the gulf coast, we should be increasing funding for the Legal Services Corporation, not decreasing it. So I strongly support Senator HARKIN's amendment, and I urge my colleagues to do the same.

Mr. WYDEN. Mr. President, I rise today in support of the amendment introduced by my colleague, Senator HARKIN, from Iowa, which would increase funding for the Legal Services Corporation by \$38.2 million to \$363 million.

If there was ever a time to provide adequate funding for legal services for the poor, that time is now.

In the wake of Hurricane Katrina, there will be thousands and thousands of Americans in desperate need of legal advice who lack the resources to hire their own attorneys or the skills necessary to meet the legal challenges they must confront.

These are the same folks that didn't have the means to get out of harm's way when the hurricane struck.

These are the same folks that waited for days on their rooftops, at the New Orleans Convention Center, the Superdome, and so many other places down on the Gulf Coast to be rescued.

These are the same folks that now must rebuild their lives—often times from scratch.

They will need legal assistance. Congress needs to step in and help make this a reality. And Congress needs to step and increase funding so that the thousands of other Americans—in addition to the victims of Katrina—who are unable to afford legal advice get the access to justice that they deserve.

How can it be, in a country where we teach our children from an early age the Pledge of Allegiance and its closing words—"with liberty and justice for all"—so many children and their families cannot obtain equal access to justice?

How can it be, in a country that saw an historic economic boom in the last decade, that 80 percent of low-income Americans still lack access to a lawyer when they're in serious legal situations?

How can it be, in a country as strong and rich as this one, that tens of thousands of Americans who need legal representation are turned away every year

because their Government won't support the very program designed to help them?

This year, the House has appropriated only \$324.5 million in funding for Legal Services. The current version of the Senate CJS Appropriations bill funds the program at about the same level.

This is less than Legal Services received in FY 2005. It's almost \$40 million less than the FY 2006 budget request made by the bipartisan Legal Services Corporation Board of Directors. In fact, the current level of funding is not much more than it was in 1981—in real dollars.

The issues that Legal Aid works to address are not esoteric legal questions. They are issues of life and death and food and shelter.

When folks who are already hurting can't get the legal representation they need, all too often it gets harder to put food on the table and harder to pay the rent and harder to get the medicine for the kids or for Grandma.

In the State of Oregon, the need for legal aid is clear, and the choice to fund it should be obvious. Oregon's Legal Aid programs are the primary source of representation available to more than 500,000 low-income folks in my State, and they assist 20,000 of those low-income Oregonians every year.

But because of Legal Aid funding shortfalls in recent years, the Oregon programs have had to layoff staff, cut salaries for remaining staff, slash their medical benefits, freeze vacancies, and close the Klamath Falls office. Less than 20 percent of low income Oregonians have access to an attorney who could make a critical difference in helping them deal with a legal issue—from a getting restraining order from an abusive boyfriend to helping a predatory lending victim.

The idea that Legal Aid is the practice of political law is preposterous.

It's simply making sure that legal services are available for the very people who need them most.

Make no mistake—State, local and private resources are providing the vast majority of Legal Aid funding in Oregon and elsewhere. In 1980, Federal funding accounted for 80 percent of the total legal aid money in Oregon. In 2005, Federal funding accounts for 28 percent. Everyone else is doing their part to provide these folks with equal access to justice—it's time that the Federal Government did its part too.

I am determined that the victims of Hurricane Katrina and poor Americans throughout the United States, who, as children, stood in their classrooms with their hands over their hearts and recited the Pledge of Allegiance and the words "with liberty and justice for all" will not find out those words were a lie.

I am determined that the victims of Hurricane Katrina living in the Houston Astrodome will have legal help they need when applying for food

stamps and other forms of assistance available to them.

I am determined that the victims of Hurricane Katrina relocated to San Antonio will get legal help they need to deal with their insurance companies.

I am determined that the victims of Hurricane Katrina spread all across the country will get the legal assistance they need to rebuild their homes—and their lives.

With Federal, State and local partners working together, we can ensure equal access to the law for all Americans, including the thousands and thousands of victims of Hurricane Katrina.

Mr. SHELBY. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

The Senator from Maryland is recognized.

Ms. MIKULSKI. Mr. President, I congratulate the Senator from Iowa for offering this amendment. I know he has been a passionate supporter of Legal Services and quite frankly so have I over the years, having used it when I was a social worker in Baltimore and a child abuse worker, I might add, when many of these children had very little protection, the kind of protection we have now.

Legal Services will perform services at multiple levels. One is the traditional services in all 50 States. No. 2, though, they will be very important now to people with Katrina, particularly those who are unfamiliar with paperwork and bureaucracy and applying and all of those things and will need someone to help them navigate.

One might ask, why would they need a lawyer? Legal Services offers more than lawyers, and they will be there. I think the Senator's amendment is excellent. I think what we need to be able to do is find both the will and the wallet to fully support Legal Services.

When I think back on what Legal Services has meant, it often helped people get their lives together. I know in my own case as a social worker, it helped a welfare mother get a divorce from an abusive husband. It helped her be able to clear up all of her credit issues so that she could begin a new life. She got a GED so she could move off of welfare and establish herself. The credit card mess was due to the abusive husband. So Legal Services, really, in many instances helps families get their lives together.

So we look forward to supporting this amendment and working with him on other advocacy issues.

I yield the floor, and I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1652

Mr. SALAZAR. Mr. President, I rise in strong support of the amendment offered by Senator LINCOLN to ensure that victims of this terrible hurricane have access to the health care their situation demands today. This is the least we can do, and I urge Senators to support her amendment.

I was moved to hear the words of Senator LANDRIEU this morning. She has been a tireless warrior for her State throughout her career, and I commend her for her work and her efforts over the last tragic days she has been through in Louisiana. To her and to my other colleagues, to Senator LOTT, Senator COCHRAN, Senator VITTER, Senator SESSIONS, and Senator SHELBY, I simply say we should do everything in our power as a Senate to help the victims of this terrible storm and to help rebuild their States, cities, and communities.

Let me say, too, that I am proud of Coloradans and their response to this disaster. In the 10 days since the devastating storm hit the shores off the gulf coast, people of our State have stepped up to help the victims.

Experts from the national Centers for Disease Control and Prevention laboratory in Fort Collins will be dispatched to the region soon. Disease trackers from Fort Collins likely will be sent to the gulf coast to help contain the spread of the West Nile virus and the spread of other mosquito-borne illnesses in the aftermath of Hurricane Katrina. The U.S. Northern Command at Peterson Air Force Base, which is charged with defending against military attacks within our borders, is now charged with mobilizing military resources for the Hurricane Katrina disaster. The U.S. Joint Operations Center in Colorado Springs has nearly 1,000 people on 24-hour duty to facilitate Federal Emergency Management Agency requests.

I am proud of the men and women in uniform who today are helping our country within our borders.

Nearly 800 Colorado National Guard men and women are deployed to that region today. Churches in Denver and throughout the State of Colorado are mobilizing to help with relief efforts, whether that means collecting donations, physically traveling to the devastated communities, or taking in displaced refugees. The University of Colorado has started a streamlined admissions process for students temporarily displaced by Hurricane Katrina. Colorado State University has taken similar steps.

The American Red Cross Mile High Chapter, which houses the Nation's second largest disaster response phone operation and which for a time was

handling one-third of the calls pouring into the Red Cross national headquarters in Washington, DC, has done a tremendous job, and in the immediate aftermath of the storm more than 800 Coloradans volunteered to receive training and field phone calls and take donations for the Red Cross. My wife Hope and my daughter Melinda and I visited the Denver operation last week and helped man the phones. I could not have been more proud of our State and its people. I am sure the experience of Colorado is an experience that has gone across all of our 50 States of our great Nation.

I remember Sunday, August 28, very well. The country held its collective breath as we awaited landfall of Hurricane Katrina. In my faith, we celebrate Feast Days of Saints, symbols of the kinds of lives Catholics aspire to lead. Sunday, August 28, was the Feast Day of Saint Augustine, an intellectual giant in our church who became so only after battling great personal challenges in his own personal life. Augustine had an important piece of advice for all of us that is applicable today. He said:

Pray, as though everything depended on God. Work as though everything depended on you.

One look at the devastation in the gulf coast—the destruction wrought in Biloxi, MS, the obliteration of towns all along the Mississippi coast, and the suffering in New Orleans and across Louisiana—and none of us could have imagined that kind of devastation could ever occur here in our homeland. We cannot help but feel that the reconstruction of this wonderful part of our country will depend not only on our human powers but also on the supernatural powers that will guide us.

But seeing the suffering on the faces of our fellow countrymen, women, and children, you cannot feel anything but to be ready to work as if the end of their suffering depends on our work. In point of fact, those suffering people depend on us to end their suffering, and we owe it to them to work as though everything depends on us. I submit that a basic function of the Federal Government is to respond to a national disaster such as Katrina which has devastated 90,000 square miles of America.

We can and we must do everything we can. I submit we should take on our challenge in three critical ways. First, we must provide immediate humanitarian assistance. Second, the President should lead a Marshall-like plan to reconstruct the gulf coast region. Third, we must learn the lessons from the Katrina disaster so we can prevent these kinds of disasters from happening elsewhere in our great Nation.

Let me review each of those points. First, by providing immediate humanitarian aid and assistance to the victims of this terrible disaster, we should be doing what is our duty as a nation. Last week, Congress provide FEMA \$10.5 billion in emergency funding. Today, we anticipate we will provide

another \$51.8 billion for this national disaster. Passing these appropriations will help the victims of Hurricane Katrina, and it is the right thing to do. I am proud we are taking these steps.

At the same time, the Federal Government can and should do more. That is why I commend Senators REID and LANDRIEU for introducing the Katrina Emergency Relief Plan earlier today. I am proud to cosponsor that legislation, and I urge my colleagues to join us in immediately passing this much needed relief for the victims.

We can take that first step now by passing Senator LINCOLN's proposed amendment. The people of our great Nation have the right to expect and deserve the best emergency and disaster response services in the world. It is the responsibility of the Federal Government to protect its citizens, and in the aftermath of Hurricane Katrina much more needs to be done to live up to that responsibility.

The Katrina Emergency Relief Plan is the right first step. I also will continue to press for additional immediate relief, including: first, an emergency appropriation for CDC, for disease surveillance and mitigation; second, immediate assistance to States for those universities and school districts, such as those in Colorado, that take on displaced students from Katrina-affected elementary, middle, high schools, and university settings; third, an expansion of the cap on the amount of charitable donations that can be claimed for tax purposes when those donations are given for Hurricane Katrina responses; fourth, a fix in the Tax Code to permit the expenses associated with the provision of room and board to victims of Hurricane Katrina to be tax deductible; and, finally, exempting the victims of Hurricane Katrina from the means test under the new bankruptcy law due to take effect on October 17 of this year.

Second, we must respond to this disaster by creating a Marshall plan for reconstruction of the gulf coast. From jazz to William Faulkner, these affected States have given much to our country and to our history. As such, I cannot imagine that anyone would not consider investing the resources necessary to rebuild this vital part of our great country. We owe it to our fellow countrymen and people on the gulf coast.

This will require a recovery and reconstruction effort on the scale of the Marshall plan that rebuilt Europe after World War II. Not unlike post-World War II Europe, the Gulf States are now facing unprecedented damages which require immediate action. Entire towns in Mississippi were destroyed and it will take months to make New Orleans and other communities in Louisiana habitable again.

Such a plan should include the creation of a small and effective Cabinet member-chaired task force—that the President would appoint—with State and local participation, and that task force would have a singular focus on

this challenge. The task force should develop a plan for reconstruction, identify the costs associated with that plan, and oversee its successful implementation.

In addition, I recommend getting our hands around the pain at the pump created by the record high gas prices, and the impact they are having on our country, including consumers, farmers, ranchers, and businesses. A first step in that effort is for the Department of Justice to provide assistance, both technical and financial, to State attorneys general to fight price gouging and contractor fraud, and freeze any requirements for small businesses and farmers affected by Katrina to service Small Business Administration and USDA loans or any other Federal Government-provided loans until the affected areas can be reconstructed.

If we are to have a Marshall plan, we also will need to have a leader of the caliber of General George C. Marshall. That is why I repeat today my request to the President that he seek the resignation of Michael Brown, the FEMA Director, and replace him with a leader who has the experience and expertise to meet the challenges of the greatest natural disaster in our country's history.

Thirdly, we must expeditiously determine what happened in response to this disaster and how we should reform FEMA and our Federal agencies to ensure that this slow response does not happen again.

I have already joined my colleagues in calling for an independent commission to investigate the Federal response to Hurricane Katrina and how we can be better prepared for future cataclysmic events. This effort can be helpful, and, as was the case in the wake of the terrible 9/11 terrorist attacks, we can, in fact, do something to learn the lessons we must learn.

But what we do not need is a partisan investigation that produces predetermined results. Remember the history of the 9/11 Commission, the most bipartisan and successful commission in a long time. It was only against the backdrop of opposition from the White House and after months of calls from the families of the victims of 9/11 that the commission was created, and, once created, that commission did its job.

I hope we can avoid the partisan wrangling this time around and get a commission that gets right to work on this very important effort.

I will also propose legislation to improve training for evacuation and relocation in reaction to natural or man-made disasters. We often cannot predict when natural disasters will strike, but we must begin preparation for future incidents without further delay.

I hope, too, that the conferees on the Homeland Security will keep in that conference report my amendment to require a national survey of first responders. I recently conducted such a survey of Colorado's first responders and was appalled at the result which

demonstrated how unprepared our first responders are in dealing with these kinds of disasters. Given what we have seen in the last 10 days—where the Federal Government's response has without question failed—we need to hear directly from the police, firefighters, and others how we can improve our response.

In closing, I am reminded of another saying by Saint Augustine. He asked:

What does love look like? It has the hands to help others. It has the feet to hasten to the poor and the needy. It has eyes to see misery and want. It has the ears to hear the sighs and sorrows of men. That is what love looks like.

The victims of this terrible tragedy love this country, but this country has let them down. It is now time for this Senate, this Congress, and this President, who runs the executive branch, to get to work to rectify that letdown.

We are this great country's hands, and we can do more to help those victims. We are this great country's feet, and we can do more to carry assistance to those victims. We are this great country's eyes, and we must see what they are suffering through. We are this great country's ears, and we cannot turn a deaf ear to the pleas from the gulf coast.

We can do better, and I look forward to working with all of my colleagues to ensure that we do.

Thank you, Mr. President. I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

AMENDMENT NO. 1654

Mr. DAYTON. Mr. President, I ask unanimous consent to set aside the pending amendments and call up amendment numbered 1654.

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

The clerk will report.

The legislative clerk read as follows:

The Senator from Minnesota [Mr. DAYTON], for himself, and Mr. CHAMBLISS, Mr. OBAMA, Mr. KERRY, and Mr. HARKIN, proposes an amendment numbered 1654.

Mr. DAYTON. I ask unanimous consent the reading of the amendment be dispensed with.

The amendment (No. 1654) is as follows:

(Purpose: To increase funding for Justice Assistance Grants)

On page 133, line 24, strike "\$1,078,350,000" and insert "\$1,353,350,000 of which in addition to amounts provided by the following table \$275,000,000 shall be available for Justice Assistance Grants to be offset by reducing appropriations in this title by a total of \$275,000,000 to come from activities as follows: \$43,000,000 from travel and transportation of persons; \$3,000,000 from transportation of things; \$27,000,000 from communications, utilities, and miscellaneous charges;

\$6,000,000 from printing and reproduction; and \$196,000,000 from other services”.

Mr. DAYTON. I thank the distinguished ranking member for assistance in putting this together. I thank my distinguished cosponsor of this amendment, Senator CHAMBLISS of Georgia, for his leadership and involvement in the Byrne Grants, along with Senator LIEBERMAN whose long-time involvement in the grants has been recognized nationally.

It is my understanding the amendment is further cosponsored by Senator OBAMA, Senator KERRY, and Senator HARKIN, and I ask unanimous consent Senators HAGEL, CLINTON, CANTWELL, and SALAZAR be added as original cosponsors of the amendment.

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

Mr. DAYTON. Mr. President, this amendment increases the funding for the Juvenile Assistance Grants by \$275 million, with particular focus on adding that funding to what are called the Byrne Grants, which are local law enforcement grants vital in my State of Minnesota for fighting the scourge of meth that has ravaged communities, that has been so destructive to school-children of all ages, I am sorry to say, particularly teenagers and young adults.

The illegal meth used in production in Minnesota has increased in a skyrocketing fashion. I understand that is true in many other States as well. These Byrne Grants have been essential to Minnesota and other law enforcement efforts to provide the funds necessary to combat the scourge. The funds go to local law enforcement block grants.

The Byrne Formula Grants consolidated into the Justice Assistance Grant have been reduced in the last couple of years. This restores badly needed funding for those purposes. I commend the chairman of the subcommittee and the ranking member for providing \$625 million of funding that is well above what the House of Representatives has provided, \$348 million.

This money is desperately needed and will be well used. My amendment is fully offset by various reductions in administrative expenses. I can detail those if Members desire, but it will be fully offset, and has been determined as such by the Congressional Budget Office.

I ask unanimous consent, at the conclusion of my remarks, the following letters of endorsement from the national organizations be added: The National Association of Police Officers, the International Association of Chiefs of Police, the Minnesota Sheriff's Association, the Minnesota Police and Peace Officers Association.

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

(See exhibit 1).

Mr. DAYTON. I ask my colleagues to support this bipartisan effort. I believe they will find, as I have, this has almost unanimous support of local law

enforcement officials in their States, as it does in mine. The funding is desperately needed, and it will be well used and go to our communities, to our counties, to our States in ways that will be directly involved in reducing juvenile crime as well as other forms of crime.

EXHIBIT 1

THE NATIONAL ASSOCIATION OF POLICE OFFICERS, September 8, 2005.

Re Dayton Amendment re JAG funding.

Office of SENATOR DAYTON,
Washington, DC.

NAPO supports Senator Dayton's amendment to increase JAG funding by \$275 million. The Justice Assistance Grants have provided beneficial support for local law enforcement, fostered community initiatives against crime and facilitated improvements to State criminal justice systems. We thank the Senator for his continued work to ensure that local law enforcement is afforded the ability to receive the effective and user-friendly funds it needs the most.

Please keep me posted on how the amendment fares today.

Thank you.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE, September 6, 2005.

Hon. MARK DAYTON,
Russell Senate Office Building,
U.S. Senate, Washington, DC.

DEAR SENATOR DAYTON: On behalf of the International Association of Chiefs of Police (IACP), I am writing to express our support for your amendment to restore funding to the Justice Accountability Grant (JAG) program. As you know, the IACP is the world's oldest and largest association of law enforcement executives with more than 20,000 members in 100 countries.

The JAG program, which was formed by consolidating the Edward Byrne Memorial Grant program and the Local Law Enforcement Block Grant program, is one of the primary federal assistance programs for state, tribal and local law enforcement agencies. For more than a decade, the resources provided under the JAG program have allowed law enforcement agencies to expand their capabilities and make great strides in reducing the incidence of crime in communities across the nation. The JAG program provides crucial funding to assist states, tribes and local governments in controlling and preventing drug abuse, crime and violence, and in improving the functioning of the criminal justice system.

However, this vital program has seen significant cuts in recent years. H.R. 2862 as currently drafted in the Senate would provide \$625 million, a cut of \$275 million or 30 percent, from FY 2003 levels. Cuts of this magnitude will certainly have a significant and negative impact on the ability of state, tribal and local law enforcement agencies to maintain the many critical anti-crime programs that are currently supported by funds received under the JAG program.

It is vital that Congress act to ensure that state, tribal and local law enforcement agencies continue to receive the resources necessary to fulfill their mission of protecting the public and the communities they serve. For these reasons, the IACP urges all Members of Congress to support your efforts to restore funding to the JAG program to FY 2003 levels.

Thank you for your efforts on behalf of law enforcement.

Sincerely,

GENE R. VOEGTLIN,
Legislative Counsel.

MINNESOTA SHERIFFS ASSOCIATION,

September 7, 2005.

DEAR SENATOR MARK DAYTON: The Sheriffs of Minnesota are asking for your support and leadership in restoring funding for the Justice Assistance Grant (JAG) program, including the Byrne Grant Program and LLEBG. It is my understanding you are considering an amendment that would add \$275M to JAG which would increase funding to 2003 level of funding.

Under the Administration's current proposal funding for several of these crime fighting programs are significantly decreased or eliminated altogether. The Minnesota Sheriffs Association is requesting your support in restoring funding for the Byrne Memorial Justice Assistance Grant and COPS programs. In Minnesota the Byrne Grant program is critical to the success of our Gang and Drug Task Force operations. During our Minnesota 2005 Legislative session, our legislature appropriated local funds to match the Byrne Grant funds. The coordination of these funds will give our law enforcement officers the resources and necessary support as they battle both increased gang activity and massive increase in meth addiction and use within our state. Example: in a recent sample survey at several of our county jails it was revealed over 53% of our prisoners are in jail due to meth/drug related charges. Without the Byrne Grant funding, local crime fighting resources will have to be reduced.

Please do what you can to restore the Byrne Grant funding. This is a very important source of federal funding for our Sheriffs and local units of government. Thank you for your consideration.

Sincerely,

JAMES D. FRANKLIN,
Executive Director.

MINNESOTA POLICE AND PEACE OFFICERS ASSOCIATION, September 8, 2005.

Hon. Senator MARK DAYTON,
Russell Senate Office Building,
Washington, DC.

DEAR SENATOR DAYTON: I write today to thank you and commend your efforts to ensure continued and critically needed funding for the Byrne Justice Assistance Program. I wish to express the strong support of police officers across the state and the 7,500 members of the Minnesota Police and Peace Officers Association (MPPOA), for the Dayton-Chambliss amendment to the FY 2006 Commerce, Justice, Science Appropriations Bill (H.R. 2862) to enhance funds provided for this critically important program.

In Minnesota and other states across the country, the Byrne Justice Assistance Program is a significant source of support for education, treatment, and law enforcement initiatives combating the scourge of methamphetamine. As you know, methamphetamine is a serious and still growing problem in Minnesota, and it continues to spread throughout the nation. Exposure to methamphetamine and the waste and by-products from its production poses significant risks and has devastating consequences—for individuals, children, communities, and emergency services personnel. Indeed, nearly every day a tragic story is reported in the Minnesota news media telling of the devastating effect of methamphetamine on our residents, our families, and our communities.

As President of Minnesota Police and Peace Officers Association (MPPOA), I have witnessed first hand the benefits of the Byrne Program in protecting our communities and families from the growing problem of methamphetamine. In Minnesota, the Byrne Justice Assistance Program funds

local drug education treatment, and law enforcement programs, including 21 multi-jurisdictional drug task forces that are tasked with combating the epidemic of methamphetamine trafficking and production in our communities. Without the support of the Byrne Justice Assistance Program funding, these drug task forces face reductions that will decrease their abilities and effectiveness. Should this occur, Minnesota's ability to fight the war on drugs would undoubtedly be diminished, with potentially disastrous consequences. I have attached a recent article from the Fergus Falls (MN) Daily Herald which illustrates the importance of the drug task forces and the potential consequences of reductions in available resources.

The concerns of Minnesota law enforcement officers are not limited to the borders of the state—methamphetamine “cooks” often obtain the necessary ingredients in surrounding states and manufacture the drug locally. In addition, the international and interstate trafficking of methamphetamine is increasing as the drug task forces succeed in their efforts to identify, arrest, and prosecute domestic clandestine methamphetamine laboratory operators. These challenges exhibit the need for a strong federal response to methamphetamine, an effort that, in many areas, depends on the support of the Byrne Justice Assistance Grant Program.

Once again Senator Dayton, thank you for your continued support of Minnesota's law enforcement community and your efforts to ensure adequate resources in the national fight against methamphetamine.

Sincerely,

BOB BUSHMAN,
President.

Mr. DAYTON. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. OBAMA. Mr. President, I rise in support of Senator DAYTON and Senator CHAMBLISS's amendment. In the wake of the devastation of Hurricane Katrina and the massive displacement of hundreds of thousands of people, the country has once again relied on the strong efforts of the Nation's first responders to provide aid during a time of national tragedy.

Although the Federal response to this disaster may have been too slow, there can be no doubt that the men and women on the nation's front lines have valiantly come to the aid of their fellow citizens.

Police officers from New York City, NY, to Alton, IL, have answered the call of duty and volunteered to go to New Orleans to assist in rescue, recovery, and reconstruction efforts. These brave men and women are the Nation's heroes, and this body should do all it can to provide them with the resources they need to do their jobs.

Unfortunately, at a time when we are relying on the Nation's first responders—our law enforcement, our fire fighters, our emergency technicians—to protect us against terrorism, to re-

spond to natural disasters, to protect us from the normal everyday ravages of crime and drug use that do not abate just because the Nation is at war—it is shocking to me that Washington is contemplating major cuts to important law enforcement assistance programs.

That is why I am proud to be joining Senators DAYTON and CHAMBLISS in cosponsoring an amendment to the Commerce, Justice, Science appropriations bill to increase funding for the Edward Byrne Memorial Justice Assistance Grant Program.

The Edward Byrne Memorial Justice Assistance Grant Program, provides an important source of funding for state and local law enforcement to make communities safer and improve criminal justice.

In Illinois, these dollars are put to good use. They help fight the scourge of methamphetamine, which has traveled from the West Coast to the Midwest and is ruining rural communities across the country.

The meth problem has grown exponentially in the last few years. Police in Illinois encountered 971 meth labs in 2003—more than double the number seen in the year 2000. The quantity of meth seized by the Illinois State Police increased nearly ten-fold between 1997 and 2003.

The meth problem is taking over communities—depleting already limited resources, taxing the police, the judicial system, social services, and the schools. Every aspect of the local communities are touched and harmed by meth.

Luckily, one program has proven helpful in Illinois' battle against meth—the Byrne Justice Assistance Grant Program.

In 2004 alone, Byrne Justice Assistance Grant dollars helped make 1,267 methamphetamine drug arrests in Illinois. That same year, Byrne Justice Assistance Grant dollars helped seize 348,923 grams of methamphetamine.

For rural Illinois, Justice Assistance Grant dollars have provided a much-needed life raft, funding important multi-jurisdictional programs that have allowed various counties and communities to join together, combine resources and work to stop the onslaught of meth.

The Southern Illinois Enforcement Group—a coalition of three Southern, predominantly rural Illinois counties, is one of these task forces. The unit has responded to 84 meth labs so far this year, more than 40 percent of all meth labs in the greater Southern Illinois 33-county region for 2005.

When I visited with law enforcement from the Metropolitan Enforcement Group of Southwestern Illinois, another one of these task forces, this August, they shared with me how important these dollars are to their efforts. They fear that any cuts will mean a reduction in the number of officers, or even worse, the loss of the task force, either of which will mean that they will have to battle a growing meth

problem with fewer resources. Now, this body is proposing to flatfund the Byrne Grant Program at \$625 million.

While this is much better than the alternative proposed by the President—who wanted to eliminate the program—and it is better than the House option, which has voted to fund the Justice Assistance Grant Program at \$366.4 million—this is woefully short of the funding provided this program only 3 years ago.

The amendment I cosponsor today would fund the Justice Assistance Grant program at \$900 million, the same amount provided the Byrne Formula Grants and the Local Law Enforcement Block Grants, which comprise the Justice Assistance Grant program in fiscal year 2003.

I hope my colleagues will join me and Senators DAYTON and CHAMBLISS in supporting our Nation's law enforcement—and giving them the resources they need to do their jobs.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. ALEXANDER). Without objection, it is so ordered.

Mr. BOND. Mr. President, I ask unanimous consent to be permitted to speak for up to 10 minutes as in morning business.

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

USA PATRIOT ACT

Mr. BOND. Mr. President, we are all very busily working on appropriations bills, and we are working in committees as individuals and leaders on the terrible tragedy of Hurricane Katrina, and our hearts and our thoughts and prayers go out to all the victims. We know a tremendous amount of work needs to be done, and we are just beginning to see how big it is and how difficult it is going to be. Certainly, the distinguished manager of the bill knows in his own State how terrible this crisis is.

But I believe it is important to issue a cautionary message that as we approach the anniversary of 9/11, we cannot lose sight of the fact that we are still at war and under attack by those who want to end our way of life and destroy our civilization and terrorize our citizens.

I have been asking myself: Are we safe from another terrorist attack on the scale of 9/11? Is the Government doing everything it can to protect us? What can we do better? We have heard recently some very ominous warnings from leaders of al-Qaida that they are preparing another terrorist attack. Obviously, we have to maintain the appropriate means of defense, and we

have done a good job of making it more difficult for terrorists to strike commercial airlines, but we also know, from having seen the attacks in London in July, that terrorists are looking for soft targets.

It is not enough to protect what we know they have attacked in the past. We have to do a better job. I think President Bush was right in saying the best way we can keep our country safe is to carry the war on terror to those countries that harbor terrorists.

I heard some discussion recently about whether we should have gone into Iraq. Mr. President, I ask unanimous consent to have printed in the RECORD an article by Christopher Hitchens in last week's Weekly Standard that lays out in detail, for anybody who is interested, why we had to go into Iraq, why it is the right war. I would incorporate that by reference because that article does a good job of outlining my own beliefs.

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

[From the Weekly Standard, Sept. 5-12, 2005]

A WAR TO BE PROUD OF: THE CASE FOR OVERTHROWING SADDAM WAS UNIMPEACHABLE. WHY, THEN, IS THE ADMINISTRATION TONGUE-TIED?

(By Christopher Hitchens)

Let me begin with a simple sentence that, even as I write it, appears less than Swiftian in the modesty of its proposal: "Prison conditions at Abu Ghraib have improved markedly and dramatically since the arrival of Coalition troops in Baghdad."

I could undertake to defend that statement against any member of Human Rights Watch or Amnesty International, and I know in advance that none of them could challenge it, let alone negate it. Before March 2003, Abu Ghraib was an abattoir, a torture chamber, and a concentration camp. Now, and not without reason, it is an international byword for Yankee imperialism and sadism. Yet the improvement is still, unarguably, the difference between night and day. How is it possible that the advocates of a post Saddam Iraq have been placed on the defensive in this manner? And where should one begin?

I once tried to calculate how long the post-Cold War liberal Utopia had actually lasted. Whether you chose to date its inception from the fall of the Berlin Wall in November 1989, or the death of Nicolae Ceausescu in late December of the same year, or the release of Nelson Mandela from prison, or the referendum defeat suffered by Augusto Pinochet (or indeed from the publication of Francis Fukuyama's book about the "end of history" and the unarguable triumph of market liberal pluralism), it was an epoch that in retrospect was over before it began. By the middle of 1990, Saddam Hussein had abolished Kuwait and Slobodan Milosevic was attempting to erase the identity and the existence of Bosnia. It turned out that we had not by any means escaped the reach of atavistic, aggressive, expansionist, and totalitarian ideology. Proving the same point in another way, and within approximately the same period, the theocratic dictator of Iran had publicly claimed the right to offer money in his own name for the suborning of the murder of a novelist living in London, and the génocidaire faction in Rwanda had decided that it could probably get away with putting its long-fantasized plan of mass murder into operation.

One is not mentioning these apparently discrepant crimes and nightmares as a random or unsorted list.

Khomeini, for example, was attempting to compensate for the humiliation of the peace agreement he had been compelled to sign with Saddam Hussein. And Saddam Hussein needed to make up the loss, of prestige and income, that he had himself suffered in the very same war. Milosevic (anticipating Putin, as it now seems to me, and perhaps Beijing also) was riding a mutation of socialist nationalism into national socialism. It was to be noticed in all cases that the aggressors, whether they were killing Muslims, or exalting Islam, or just killing their neighbors, shared a deep and abiding hatred of the United States.

The balance sheet of the Iraq war, if it is to be seriously drawn up, must also involve a confrontation with at least this much of recent history. Was the Bush administration right to leave—actually to confirm—Saddam Hussein in power after his eviction from Kuwait in 1991? Was James Baker correct to say, in his delightfully folksy manner, that the United States did not "have a dog in the fight" that involved ethnic cleansing for the mad dream of a Greater Serbia? Was the Clinton administration prudent in its retreat from Somalia, or wise in its opposition to the U.N. resolution that called for a preemptive strengthening of the U.N. forces in Rwanda?

I know hardly anybody who comes out of this examination with complete credit. There were neoconservatives who jeered at Rushdie in 1989 and who couldn't see the point when Sarajevo faced obliteration in 1992. There were leftist humanitarians and radicals who rallied to Rushdie and called for solidarity with Bosnia, but who—perhaps because of a bad conscience about Palestine—couldn't face a confrontation with Saddam Hussein even when he annexed a neighbor state that was a full member of the Arab League and of the U.N. (I suppose I have to admit that I was for a time a member of that second group.) But there were consistencies, too. French statecraft, for example, was uniformly hostile to any resistance to any aggression, and Paris even sent troops to rescue its filthy clientele in Rwanda. And some on the hard left and the brute right were also opposed to any exercise, for any reason, of American military force.

The only speech by any statesman that can bear reprinting from that low, dishonest decade came from Tony Blair when he spoke in Chicago in 1999. Welcoming the defeat and overthrow of Milosevic after the Kosovo intervention, he warned against any self-satisfaction and drew attention to an inescapable confrontation that was coming with Saddam Hussein. So far from being an American "poodle," as his taunting and ignorant foes like to sneer, Blair had in fact leaned on Clinton over Kosovo and was insisting on the importance of Iraq while George Bush was still an isolationist governor of Texas.

Notwithstanding this prescience and principle on his part, one still cannot read the journals of the 2000/2001 millennium without the feeling that one is revisiting a hopelessly somnambulist relative in a neglected home. I am one of those who believe, uncynically, that Osama bin Laden did us all a service (and holy war a great disservice) by his mad decision to assault the American homeland four years ago. Had he not made this world-historical mistake, we would have been able to add a Talibanized and nuclear-armed Pakistan to our list of the threats we failed to recognize in time. (This threat still exists, but it is no longer so casually overlooked.)

The subsequent liberation of Pakistan's theocratic colony in Afghanistan, and the so far decisive eviction and defeat of its bin

Ladenist guests, was only a reprisal. It took care of the last attack. But what about the next one? For anyone with eyes to see, there was only one other state that combined the latent and the blatant definitions of both "rogue" and "failed." This state—Saddam's ruined and tortured and collapsing Iraq—had also met all the conditions under which a country may be deemed to have sacrificed its own legal sovereignty. To recapitulate: It had invaded its neighbors, committed genocide on its own soil, harbored and nurtured international thugs and killers, and flouted every provision of the Non-Proliferation Treaty. The United Nations, in this crisis, faced with regular insult to its own resolutions and its own character, had managed to set up a system of sanctions-based mutual corruption. In May 2003, had things gone on as they had been going, Saddam Hussein would have been due to fill Iraq's slot as chair of the U.N. Conference on Disarmament. Meanwhile, every species of gangster from the hero of the Achille Lauro hijacking to Abu Musab al Zarqawi was finding hospitality under Saddam's crumbling roof.

One might have thought, therefore, that Bush and Blair's decision to put an end at last to this intolerable state of affairs would be hailed, not just as a belated vindication of long-ignored U.N. resolutions but as some corrective to the decade of shame and inaction that had just passed in Bosnia and Rwanda. But such is not the case. An apparent consensus exists, among millions of people in Europe and America, that the whole operation for the demilitarization of Iraq, and the salvage of its traumatized society, was at best a false pretense and at worst an unprovoked aggression. How can this possibly be?

There is, first, the problem of humorless and pseudo-legalistic literalism. In Saki's short story *The Lumber Room*, the naughty but clever child Nicholas, who has actually placed a frog in his morning bread-and-milk, rejoices in his triumph over the adults who don't credit this excuse for not eating his healthful dish:

"You said there couldn't possibly be a frog in my bread-and-milk; there was a frog in my bread-and-milk," he repeated, with the insistence of a skilled tactician who does not intend to shift from favorable ground.

Childishness is one thing—those of us who grew up on this wonderful Edwardian author were always happy to see the grown-ups and governesses discomfited. But puerility in adults is quite another thing, and considerably less charming. "You said there were WMDs in Iraq and that Saddam had friends in al Qaeda. . . . Blah, blah, pants on fire." I have had many opportunities to tire of this mantra. It takes ten seconds to intone the said mantra. It would take me, on my most eloquent C-SPAN day, at the very least five minutes to say that Abdul Rahman Yasin, who mixed the chemicals for the World Trade Center attack in 1993, subsequently sought and found refuge in Baghdad; that Dr. Mahdi Obeidi, Saddam's senior physicist, was able to lead American soldiers to nuclear centrifuge parts and a blueprint for a complete centrifuge (the crown jewel of nuclear physics) buried on the orders of Qusay Hussein; that Saddam's agents were in Damascus as late as February 2003, negotiating to purchase missiles off the shelf from North Korea; or that Rolf Ekeus, the great Swedish socialist who founded the inspection process in Iraq after 1991, has told me for the record that he was offered a \$2 million bribe in a face-to-face meeting with Tariq Aziz. And these eye-catching examples would by no means exhaust my repertoire, or empty my quiver. Yes, it must be admitted that Bush and Blair made a hash of a good case, largely because they preferred to scare people rather

than enlighten them or reason with them. Still, the only real strategy of deception has come from those who believe, or pretend, that Saddam Hussein was no problem.

I have a ready answer to those who accuse me of being an agent and tool of the Bush-Cheney administration (which is the nicest thing that my enemies can find to say). Attempting a little levity, I respond that I could stay at home if the authorities could bother to make their own case, but that I meanwhile am a prisoner of what I actually do know about the permanent hell, and the permanent threat, of the Saddam regime. However, having debated almost all of the spokespeople for the antiwar faction, both the sane and the deranged, I was recently asked a question that I was temporarily unable to answer. "If what you claim is true," the honest citizen at this meeting politely asked me, "how come the White House hasn't told us?"

I do in fact know the answer to this question. So deep and bitter is the split within official Washington, most especially between the Defense Department and the CIA, that any claim made by the former has been undermined by leaks from the latter. (The latter being those who maintained, with a combination of dogmatism and cowardice not seen since Lincoln had to fire General McClellan, that Saddam Hussein was both a "secular" actor and—this is the really rich bit—a rational and calculating one.)

There's no cure for that illusion, but the resulting bureaucratic chaos and unease has cornered the president into his current fall-back upon platitudes and hollowness. It has also induced him to give hostages to fortune. The claim that if we fight fundamentalism "over there" we won't have to confront it "over here" is not just a standing invitation for disproof by the next suicide-maniac in London or Chicago, but a coded appeal to provincial and isolationist opinion in the United States. Surely the elementary lesson of the grim anniversary that will shortly be upon us is that American civilians are as near to the front line as American soldiers.

It is exactly this point that makes nonsense of the sob-sister tripe pumped out by the Cindy Sheehan circus and its surrogates. But in reply, why bother to call a struggle "global" if you then try to localize it? Just say plainly that we shall fight them everywhere they show themselves, and fight them on principle as well as in practice, and get ready to warn people that Nigeria is very probably the next target of the jihadists. The peaceniks love to ask: When and where will it all end? The answer is easy: It will end with the surrender or defeat of one of the contending parties. Should I add that I am certain which party that ought to be? Defeat is just about imaginable, though the mathematics and the algebra tell heavily against the holy warriors. Surrender to such a foe, after only four years of combat, is not even worthy of consideration.

Antaeus was able to draw strength from the earth every time an antagonist wrestled him to the ground. A reverse mythology has been permitted to take hold in the present case, where bad news is deemed to be bad news only for regime-change. Anyone with the smallest knowledge of Iraq knows that its society and infrastructure and institutions have been appallingly maimed and beggared by three decades of war and fascism (and the "divide-and-rule" tactics by which Saddam maintained his own tribal minority of the Sunni minority in power). In logic and morality, one must therefore compare the current state of the country with the likely or probable state of it had Saddam and his sons been allowed to go on ruling.

At once, one sees that all the alternatives would have been infinitely worse, and would

most likely have led to an implosion—as well as opportunistic invasions from Iran and Turkey and Saudi Arabia, on behalf of their respective interests or confessional cliques. This would in turn have necessitated a more costly and bloody intervention by some kind of coalition, much too late and on even worse terms and conditions. This is the lesson of Bosnia and Rwanda yesterday, and of Darfur today. When I have made this point in public, I have never had anyone offer an answer to it. A broken Iraq was in our future no matter what, and was a responsibility (somewhat conditioned by our past blunders) that no decent person could shirk. The only unthinkable policy was one of abstention.

Two pieces of good fortune still attend those of us who go out on the road for this urgent and worthy cause. The first is contingent: There are an astounding number of plain frauds and charlatans (to phrase it at its highest) in charge of the propaganda of the other side. Just to tell off the names is to frighten children more than Saki ever could: Michael Moore, George Galloway, Jacques Chirac, Tim Robbins, Richard Clarke, Joseph Wilson . . . a roster of gargoyles that would send Ripley himself into early retirement. Some of these characters are flippant, and make heavy jokes about Halliburton, and some disdain to conceal their sympathy for the opposite side. So that's easy enough.

The second bit of luck is a certain fiber displayed by a huge number of anonymous Americans. Faced with a constant drizzle of bad news and purposely demoralizing commentary, millions of people stick out their jaws and hang tight. I am no fan of populism, but I surmise that these citizens are clear on the main point: It is out of the question—plainly and absolutely out of the question—that we should surrender the keystone state of the Middle East to a rotten, murderous alliance between Baathists and bin Ladenists. When they hear the fatuous insinuation that this alliance has only been created by the resistance to it, voters know in their intestines that those who say so are soft on crime and soft on fascism. The more temperate anti-warriors, such as Mark Danner and Harold Meyerson, like to employ the term "a war of choice." One should have no problem in accepting this concept. As they cannot and do not deny, there was going to be another round with Saddam Hussein no matter what. To whom, then, should the "choice" of time and place have fallen? The clear implication of the antichoice faction—if I may so dub them—is that this decision should have been left up to Saddam Hussein. As so often before.

Does the President deserve the benefit of the reserve of fortitude that I just mentioned? Only just, if at all. We need not argue about the failures and the mistakes and even the crimes, because these in some ways argue themselves. But a positive accounting could be offered without braggartry, and would include:

(1) The overthrow of Talibanism and Baathism, and the exposure of many highly suggestive links between the two elements of this Hitler-Stalin pact. Abu Musab al Zarqawi, who moved from Afghanistan to Iraq before the coalition intervention, has even gone to the trouble of naming his organization al Qaeda in Mesopotamia.

(2) The subsequent capitulation of Qaddafi's Libya in point of weapons of mass destruction—a capitulation that was offered not to Kofi Annan or the E.U. but to Blair and Bush.

(3) The consequent unmasking of the A.Q. Khan network for the illicit transfer of nuclear technology to Libya, Iran, and North Korea.

(4) The agreement by the United Nations that its own reform is necessary and over-

due, and the unmasking of a quasi-criminal network within its elite.

(5) The craven admission by President Chirac and Chancellor Schröder, when confronted with irrefutable evidence of cheating and concealment, respecting solemn treaties, on the part of Iran, that not even this will alter their commitment to neutralism. (One had already suspected as much in the Iraqi case.)

(6) The ability to certify Iraq as actually disarmed, rather than accept the word of a psychopathic autocrat.

(7) The immense gains made by the largest stateless minority in the region—the Kurds—and the spread of this example to other states.

(8) The related encouragement of democratic and civil society movements in Egypt, Syria, and most notably Lebanon, which has regained a version of its autonomy.

(9) The violent and ignominious death of thousands of bin Ladenist infiltrators into Iraq and Afghanistan, and the real prospect of greatly enlarging this number.

(10) The training and hardening of many thousands of American servicemen and women in a battle against the forces of nihilism and absolutism, which training and hardening will surely be of great use in future combat.

It would be admirable if the president could manage to make such a presentation. It would also be welcome if he and his deputies adopted a clear attitude toward the war within the war: in other words, stated plainly, that the secular and pluralist forces within Afghan and Iraqi society, while they are not our clients, can in no circumstance be allowed to wonder which outcome we favor.

The great point about Blair's 1999 speech was that it asserted the obvious. Coexistence with aggressive regimes or expansionist, theocratic, and totalitarian ideologies is not in fact possible. One should welcome this conclusion for the additional reason that such coexistence is not desirable, either. If the great effort to remake Iraq as a demilitarized federal and secular democracy should fail or be defeated, I shall lose sleep for the rest of my life in reproaching myself for doing too little. But at least I shall have the comfort of not having offered, so far as I can recall, any word or deed that contributed to a defeat.

Mr. BOND. But more important, we cannot just play defense against the terrorists. We have to collect more and better information. We have to get information on the location and activities of the next attack that is being planned. Unless we do a good job of that, we cannot have a good chance of stopping the next major terrorist attack on the United States.

I believe one part of that vital solution is found in a robust USA PATRIOT Act that would continue to provide national security investigators with the tools needed to continue to keep our country safe.

The PATRIOT Act has been the subject of national controversy and has undergone many unsubstantiated attacks by its opponents. But the fact is that the PATRIOT Act saved lives, and its original content must be preserved. We need to continue to focus on making sure we have the intelligence and the investigative resources necessary to protect against further attacks. We not only need to make permanent the provisions that are already in law, but we also must modify the current House

version to include expanded authorities needed by national security investigators.

The men and women who are fighting the war on terror every day here at home say that without the PATRIOT Act, many of our Nation's most important successes would not have been possible. It addressed critical vulnerabilities in the pre-9/11 homeland defense posture. For example, it allowed national security investigators, pending a court's approval, to obtain and use a multiple wiretap to track a suspect's phone communications, even when a terrorist switches, changes, or abandons phones to avoid detection, a common terrorist tactic.

Specifically, according to senior law enforcement officials, during the summer of 2002, the act allowed our Nation's law enforcement intelligence communities to break up the Portland Seven terrorist cell. Members of that cell had traveled to Afghanistan in 2001 and 2002 to join the Taliban and al-Qaida against the United States.

In 2004, the act was used to protect the El Paso Islamic Center. When Jared Bjarnason sent an e-mail threatening to burn the center to the ground if hostages in Iraq were not freed, the FBI used provisions of the PATRIOT Act to identify him as the source of the threat. Without the provisions in that act, it would have taken 30 days to obtain a string of needed search warrants, while the threat of attack was only 3 days away.

Why is it that we need to make permanent several of the act's provisions? Why do we need to modify proposed legislation to enhance further the ability of our Nation's law enforcement authorities? Some may argue: If it ain't broke, then don't fix it. But I am a show-me Missourian, and I can tell you that making permanent these provisions is very important.

Terrorism is the operative challenge we face. Over the last 4 years since 9/11, we have seen terrorism and specifically violent Sunni extremists waging war against us and our allies, led and inspired by Osama bin Laden and his lieutenant Ayman Al-Zawahiri. They are not a static, monolithic, or predictable enemy. They do not have a country. They are not identifiable as a nation or a state. They are a combination of stateless hierarchical and formalistic structures, equally lethal and fragmented. Because of the traits in the cultural and religious complexities, they are not predictable, quantifiable, or vulnerable to penetration. We have seen this in the Intelligence Committee, and we know that there is a great danger out there that we must continue to work to avoid.

These groups are highly organized and disciplined. They are inspired by bin Laden and Ayman Al-Zawahiri. They have been led, trained, and funded by graduates of al-Qaida training centers. Our enemy is determined to win. It is committed to victory. We cannot afford just to be hopeful.

As CIA Director James Woolsey once said: It is as if we were fighting with the dragon for some 45 years, slew the dragon, and then found ourselves in a jungle of poisonous snakes. The snakes are a lot harder to keep track of than the dragon ever was.

The PATRIOT Act is designed to be preventive. We know that the terrorists want to bleed us. Unfortunately, we have seen the blasphemy of Osama bin Laden taking the God of Abraham and claiming:

Allah willing, and nothing is too great for Allah.

This videotape was just released. And more recently his deputy, Ayman Al-Zawahiri, released a message saying:

The land and interests of the countries which took part in the aggression against Palestine, Iraq, and Afghanistan are targets for us. If you continue your politics against Muslims, you will see, God willing, such horror that you will forget the horrors of Vietnam.

This is the same kind of challenge and the same kind of threat we saw before 9/11. This, I am saying, requires us to be even more attuned and prepared for a potential terrorist attack.

I also note that in the recent BRAC proposals, we have gotten rid of many of the Air National Guard's air national defense missions. On 9/11, the Air National Guard flew 90 percent of the first 400 combat air patrols after the first 24 hours of the attack. We need to rethink our dismemberment of those critical assets.

Mr. President, I thank my colleagues for their indulgence. We are still facing a danger that we cannot overlook as we deal with the very real and certain tragedies of Katrina. I hope we will be able to continue our efforts to make sure that our law enforcement and intelligence agencies have the kind of resources they need to root out, to ferret out, to discover and, we hope, to defend against future terrorist attacks.

I thank the Chair and my colleagues, the managers of the bill. I yield the floor.

THE PRESIDING OFFICER. The Republican whip.

SENATE RESPONSE TO HURRICANE KATRINA

MR. MCCONNELL. Mr. President, in times of catastrophe, when destruction, suffering, and death are so overwhelming that it breaks your heart and almost leaves you numb, it is comforting to find that an outpouring of generosity, kindness, and help from our fellow man restores our faith and strengthens our souls.

With all the destruction wrought by Hurricane Katrina, we see more and more acts of extraordinary generosity and kindness. In Louisville, Kentucky, my hometown, we are preparing right now to receive over 500 evacuees who have lost their homes due to Katrina. With all their worldly possessions gone, they are reliant on the kindness and generosity of their fellow Americans, and we are finding all across the country that kindness and generosity is certainly not lacking.

Red Cross volunteers in Louisville are working around the clock to turn the city's fairgrounds into a temporary shelter. At home, over 300 families turned out to shower donations on a local Salvation Army center. One man alone brought over 6,000 diapers. Others are bringing basic necessities such as soap, toothpaste, and towels.

This spirit of generosity for our fellow man is by no means limited to the Commonwealth of Kentucky. Across America, we have all seen pictures or heard stories over the last several days of millions of total strangers reaching out to help their fellow citizens who have been displaced by the tragic events on the Gulf Coast. We see Girl Scouts filling old backpacks with clothes, blankets and, yes, a stuffed animal for children who have lost everything. We hear of Boy Scouts collecting food and clothes, as well as raising funds for the Red Cross, the Salvation Army, and other aid organizations. Businesses small and large have opened their hearts, wallets, and warehouses to provide cash as well as in-kind aid. Churches of all denominations have taken up the cause of their brother's keeper.

Thanks to the support of so many Americans, the thousands of people from Louisiana, Mississippi, and Alabama affected by Katrina will have a chance to build new lives. Of course, local, State, and Federal Government has the major role to play at this point. I am pleased we were able to act quickly last week and pass a \$10.5 billion appropriation for emergency response and recovery efforts. We are going to pass later today, hopefully, another \$51.8 billion in assistance, and more will be on the way if and when that is needed.

Our thoughts and prayers are with our fellow Americans who have tragically lost loved ones and with many others who have lost their homes and all of their worldly possessions. The Senate must focus on the immediate task before us of providing support for the relief, recovery, and rebuilding of the Gulf Coast region.

While we have much important work to do in the days and weeks ahead, we can take some comfort that, once again, in the midst of a tragedy, the worst of times seems to bring out the best in our people. So let us appreciate the people of Louisville, of Atlanta, Houston, Baton Rouge, and all over the country who are reaching out to help Katrina's victims all across the Gulf States. While one person alone may make little difference in comparison to the magnitude of this disaster, millions of individual acts of compassion taking place all over our country will go a long way to alleviate the suffering.

Mr. President, I yield the floor.

THE PRESIDING OFFICER. The Senator from Delaware.

MR. BIDEN. Mr. President, are we still in morning business?

THE PRESIDING OFFICER. The Senate is considering the appropriations bill for Commerce-Justice-Science.

AMENDMENT NO. 1661

Mr. BIDEN. Mr. President, I ask unanimous consent that the pending amendments be laid aside so that I may send an amendment to the desk and ask for its consideration.

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

Mr. BIDEN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Delaware [Mr. BIDEN] proposes an amendment numbered 1661.

Mr. BIDEN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To provide emergency funding for victims of Hurricane Katrina)

At the end of the bill, insert the following:

TITLE VII—EMERGENCY RELIEF FOR VICTIMS OF HURRICANE KATRINA

In addition to amounts otherwise provided for in this Act, the following amounts are appropriated for fiscal year 2006 and designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress):

(1) ENHANCING STATE AND LOCAL LAW ENFORCEMENT.—\$1,000,000,000 to the Community Oriented Policing Services function in the following amounts:

(A) \$700,000,000 added to the Hiring section.

(B) \$300,000,000 to the Interoperable Communications Technology section.

(2) ASSISTING CHILDREN IMPACTED BY HURRICANE KATRINA.—Under the Missing Children Program, \$10,000,000 to the National Center for Missing and Exploited Children to find, unite, and transport children impacted by Hurricane Katrina to their parents, legal guardian, or next of kin.

(3) ASSISTING VICTIMS OF SEXUAL ABUSE AND DOMESTIC VIOLENCE.—Under the Violence Against Women Act function, \$8,000,000 for the Office of Violence Against Women to assist victims of domestic violence and sexual abuse in the areas impacted by Hurricane Katrina in the following amounts:

(A) \$2,000,000 for the Rape Abuse and Incest National Network (RAINN) to rebuild crises centers, provide emergency counseling services in shelters, provide emergency counseling services in shelters, provide adequate services in communities with evacuees, and provide adequate short- and long-term support for displaced persons across the country.

(B) \$1,000,000 for nonprofit, nongovernmental statewide coalitions serving sexual assault victims within the State to be used to assist victims of sexual assault affected by Hurricane Katrina as determined by the assessment of statewide coalitions.

(C) \$6,000,000 to be allocated, in consultation with the Department of Health and Human Services, to nonprofit, nongovernmental statewide domestic violence coalitions serving domestic violence programs within the State to be used to assist victims of domestic violence affected by Hurricane Katrina as determined by the assessment of the statewide coalitions, and that the statewide coalitions can assess those needs.

Mr. BIDEN. Mr. President, I have a number of points to make today. The bottom line of what I am proposing is an amendment to the Commerce-Jus-

tice-Science appropriations bill relating to law enforcement and COPS. The bottom line is—and I will explain this briefly—No. 1, I propose adding \$1.019 billion to assist local law enforcement, support victims of domestic violence and sexual assault, and deal with some aspects of the impact of the hurricane on local law enforcement.

No. 2, this amendment contains \$1 billion for the Office of Community Oriented Policing Services, the so-called COPS Program. It provides \$700 million for hiring local officers, and it provides \$300 million for interoperable communications equipment for local agencies. If you ever need any evidence of the fact that we need that equipment and need more of it, I think Katrina has demonstrated that, unfortunately, fairly well.

It also contains \$10 million for the National Center for Missing and Exploited Children to help find and reunite children displaced by Hurricane Katrina, and it has \$9 million to support victims of domestic violence and sexual assault impacted by what happened during this crisis.

It sounds like a lot of money—and it is a lot of money—but we have made a serious mistake relating to our domestic security, our homeland security, and our need to deal with the looming threats that flow from not only national disasters we are facing now—and I hope we don't face another like this—but the terrors spoken about by my friend from Missouri.

In 2002, we were aiding local law enforcement collectively by \$2.4 billion a year. Although there has been some correction made, this administration proposed cutting that direct aid to local law enforcement down to \$168 million. I find that mind-boggling. I find that as misplaced and misunderstood a representation as I do cutting money for levees and cutting money for the Corps of Engineers, as we have done the last 4 years. This is an attempt to not restore all but restore part of the assistance we provided for local law enforcement in the past.

The devastation caused by Hurricane Katrina has revealed the best and the worst about our great Nation. It has revealed a great economic divide that exists among our citizens, while it demonstrated as well the capacity of the majority of our citizens to be compassionate and even heroic during times of great need. It also exposed the demons of some who will use any opportunity to prey on the weak.

The hurricane also demonstrated the best and the worst in our Government. It is clear by all accounts that the Federal response was insufficient, and we will be discussing that in the coming days, weeks, and months to hopefully address the concerns so that, God forbid, faced with this or an attack, we would not go through the same degree of incompetence that seems to have been spread across the governmental front.

It also demonstrates clearly to me we have to do more to support State and

local law enforcement officials. These men and women, in my opinion, demonstrated the best the Government had to offer, as opposed to the sudden incompetence we have seen. The men and women in Biloxi, New Orleans, and other police departments in the region have been working 24 hours a day. Many of them have lost their homes, and their families have been displaced. They have been working with limited food and water.

Many of them do not even have the facilities to take a shower and use a restroom. Lieutenant Bennelli of the New Orleans Police Department stated:

I spent a year in Vietnam. The ordeal that these officials have gone through has been as trying as the time I spent in Vietnam.

For everyone who argues that—and I hear this a lot around here these days—local law enforcement is a local problem, they should take a look at what is happening in the Gulf States. I know many of my colleagues—and I respect my colleagues who have this view, but they are into this devolution of Government stuff, the new paradigm they like to talk about. They talk about the new paradigm in foreign policy. They talk about a new paradigm in local law enforcement in terms of devolution of Government. Translated, that means the only thing the Federal Government should do is those things which no State can do. Or put another way, if the State can do any of what is required to meet the needs of their citizens, only the State should do it.

From men and women on this floor who are equally as adamant about fighting crime as I have been in my years, they are saying they support eliminating the COPS Program. Why? They say it is not the business of the Federal Government. The Federal Government should not be involved in local law enforcement.

Well, I like to point out that 60 percent of all the crimes committed in America relate to drugs, abuse of drugs, the sale of drugs, illicit drugs. Is that a State responsibility or does not that stuff come across the border? Does not that stuff come from the Andes? Does not that stuff come from Afghanistan? Does not that stuff come from abroad? We can have the best police department, the most significant—and I think we have the best law enforcement agencies in the Nation in the State of Delaware, and you cannot stop the drugs coming down from Aramingo Avenue in Philadelphia. They cross State lines. So I respectfully suggest to the devolution-of-Government guys that Federal responsibility exists as it relates to local crime and local law enforcement.

I would like to point out another thing. God forbid we have an attack. Let us assume—and it was not, but let us assume some divers were planting explosives to blow up the levees along the Mississippi as opposed to Lake Pontchartrain, which by the way is a lot higher. Who is going to find them? Is it going to be some brave special

forces officer in night vision goggles watching this happen and they are going to capture them or is it going to be my son who is now in the National Guard down in Gulfport, MS, patrolling the streets? Is he the one going to be doing that? No, it is going to be a local cop.

Who is going to find the guy or the woman or the terrorist who is going to try to put sarin gas into the Houston Astrodome or a giant shopping mall? It is going to be some cop coming from Dunkin' Donuts riding behind the facility catching someone in a dumpster.

I do not know what we are thinking about here. Cutting local law enforcement moneys? Forget Katrina, which only makes the point more starkly, but forget it for a moment. What are we doing? We had a great President named Reagan who said, if it ain't broke, don't fix it.

Guess what. Nobody has argued the COPS Program has not succeeded. No one has argued it has failed. A former Attorney General said, when it was time to eliminate it, I think the word he used was miraculous, it has been a miraculous program.

Let us cut it? Let us eliminate it?

I would make the suggestion that law enforcement is not purely a local problem. Look at what is happening in the Gulf States right now. Law enforcement is a national concern and requires a national response and a national commitment. Local communities need robust police departments. They need superior communication technology and equipment. I know my friends in the Commerce Committee know more about the spectrum fight, which I will not get into now, than most do, but the idea that there is not sufficient spectrum available to our first responders because the broadcast industry is unwilling to commit to the deal they made is beyond me.

Local communities are the ones that not only affect the overall security of the country but the day-to-day lives of their citizens by reducing crime. This also helps local governments be better at responding in periods of crisis. What could be more important to the national priority than the safety of our citizens?

We simply have not been doing right by our States and local government partners over the past few years. Throughout the 1990s we allocated billions of dollars to hire local law enforcement, provided them with the technology they needed. We all know the story. Reduce crime each year for 8 consecutive years and we are still reaping the benefits of those successes as crime rates still go down.

I would like to point out one other simple fact. Having chaired the Judiciary Committee or been its ranking member for I think 17 years and being on that committee for 30 years, to the best of my knowledge, there is no other time in American history when the cadre of those in their crime-committing years, meaning young people be-

tween the ages of 14 and 25, have increased and violent crime has gone down. This program has worked because the States have made it work. We reduced crime, as I said, 8 years in a row. But we did more than reduce crime by this legislation we have cut so drastically. We also demonstrated a commitment to local agencies. We increased their capacity to respond to any situations of the local communities.

In this year's budget, we have allocated only \$2 million to hire police officers. This amount will hire approximately 25 officers throughout the Nation, hardly a ringing endorsement of our local agencies. Right now, the COPS office has pending applications to hire 8,000 local officers left unfilled due to lack of funds. The amendment I am offering today would provide \$700 million to immediately fill these needs with special emphasis on filling the needs of those agencies in the devastated regions. The New Orleans Police Department in particular will need special assistance. If this funding is allocated to the COPS office, it should work with those agencies first.

We also know that network capabilities of agencies in the area have been destroyed. We need to help them get those networks back on line so they can continue to do their job. My amendment would add \$300 million to the current allocation of \$37 million, which is all that has been allocated. It would add \$300 million to help agencies in the gulf coast get up and running again. The COPS office has had an overtime program to help local agencies pay overtime. We all understand the need to assist local agencies that have been working around the clock, but based on conversations with the Louisiana Association of Chiefs of Police and the National Sheriffs Association, it is my understanding that the Federal Emergency Management Agency will be reimbursing local agencies for those costs. Because of this understanding, we have not included additional assistance for overtime in this amendment.

Finally, we include \$19 million for children who have been displaced and to support the domestic violence shelters that have been destroyed. The National Center for Missing and Exploited Children has reported that over 1,000 children have been displaced by this storm—that means they are not with their parents or guardians—and in this amendment we provide \$10 million for that effort.

We also provide \$9 million to support domestic violence victims impacted by the storms. We all heard of the reports of sexual assaults in the aftermath of Hurricane Katrina, and we will support those victims who have not been moved to new shelters.

In addition, this funding will support the shelters in Louisiana, Mississippi, and Alabama that have been impacted and will help support shelters in adjoining States that have been called

upon to do much more in the coming months.

I think all of my colleagues have heard me say that I believe there is not a more important responsibility in Government than the safety of its citizens. It comes before their health, before their education, before everything. There are no civil liberties, there are no opportunities if one is not able to be safe on the street. Without safety and security, nothing else matters. Our local law enforcement agencies are there every day fighting crime and responding to emergencies. Hurricane Katrina demonstrated quite starkly the way we rely on them. The Federal support for these officers has been on a steady decline, as I said at the outset, the past few years. We need to reverse that trend. This amendment will help us get back on track.

I thank the Chair and I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. SARBANES. Could I ask what the parliamentary situation is?

The PRESIDING OFFICER. The Commerce, Justice, Science appropriations bill is pending.

Mr. SARBANES. I ask unanimous consent that the pending amendment be set aside so I may offer an amendment.

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

AMENDMENT NO. 1662

Mr. SARBANES. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Maryland [Mr. SARBANES] proposes an amendment numbered 1662.

Mr. SARBANES. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To assist the victims of Hurricane Katrina with finding new housing, and for other purposes)

On page 190, after line 14, insert the following:

SECTION 522. HURRICANE KATRINA EMERGENCY ASSISTANCE VOUCHERS.

(a) SHORT TITLE.—This section may be cited as the "Helping to House the Victims of Hurricane Katrina Act of 2005".

(b) HURRICANE KATRINA EMERGENCY ASSISTANCE VOUCHERS.—Section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) is amended by adding at the end the following:

“(20) HURRICANE KATRINA EMERGENCY ASSISTANCE VOUCHERS.—

“(A) IN GENERAL.—During the 6-month period beginning on the date of enactment of the Helping to House the Victims of Hurricane Katrina Act of 2005, the Secretary shall provide temporary rental assistance to any individual or family, if—

“(i) the individual or family resides, or resided on August 29, 2005, in any area that is subject to a declaration by the President of

a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina; and

“(ii) the residence of the individual or family became uninhabitable or inaccessible as result of that major disaster or emergency.

“(B) REGULATIONS.—Not later than 30 days after the date of enactment of the Helping to House the Victims of Hurricane Katrina Act of 2005, the Secretary shall issue final rules to establish the procedures applicable to the issuance of assistance under subparagraph (A).

“(C) NOTICE.—The Secretary, in consultation with the Director of the Federal Emergency Management Agency and such other agencies as the Secretary determines appropriate, shall establish procedures for providing notice of the availability of assistance under this paragraph to individuals or families that may be eligible for such assistance.

“(D) AUTHORITY TO CONTRACT WITH PHA'S AND OTHERS.—The Secretary may contract with any State or local government agency or public housing agency, or in consultation with any State or local government agency, with any other entity, to ensure that assistance payments under this paragraph are provided in an efficient and expeditious manner.

“(E) WAIVER OF ELIGIBILITY REQUIREMENTS.—In providing assistance under this paragraph, the Secretary shall waive the requirements under—

“(i) paragraph (2), relating to tenant contributions towards rent, except that any such waiver shall expire on an individual's return to work;

“(ii) paragraph (4), relating to the eligibility of individuals to receive assistance;

“(iii) subsection (k) and paragraph (5) of this subsection, relating to verification of income;

“(iv) paragraph (7)(A), relating to the requirement that leases shall be for a term of 1 year;

“(v) paragraph (8), relating to initial inspection of housing units by a public housing agency; and

“(vi) subsection (r)(1)(B), relating to restrictions on portability.

“(F) USE OF FUNDS.—Notwithstanding any other provision of law, funds available for assistance under this paragraph—

“(i) shall be made available by the Secretary to individuals to cover the cost of—

“(I) rent;

“(II) security and utility deposits;

“(III) relocation expenses, including expenses incurred in relocating back to the major disaster area when such relocation is permitted; and

“(IV) such additional expenses as the Secretary determines necessary; and

“(ii) shall be used by the Secretary—

“(I) for payments to public housing agencies, State or local government agencies, or other voucher administrators for vouchers used to assist individuals or families affected by the major disaster or emergency described in this paragraph up to their authorized level of vouchers, if any such vouchers are not otherwise funded; and

“(II) to provide operating subsidies to public housing agencies for public housing units provided to individuals or families affected by the major disaster or emergency described in this paragraph, if such a subsidy was not previously provided for those units.

“(G) PAYMENT STANDARD.—For purposes of this paragraph, the payment standard for each size of dwelling unit in a market area may not exceed 150 percent, or higher if the Secretary approves of such increase, of the fair market rental established under subsection (c) for the same size dwelling unit in the same market area, and shall be not less than 90 percent of that fair market rental.

“(H) NONDISCRIMINATION.—In selecting individuals or families for tenancy, a landlord or owner may not exclude or penalize an individual or family solely because any portion of the rental payment of that individual or family is provided under this paragraph.

“(I) TERMINATION OF ASSISTANCE.—Assistance provided under this paragraph shall—

“(i) terminate 6 months after the date on which such assistance was received; and

“(ii) extend for an additional 6 months unless at that time the Secretary makes a determination that assistance under this paragraph is no longer needed.

“(21) ASSISTANCE FOR CURRENT VOUCHER RECIPIENTS AFFECTED BY HURRICANE KATRINA.—

“(A) IN GENERAL.—The Secretary shall waive any of the requirements described in clauses (i) through (vi) of paragraph (20)(E) for any individual or family receiving assistance under this section on August 29, 2005, if—

“(i) the individual or family resides, or resided on August 29, 2005, in any area that is subject to a declaration by the President of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina; and

“(ii) the residence of the individual or family became uninhabitable or inaccessible as result of that major disaster or emergency.

“(B) ADDITIONAL USES OF FUNDS.—Notwithstanding any other provision of law, the Secretary shall provide, as the Secretary determines appropriate, supplemental assistance to an individual or family receiving assistance under this section on August 29, 2005, and meeting the requirements described in subparagraph (A), to assist the individual or family with the additional costs of relocating to new housing, including to cover—

“(i) the additional cost of rent and utilities;

“(ii) security and utility deposits;

“(iii) relocation expenses, including expenses incurred in relocating back to the major disaster area when such relocation is permitted; and

“(iv) such additional expenses as the Secretary determines necessary.

“(C) PAYMENT STANDARD.—For purposes of this paragraph, the payment standard for each size of dwelling unit in a market area may not exceed 150 percent, or higher if the Secretary approves of such increase, of the fair market rental established under subsection (c) for the same size dwelling unit in the same market area, and shall be not less than 90 percent of that fair market rental.

“(D) NONDISCRIMINATION.—A landlord or owner may not exclude or penalize an individual or family solely because that individual or family is eligible for any waivers or benefits provided under this paragraph.

“(E) TERMINATION OF AUTHORITY.—The authority of the Secretary to provide assistance under this paragraph shall—

“(i) apply during the 6-month period beginning on the date of enactment of the Helping to House the Victims of Hurricane Katrina Act of 2005; and

“(ii) extend for an additional 6 months after that period, unless if at that time the Secretary makes a determination that assistance under this paragraph is no longer needed.

“(22) AUTHORITY OF THE SECRETARY TO DIRECTLY ADMINISTER VOUCHERS WHEN PHA'S ARE UNABLE TO DO SO.—If the Secretary determines that a public housing agency is unable to implement the provisions of this subsection due to the effects of Hurricane Katrina, the Secretary may—

“(A) directly administer any voucher program described in paragraphs (1) through (20); and

“(B) perform the functions assigned to a public housing agency by this subsection.”

(C) REPORT ON INVENTORY OF AVAILABILITY OF TEMPORARY HOUSING.—Not later than 10 days after the date of enactment of this Act, the Secretary of Defense, the Administrator of the General Services Administration, the Secretary of Agriculture, and such other agency heads as the Secretary determines appropriate, shall compile and report to the Secretary an inventory of Federal civilian and defense facilities that can be used—

(1) to provide emergency housing; or

(2) as locations for the construction or deployment of temporary housing units.

(d) APPROPRIATION OF FUNDING.—

(1) IN GENERAL.—There are authorized to be appropriated and are appropriated \$3,500,000,000 to provide assistance under this Act.

(2) EMERGENCY DESIGNATION.—The amount appropriated under paragraph (1) is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

Mr. SARBANES. Mr. President, I am pleased to join the leadership of Senator REID and Senator LANDRIEU who have announced a package of proposals to be of assistance to the Hurricane Katrina victims so that the millions of people affected by the devastation along the gulf coast can begin to rebuild their lives.

The amendment which I have sent to the desk is only part of that broader proposal and deals with the housing situation which now confronts the victims of this tragic storm. Before going into the details of the proposal, I want to extend my deepest sympathies to those in Louisiana, Alabama, and Mississippi who have lost loved ones or who are still searching for family members, neighbors, and friends. They need to know that the thoughts and prayers of the country are with them during these very difficult and trying times. We know that hundreds and hundreds of thousands of Americans have lost their houses, their jobs, their belongings, indeed, their communities.

An effort is now underway in the Congress to come to their assistance. We know the road to recovery will not be easy and it will not be short, but we need to undertake these efforts immediately.

It was earlier estimated this week by FEMA officials and told to the President that 500,000 to a million people were rendered homeless by Hurricane Katrina and the deadly floods that followed the hurricane. In fact, yesterday's New York Times reported that as many as a million people are without housing. While the first job was to evacuate people, to get them food and water and to address their medical needs, in other words, to in effect save the lives of those who have been so heavily impacted, I think it is fair to say that the next job confronting us would be to find adequate housing for the survivors of Katrina.

The Americans displaced by the hurricane are scattered throughout the country now. I want to underscore the comments made by some of my colleagues earlier about the opening up of the arms of Americans across the country to take people in in this time of

emergency and the great need. Families coming out of the gulf coast are in effect living wherever they can find a roof over their heads, with relatives, with friends, with caring strangers who have volunteered to take them in, in shelters—for example, Houston opened up the Astrodome—on cruise ships or in tents. It is fair to say if one stops and thinks about this for a moment it is, at best, a temporary housing situation.

The hundreds of thousands of displaced families need to have access to stable housing so they can send their kids to school, start pulling their lives back together again, which is, of course, a pressing challenge, seek employment and chart out a future for themselves.

This amendment, recognizing the overwhelming need for stable housing, proposes an emergency housing voucher program of \$3.5 billion, which would provide temporary rental assistance to more than 350,000 displaced families. It eliminates—I should say more accurately suspends for a limited period of time—many of the requirements and the restrictions that ordinarily apply to the housing voucher program. For example, any person or family displaced as a result of Hurricane Katrina would be eligible to receive this much needed assistance; they could get a temporary housing voucher. This is without regard to their income situation. It recognizes the storm hit rich and poor alike and this is an effort to give them some immediate, short-term help so they can move out of the situation in which they find themselves.

The temporary rental vouchers would quickly and efficiently move families into stable housing across the country in the communities to which they have relocated. So it would give them an opportunity, with the voucher that would come to them, to find housing for themselves and their families. They could move out of the shelters. They could move out of temporary facilities. They could cease to live with relatives, friends or, indeed, strangers.

The rental assistance will be flexible and it will be easy to use. It will have payments sufficient so they can find suitable housing. The funds provided could be used anywhere in the country by those who have been impacted by the hurricane whose situation was created by the hurricane to pay for rent, security deposits, relocation expenses and moving expenses back to the affected areas at the appropriate time. So, if and when the time comes, they could return to their homes if that was the choice.

The assistance would be available for an initial period of 6 months. It is limited. A further 6 months is available, an extension, unless the Secretary of the U.S. Department of Housing and Urban Development finds that the assistance is no longer needed. But the maximum extent of these temporary housing vouchers would be 1 year. It would be 6 months, with a possibility of an extension.

The emergency program would be administered by HUD, which could operate the vouchers directly or provide the vouchers to local housing agencies, State and local governments or other entities, so long as the vouchers get out quickly to those in need.

We have a complicated problem here because the public housing authorities, of course, are locally based. The ones in areas where the people have been displaced are, in effect, out of business. There is no housing there by definition, since people have had to evacuate and leave. These people have now been moved to different parts of the country. We need to be able to get these vouchers to them and get them to them quickly.

We know people want to return to their neighborhoods, but it will probably be months before that is at all possible. Ordinarily, FEMA provides trailers and other housing after a disaster. That is how ordinarily it works. But the magnitude and scope of this disaster is unprecedented. FEMA has never had to deal with something of this magnitude, and it was the judgment, in putting this amendment together, that HUD had an expertise with respect to these rental vouchers. The emergency is a new dimension for HUD, but we thought that they have trained staff and could take over this responsibility and move it forward quickly.

I might note that the Secretary of Housing and Urban Development, Secretary Jackson, earlier in his career, has had very extensive experience directing public housing authorities—in Washington, DC; St. Louis, MO, and in Dallas, TX. So he has had a lot of experience actually on the ground with respect to housing. We think he could marshal the Department and its staff to respond in this situation.

This only begins to deal with the problem. I do not begin to assert that this represents a total or comprehensive solution to the housing challenge. But it enables us to get underway. Any family displaced by the hurricane would be eligible to receive a temporary voucher to pay for renting safe and decent housing, pay for rent, security, utility deposits, relocation expenses, and then eventually, we hope, moving expenses back to their permanent homes. These vouchers could be used anywhere across the country. It would not require a certification of income initially in order to get the voucher, and the families would be relieved of paying the rent, their portion of the rent which is required under the regular voucher program, until family members return to work. Once they return to work, the tenants would have to pay rental payments, as they do in the regular housing voucher program.

We are trying to cover all the bases here. We are trying to be very sensitive to the problem. We are trying to look at the problem through the eyes of those who have been struck by the hurricane, in terms of how they see it.

These people are now there. All kinds of makeshift housing is being found for them. But that, even on a temporary basis, does not represent an appropriate response. So we want to move them a little further down the path toward having a more normal living situation. We ease up a little bit about the amount of rent they can pay. We allow it to go a bit above the median instead of having to be below the median because we know finding rental units will be a difficult job.

As I said, this gives authorities to HUD they do not now have to directly administer the program so they can reach out to these former residents of the gulf coast who are now scattered out across the country. They can work with the housing agencies, State and local governments, and other entities. As I noted, it has a limited time provision. So it would enable us to, in effect, provide all of these people who have had to leave their homes an opportunity to put some stability into their lives. So they could then go on and deal with the other problems that are confronting them—the problems of getting their kids back in school, the problems of employment, the problems of meeting all of the other pressures that have come before us. But we have moved these people out. Some are being held in shelters. Others are being dispersed. But what is the next step for them? We think this represents the next step.

It is a targeted approach. The authorities it gives are temporary. The limitations and restrictions it eases and removes are done on a temporary basis, so it is not permanent in its eventual impact. But it does provide, for the next 6 to 12 months, a degree of stability and a degree of permanence which I think is very important in enabling the people who have been struck by this tragedy to help put their lives back together again. I very much hope, when the appropriate time comes, my colleagues will support this proposal.

I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Ms. MIKULSKI. Mr. President, I ask unanimous consent the order for the quorum call be rescinded.

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

Ms. MIKULSKI. Mr. President, I wish to comment on the amendment that has been offered by the senior Senator from Maryland, the ranking member on Housing on the housing voucher program. I want very much to support his amendment because I think it is absolutely crucial that we do this.

There are people who are living under three basic circumstances. No. 1, some are shelters, which is emergency housing. God bless all of the communities, the Red Cross, the people of Texas, and everywhere that have provided shelter housing. But shelter housing is for an

emergency situation, and people do need to move to stable housing.

Then there are those people who did evacuate. They might be of modest means, they might be of middle-class means, but they have been living in hotels and motels along the way. They have been living off of their credit cards. They are now out of money, they are out of gas, and they wonder what to do next. They need to be able to move into housing. Also, in order to be able to get a job, you need an address. In order to get a benefit, you need an address.

Then there is the third group of people who have been embraced by churches, who are living maybe with strangers or even living with relatives. But for many people, their relatives are also on a tight budget, living on a shoestring or a small pocketbook. We have had generosity of spirit, generosity of heart, and even generosity of wallet. But that is limited until people can move into other types of housing.

In this case, as someone who once was an appropriator for HUD, we need so-called housing vouchers, known as Section 8, for either the poor or the elderly. Because of what has happened, everyone is poor and stretched to the limit, with no income. They need help. I believe this program offers both the reimbursement—the voucher—and also enough constraints so that it is not a lavish giveaway program.

The point I also want to make is that housing is really limited, even temporary housing. My colleague, Senator SARBANES, has spoken about FEMA and its trailers. We know about FEMA and its trailers because we were hit by Hurricane Isabel. We were absolutely grateful for them. But when I heard the FEMA trailers were coming to the Eastern Shore or Bailey's Quarters or to Miller Island, I thought they were trailers—almost a version of a manufactured home. When I went to see them and meet with the people in them, they were campers. So when we hear that the trailers are coming, these are not trailers the way we see in a trailer park. These are kind of campers you see for an overnight and they are very limited and they are also very expensive to heat or to air condition. But, thank God when they come.

Yesterday I spoke to one of the leading private-sector people who has a substantial number, whose corporation has a substantial number of employees in both Louisiana and Mississippi.

They tried to rent trailers and RVs to take out to their employees. They were going to get hold of them and lease them—or almost rent free—to their employees so the employees would have a place to work. They would know where those employees were, and begin to put them back to work.

Guess what. They couldn't find any. Practically every trailer and every RV in America is on its way down to the gulf. They have already been purchased or leased. We think that is great. This

is a private sector corporation with deep pockets which is trying to jump in to help.

We have a sense of the magnitude of the crisis. These vouchers will add an "R" to what we need when we talk about emergency management response. I helped to form FEMA. I will not talk about that today. We have a reformed FEMA that went over to the Department called Homeland Security.

I believe when it did that, it lost its focus. But we had three "R's" we practiced: readiness, response and recovery. I am going to add a fourth "R"—reimbursement. We have to reimburse these communities that are taking in people.

Look at Texas and other communities. I know your community, Mr. President, has been very generous. Again, we salute you. But we can end up in compassion fatigue and we need to have a government safety net.

I think this voucher will do a lot. I think it will also do a lot for mental health. If you have your own kitchen, your own stove, your own address, and your children can go to school, not at a shelter—though God bless the shelters—I think it will do a lot to begin to restore people's sense of stability.

I think this is a very good idea. It is temporary. It is time limited, both in terms of the flexibility of the rent, and so on. I think it will go a long way to using the private marketplace and the private sector and also be able to reimburse other nonprofits that are already also finding housing.

I salute my colleagues and the leadership for doing this, and I look forward to supporting it.

I yield the floor.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from New Jersey.

Mr. LAUTENBERG. Mr. President, I want to take some time to review the situation we have seen in front of us for the last week. It was a terrible week for our country. One only had to listen to the eloquent remarks given by the Senator from Louisiana, Ms. LANDRIEU. She described in very moving words and tones what kinds of things she personally witnessed and that went on in the State of Louisiana, particularly New Orleans. We all have to learn from that experience. We have to be ready for any eventuality.

The American people watched in horror and disbelief as this incredible tragedy played out on live television in Louisiana, Mississippi, and Alabama. For most of us, it was from the safety of our homes or businesses that we watched with horror our fellow Americans suffering unbelievable loss and pain.

The worst part is, as we watched this tragedy evolve, with thousands being displaced from their homes and families, without a significant response, why did they suffer so long before appropriate action was put into place? That is because the Federal Government was not prepared. How could the administration not have been prepared

for this? We had advance warning that a major disaster was looming. We see this picture. It tells you what is happening. Sunday, August 28, the swirl of the wind and the ferocity of the action is almost enough to frighten you just looking at this picture.

August 28, Sunday, Katrina became a massive hurricane, a category 5. It was in the Gulf of Mexico headed right for a large American city—a city with tradition and history that all of us relate to. Actually, however, this city sat below sea level—New Orleans. The mayor of New Orleans on that Sunday ordered a mandatory evacuation of the city. This wasn't news, friends. No. This was obvious. You were going to get a punch in the face like you never had before, and your opponent was standing full fist in front of you.

Massive flooding was predicted before the storm hit. At 6 a.m. Monday morning, Hurricane Katrina and its storm surge hit greater New Orleans and the Mississippi coast. About 80 percent of the city's residents were able to flee. Others, especially the elderly, the infirm, and the poor were left behind.

Also, on Monday, the 17th Street levee in New Orleans broke, and water flooded the city.

One only needs to ask our junior Senator from Mississippi about the wave of water that destroyed his house. He told me it was 26 feet high. That is more than two stories. Levees gave way, and floodwaters quickly overtook homes. Residents scrambled for their lives, seeking refuge on rooftops. We all saw the vivid pictures of the heroic Coast Guard rescue putting people in baskets, or hanging onto them, around their necks, to get them out of the way of the oncoming flood. More than 30 elderly residents of a nursing home died in that rapidly rising tide.

On Monday, August 29—remember, the first picture was Sunday. That was the warning we saw going on. On Monday, August 29, many in New Orleans were evacuating their homes in rushing waters trying to keep themselves and their families from drowning.

Here is a photo taken about midday that Monday. I would appreciate it if those who see this would keep this time in mind.

That terrible image—look at it. People were standing in water up to their waists. Some are up to their necks, and obviously holding children, and at the same time holding bundles on their heads to keep them dry.

By Tuesday, we saw conditions deteriorating at the Louisiana Superdome where people had already sought refuge. They suddenly needed to move again.

A reporter at the scene told grim stories of no food, no air conditioning, no usable water, overflowing toilets in the Superdome, and of tens of thousands of human beings who were stranded in these inhumane conditions.

While media members were spread across New Orleans, the Federal Government seemed to have no presence

whatsoever. I remember personally watching Jean Meserve reporting for CNN, almost being blown over by the ferocity of the winds, with tears in her eyes, in a quivering voice. She was crying as she gave her report about the horror she was witnessing. She was barely able to hold herself in position.

These desperate people trudged up elevated highways and overpasses. I am sure they assumed that help would soon come. But even though they waited in plain sight on an elevated highway, no help arrived. So they baked in the heat, and they looked desperately toward the skies for any hint of help. But there was little sign from the Federal Government; no sign of help other than the courageous Coast Guard rescue teams pulling people off of rooftops.

On Tuesday, as this devastation was being unleashed on New Orleans, where was President Bush? He flew to California, in the opposite direction of the crisis as tens of thousands of Americans were fighting for their lives, many of them dying. The President was in California. It was an important moment. He gave a speech commemorating VJ Day. I remember VJ very clearly. I was on a ship going from Europe where I served during the war back to America to go on to Japan. It was an important moment. But was it important enough for the President to leave his post, to leave his command, when people were trying to stay alive? This is a picture taken on Tuesday, August 30, 2005. It was 2:56 eastern time, which made it about 2 hours difference in central time, New Orleans. The President was enjoying the day. He was strumming a guitar. I don't deny him the pleasures of office. But people were drowning. They were trying to save their lives, save their homes, and save their kids at the same time. The President was not in touch with the country. It was one of the worst failures of leadership in our Nation's history. It was like an Army preparing for battle only to find out that the top general has gone AWOL.

Millions of Americans asked: How could this happen in the 21st century in America?

Our hearts were broken—all of us, anybody who saw it. I remember conversations with family and friends, and how horrified they were to see people struggling. They heard tales of children being swept from parents' arms, of the woman who sat with her husband as he pleaded for needed medication. And he died in her presence.

Senator LANDRIEU told us the story about the man who was sent to protect the mayor of New Orleans. He stayed with the mayor 3 days. When he went to his home, he found that his wife and children had died. He was so overcome he took a pistol and blew his head off. He committed suicide. How terrible.

What many people do not understand is the incompetence of the leadership in their country. It seems to be almost an indifference. What many Americans

concluded last week is that the Bush administration cannot protect us. When faced with a real crisis, the White House displayed a lack of involvement, a failure of leadership.

To make matters worse, our President refuses to accept responsibility. President Truman—who sat at this very desk; his name is written here—said: The buck stops here.

That is not what we saw from the White House those terrible days. Now the President has an idea about how to determine what went wrong. He wants to begin an investigation, headed by himself. An investigation of self is not the best way to get the facts.

The hurricane that struck New Orleans on August 29 was a force of nature. But the damage and the disaster that followed was compounded by a failure of leadership.

Since the President and the President's team have already mishandled much of this tragedy, I urge my colleagues to roll up our sleeves and follow the lead of Senator LANDRIEU, with Senator VITTER, Senator LOTT, Senator COCHRAN, as we craft a plan for recovery for these devastated communities. We have a moral obligation to rebuild not just these businesses and landmarks but homes and communities, schools in every community, regardless of class or color.

One of our Republican colleagues said something this past weekend, in talking about the people who were suffering so much in the gulf area:

You have people who don't heed those warnings and they put people at risk as a result of not heeding those warnings.

He further said there is a need to look at tougher penalties on those who decide to risk it and understand there are consequences for not leaving; to administer more punishment to these people who did not heed the warning, who did not want to leave their homes, who did not want to leave their familiar territory, who did not want to leave a relative, perhaps; to put more punishment on them, suggesting that losing a child, losing a home, losing momentos, or losing a history is not enough. We should punish them further? A Senator suggested that. What an outrage. Yes, he yielded later and said he might have been misunderstood. Read that Senator's words.

We have to learn from this terrible tragedy. The country certainly is alert to the risks we face from terror, from human-initiated attack. In the State of New Jersey we lost 700 people; New York, almost 2,000. We learned a lot. We learned we have to protect ourselves. It appears the number of dead in Louisiana and Mississippi is going to exceed the number, as terrible as it was, of September 11. So we have to prepare ourselves in some way to deal with that problem just as ardently, just as thoroughly, as we fight terrorism.

We need to pass legislation as soon as possible. I hope we will not be delayed in doing that by recriminations from

those who would pass the buck elsewhere, away from the place the responsibility belongs.

We need to tell the gulf coast community that we believe in them, that the road to recovery is being built, and that we will then proceed to examine the history of what got us there. People understood in many quarters the levees were weak. The question arises about what we did to shore them up. I hope that examination will take place in the immediate future.

We salute those people who have endured the most unimaginable tragedy—to have loved ones swept away by flood waters, to have memories taken away. In lots of places it was not just the housing but the memorabilia, the trinkets of childhood, childbearing, raising kids, and seeing it disappear. We have to be stronger. We have to be more leaderly. We cannot be AWOL when trouble strikes. I hope we will work together on a bipartisan basis, as they say, and do the right thing.

I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. CHAFEE). Without objection, it is so ordered.

AMENDMENT NO. 1665

Mr. DORGAN. Mr. President, I send an amendment to the desk on behalf of myself, Senator GRAHAM, and Senator STABENOW.

The PRESIDING OFFICER. Without objection, the pending amendment is set aside. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from North Dakota [Mr. DORGAN], for himself, Mr. GRAHAM, and Ms. STABENOW, proposes an amendment numbered 1665.

Mr. DORGAN. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To prohibit weakening any law that provides safeguards from unfair foreign trade practices)

On page 190, between lines 14 and 15, insert the following:

SEC. 522. None of the funds appropriated or otherwise made available by this Act may be used to negotiate or enter into a trade agreement that modifies or amends any law of the United States that provides safeguards from unfair foreign trade practices to United States businesses or workers, including (1) imposition of countervailing and anti-dumping duties (title VII of the Tariff Act of 1930; 19 U.S.C. 1671 et seq.); (2) protection from unfair methods of competition and unfair acts in the importation of articles (section 337 of the Tariff Act of 1930; 19 U.S.C. 1337); (3) relief from injury caused by import competition (title II of the Trade Act of 1974; 19 U.S.C. 2251 et seq.); (4) relief from unfair trade practices (title III of the Trade Act of

1974; 19 U.S.C. 2411 et seq.); or (5) national security import restrictions (section 232 of the Trade Expansion Act of 1962; 19 U.S.C. 1862).

Mr. DORGAN. Mr. President, this is an amendment that is relatively simple. It would prohibit funding in this bill for our trade negotiators to enter into any agreement that would weaken U.S. trade laws, such as antidumping laws and countervailing duty laws. Let me describe why these are important.

We have provisions in our law that establish some level of protection for American industries if some foreign company or foreign country decides to dump products into our country at artificially low prices in order to capture a market or destroy an industry. These are the antidumping laws. We also have laws that provide for the opportunity to apply countervailing duties on products that come into this country that are unfairly subsidized and attempt to undercut American businesses.

Why do I offer this amendment? Because we have U.S. negotiators who are engaged in WTO negotiations who are saying that everything is on the table; we are willing to negotiate away the protections that exist for fair trade for American businesses, American jobs, and American industries.

We have the highest trade deficit in the history of this country. We have massive numbers of American jobs moving overseas every single day. American companies are closing their businesses, and American jobs are moving overseas.

I have told the story repeatedly—and I will not tell it in great depth again—about Huffy bicycles. They used to be an American company. No longer. Huffy bikes are now made in China. Those proud workers in America made \$11 an hour plus benefits. They all got fired. Were they bad workers? No. That company makes Huffy bicycles in China now and pays 33 cents an hour, working workers 7 days a week, 12 to 14 hours a day, and then they ship the Huffy bicycles back to this country to be sold.

Interestingly enough, since they moved to China, Huffy has declared bankruptcy. It has now been purchased by a Chinese company, and they say they still want this to be one of the leading brands in America. Notice that I said “brands.” They don’t want to make them here. It is too expensive to pay \$11 to American workers to produce bicycles in this country; they just want the right to sell them here.

I have given long speeches about the fact that Levi’s doesn’t make a single pair of Levi’s anymore. That great American brand is now produced offshore. They are made by contract production in Haiti, Sri Lanka, Indonesia, Bangladesh, India, and China.

I have given speeches about the fact that if you wear your Tony Lama cowboy boots, they may not be American; they may be Chinese.

I have given speeches talking about the fact that if you like Mexican food, you can eat Fig Newton cookies, be-

cause Fig Newton moved to Monterey, Mexico. So if you want Mexican food, go buy Fig Newtons.

I have given speeches at length about jobs leaving this country. We have the biggest trade deficit in this country. It is dangerous. The question is, When will this country have the nerve, the backbone, and the will to stand up for the economic interests of this country?

I am not suggesting putting walls up around this country; I am just suggesting demanding fair trade. We had people die on the streets of this country for the right of workers to organize. In the last century, we decided issues about minimum wage, about child labor laws, about rules that say you cannot dump chemicals into the air and the water from your production plant.

We had people work very hard over a century to achieve these rules and regulations, which establish decent conditions of production. One can now escape all that by pole-vaulting over it. Move the plant to China, move the plant to Bangladesh, move the plant to Honduras and hire workers who will work for pennies on the dollar. Hire workers who will work for 33 cents an hour. Hire 12-year-olds and pay them 12 cents an hour and work them 12 hours a day and then ship the product to Los Angeles, Detroit, Fargo, or Mobile. Meanwhile, who is going to buy these products when American jobs have been lost, American workers are told they are no longer affordable, their jobs are gone?

Little Red Wagon Radio Flyer, we all rode in that Little Red Wagon when we were kids. For 100 years that company produced in this country, and now it is all gone. So it can be produced more cheaply, less expensively by hiring workers who will work for pennies an hour.

As we engage in new trade negotiations, which threaten to once again pull the rug out from under American workers and American businesses, this amendment says something very simple: We will not allow the funding we have approved in this appropriations bill to be used to weaken our trade laws.

The United States-China Commission, a bipartisan commission established by Congress, sent us a letter August 1, 2005, that warned that the proposals that our trade negotiators are discussing with respect to antidumping and countervailing duties “could severely limit our ability to protect our economic interests.” That is from the United States-China Commission, a bipartisan commission.

The Commission reiterated the proposals put on the table by foreign negotiators “could have substantial impact on our nation’s ability to utilize our trade laws and ensure that American farmers, workers, and businesses have the tools they need to respond to unfair and predatory foreign trade practices.”

So the question for us is, Are we going to do anything about that? I

hope the answer is, yes. I hope the answer is to say to our trade negotiators that we understand that foreign negotiators are proposing to weaken our trade laws. Our trade negotiators must have the backbone and the will to stand up for our economic interests, something they have not been willing to do for a long time.

I offer this amendment, which is a prohibition on funding. It is germane, and I hope to have a vote on it when we have had a proper amount of time to discuss it.

One final point. I intend to offer another amendment which I cannot offer at this moment. It is an amendment that I will offer to other appropriations bills as well if it is not acceptable here, and that is to establish a Truman-type committee to investigate the waste, fraud, and abuse in contracting that is going on in the Middle East, particularly in Iraq. I have described the conditions of Halliburton and other companies that have been given billions of dollars, have wasted a substantial amount of money, are now under criminal investigation, and are given a slap on the wrist and a pat on the back and more money and nobody seems to care. I believe there ought to be a Truman-type committee of the type Harry Truman headed long ago when there was a Democrat in the White House and a Democratic Senator said: We must investigate this kind of spending and profligate waste and abuse.

I will ask that the Senate at some point decide that there ought to be oversight on what is happening to the taxpayers’ money. I will offer that amendment tomorrow. I have offered this amendment today for its consideration, and I hope that as we go along that we will be able to get a vote on this amendment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, is it appropriate to speak on hurricane matters at this time?

The PRESIDING OFFICER. The Senator may speak on any matter he wishes at this time.

Mr. SESSIONS. Mr. President, Hurricane Katrina was a colossal natural disaster. Every hurricane is different. They bring different stresses and different damages. My home is in the city of Mobile, Alabama, right on the gulf coast. We were without power for 3 days. Trees and houses were damaged. Portions of the city were flooded that have not been flooded before. We experienced the highest surge of water up Mobile Bay driven by this storm that we have seen in anybody’s lifetime there.

The surge in the fishing communities of Bayou La Batre and Coden were unlike anything they have seen before—my best estimate is 5 feet deeper than we have ever seen before. I spent 3 days in that community working with and talking to the people. Many of them lived in small framed houses, some in

mobile homes and things of that nature, that they have lived in for quite a long time in areas that had never flooded before but flooded this time.

I will share a story of heroism that is symbolic of what happened, I am sure, throughout the gulf coast. It is regarding a young State trooper a corporal, Spencer Collier, also an Alabama State legislator, a wonderful young man, my wife and I have come to admire him so much whose house flooded, as did most of the leaders of the town of Bayou La Batre. The town began to receive 911 calls at the height of the storm. He and a marine resource officer and others, got in a vehicle and drove down to where the water was rising with 100-mile-per-hour winds blowing. They put their boat out and, before they could cast off, the water had risen so fast that the entire vehicle was flooded. They went out and they made the first trip to rescue stranded individuals. They went out in this storm, traveling almost a mile to an area where water had never reached before in this town. They rescued people and brought them back.

Unfortunately, the first boat sank. Mayor Stan Wright had a flat-bottom boat and they put it to work. He said it was a good boat. It worked quite well, but the bottom was thin and they were worried about it. They went out in these waves and in this storm under great live oak trees that were blowing, houses had been completely demolished towards the beach as well as inland. The water was littered with trash and debris, and they made six trips and brought people out. One lady had several children. So they left one of their group there holding two of the children. They took the boat back, came back again and got the children, and they had to leave the guy because they did not have room in the boat.

All the time his house was being flooded, and he spent days, as did the other members of the city government, working for the people of that community, even though their own homes were flooded. So that is the kind of thing we are talking about.

I talked to people remaining in town the next day. The storm ended Monday night. We still had strong winds at 5, 6, 7, even 8 at night. It began to calm down after going all day long. I talked to those people Tuesday afternoon. Many of them were in food lines provided by the good old Salvation Army. They were the first ones there serving hot meals, with a tub of ice and bottled water. People were lined up. They had not had a meal. The electricity was all off. The phones were off. Most of the cell phones did not work. Cell phone batteries quickly go down. They could not make phone calls. They lined up there. Several in that first line I talked to said: Senator, this is all we have. We lost everything we had. These clothes on my back are all we have. We had to get out of our house. The water flooded everything. I don't know what we are going to do.

I met a young lady who asked me that night what about her grandfather's Social Security check? They were from New Orleans. They left the New Orleans area. They had come up here. They were expecting to go back. I knew what she was saying. She was saying they did not have any money. I called Wallace Davis of the Volunteers of America, a great organization in the Mobile area, and he really came through. I asked him to do what he could, and he immediately went into action. He brought some of his own money.

He said: I have money. I am telling you I have seen hurricanes before, and some people just need a little cash.

They gave them a little cash, and I saw her the next morning and she was a new person. That would allow them to get to other relatives and maybe stay with them and get gasoline or food in that fashion.

So I want to say this: Many of the homes there are lost. On the east end of Dauphin Island, which is a sizable barrier island with a great many beachfront homes on it, one-third of the homes are completely gone, one-third badly damaged, and one-third somewhat damaged on the island. On the west end, the percentage of homes lost was even greater. The homes that were for many years on beautiful Mobile Bay around Point Clear and the Grand Hotel, homes that had not flooded before, flooded because of this surge of water. Homes that were built up high in recent years under hurricane restrictions did not flood, but many of those old homes suffered a good deal of damage.

I just say that to point out that, without a doubt, we are going to have to spend more on this hurricane than we have ever spent before. People need us now. Many of these people I have talked with and I met were working class American citizens not living on the beach. People on the beaches, for the most part, have a second home. They have insurance. Maybe they can get by, although they are going to take a big hit. But these people were hurting, and hurting badly. We are going to need to step it up.

When I see the damage from the incredible force of this hurricane on the Mississippi coast, our neighbors, and then in New Orleans with this incredible levee break and the floods there, I know we are in for a big job.

I served as a U.S. attorney for 12 years. I had the responsibility, even as an assistant U.S. attorney in the 1970s after Camille, to survey the aftermath. I had to prosecute people for fraud, theft, and abuse in hurricane cleanups. When this much money gets put out this fast, there is a real danger of mischief.

I have been in the Senate long enough to get a feel for things. I believe that the Senate is now in a bit of a hurricane mode; that all of Congress is—maybe even the White House—and that mode is that we do not need to be

too careful. We need to get money out fast, and we need to pour it in there, and if we need 50,000 troops, let us send 70,000 to make sure.

Now we are seeing figures that it is going to cost \$200 billion to complete this reconstruction. All of us know there is no money to pay for this. It is not coming out of our regular budget. That is not the plan. It will come in an emergency supplemental appropriations bill, and that means it will be added straight to the national debt, and our children and grandchildren will pay it, plus the interest that accumulates on it.

So I think this Congress is doing the right thing in moving forward rapidly, but I think our majority leader, our appropriations leaders, our House leadership, and the President also need to be thinking about how to spend the money responsibly. Trust me, there will be abuses. People think we can just send our military to the region, but the Department of Defense is going to charge the disaster fund for the money they spend. These expenses will be allocated to the disaster. All the other responding Federal agencies are going to bill the fund for the disaster-related expenditures they incur as well.

We are so pleased to see that States are just doing whatever it takes to bring schoolchildren in from these areas and do extra things for them, but we are already hearing—as we did this morning—they want to be paid for it by somebody. They ought to be paid for some of that.

Governor Riley, in Alabama, has said that we will take any schoolchild who is in our State but cannot go home. We will take them. We will put them in a school somewhere in Alabama. Our community colleges have said that, no matter what, we will take you. If you don't have tuition right now, we will still take you anyway.

While this is happening, people are making contributions and I think that is important. But \$1 billion is a lot of money. We probably have less than 5,000 homes seriously damaged in our area. Maybe it is 4,000 in the Bayou La Batre area, or maybe less. If you gave me \$1 billion, I could build 10,000 new houses worth \$100,000 each. One billion dollars is a lot of money. A billion dollars is a thousand million.

But, now we are going to be in a big rush. FEMA is going to pay people who did not have flood insurance. Most of them should have gotten it. They should have, but they will still qualify under the grant program and can receive up to a maximum—all of them wouldn't get this much—up to a maximum of \$26,000. I asked FEMA's Mr. Burns today if he discussed with the Senators how much it would be, and he said the maximum would be up to \$26,000. That will include, I think, the \$2,000 that some received today. So it would be \$24,000, maybe, for someone who already received the money.

I said, when do you pay it? Apparently, we are already beginning to pay

it. It is like flood insurance, I guess. If you have insurance and your house is destroyed and the adjuster comes out and admits your house is destroyed, they write you a check, sometimes on the spot.

So this money is going to run out quickly. If this money is being allocated this quickly—before somebody has come up with a plan about which neighborhoods should be rebuilt—in Alabama, Mississippi, or even in New Orleans—we could end up with that money being unwisely spent and maybe not having enough money to help people construct the kind of houses they would like.

Senator SHELBY, I, and Congressman JO BONNER talked with Secretary Alphonso Jackson of HUD when he was in Mobile, AL, last week. We discussed with him the possibility of using the FEMA money—whatever they get—plus some of the loans HUD already has for people of low income, to help buy a home. What if we use a small portion of these millions of dollars that are coming from charitable organizations? Maybe we could get some real estate people and some architects to help us redesign some of these communities and make them both beautiful and habitable—and safe so this wouldn't happen again.

Do you see what I am saying? There are so many things happening right now, so fast. Some of this, almost by law, is required to be done in this fashion.

We need somebody, I believe, to be a manager for the President. I am offering a sense-of-the-Senate resolution to call on the President to choose a person of his liking to be his representative with regard to spending, fraud, management, and reconstruction. I believe that the President should do that. It would be a person of his choice, in the mode of a Mit Romney or Peter Uberhoff who were put in charge of Olympic Games and billions of dollars in finances at stake there. We need someone with real experience who doesn't have a political agenda, someone who would come in and report to the President on a daily basis, report to the Director of the Office of Management and Budget, and who could call on the Cabinet to help coordinate the relief. You might say he will not have any power. Listen, I spent a long time in the Federal Government. I know who has power in the Federal Government. The person who has power in the Federal Government is the person the President says has power. If he chooses this person and he tells his Cabinet: I selected him and I want you to work with him. If he asks you to do something, I hope you will do it. If you can't do it, I want him to tell me, and you can come explain to me why you didn't do it. That is all it takes. Things will start work better.

Anyway, I am hoping something like that will happen because this is so massive and the potential for fraud and abuse is so great we are going to have to watch it.

We have towns and communities that are badly hurt. They have lost sales tax revenues and now they are going to be fighting for every dime they can get. They are going to be pushing the rules and regulations to the breaking point and beyond. We are going to have Congressmen and Senators browbeating us in here with stories that say: Forget the rules, send out the money. We all know that is going to happen. But I don't think the people of my State want us to waste any money.

The people of my state want to help people in need. They want to be generous. They expect this Government to respond, and respond quickly, to take care of people whose lives are at risk.

The people of my state know that this is bigger than we have ever seen before. They know that anyone can make mistakes and that you cannot anticipate certain things. They want the government to constantly get better and improve our response.

But they don't want us wasting money. They don't want us throwing money at a problem that we have not thought through carefully. They want us to be careful with their money.

In fact, if we are careful, we can get a lot more good done for a lot more communities. At this point I am not at liberty to explain to you what I think ought to be done. I am not able to. I don't know what ought to be done and how, precisely, the money should be spent at this time. But I have been there in the aftermath of hurricane cleanups, and I am telling you, it is a difficult thing to keep control of. The government will spend your money before you know what happened to it.

That has happened before when there was a far smaller area of devastation than we have today. FEMA is going to be stretched from Louisiana to the Florida line. We have more people involved here than almost any hurricane ever, and the extent of the disaster is larger than ever. It is going to be even more difficult to monitor this recovery carefully. Some things are not going to be able to be done as fast as we would like to see them done. But if we do it right, I think we can meet the needs of our people, be generous to the American people, and also maintain the rule of law as we go forward.

There are some special things that are going to be needed to be done. I talked to Senator LOTT, and he is correct. Normally, when a hurricane hits and a person has trees down in their yard and shingles off their roof, that person takes all that to the street. They are responsible for it. They cut up the limbs, bring them out to the road, and FEMA pays for someone to come by and pick it up. It is a marvelous thing, I am telling you. If everyone had trees down in their yard and if everybody had to hire a tree surgeon to come haul them away, it would be an incredible cost. Volunteers come in with power saws and help people do it, and neighbors help neighbors, and you get that done. But if your house is

blown away, the streets do not just have trees gathered up. There are whole chunks of houses, debris, foundations, nails, lumber, glass, and that kind of thing. It is more than the widow lady or the elderly can do to get that out there to the street.

We are going to have to create some rules, particularly in these areas that are hardest hit. We must allow the Federal Government to help compensate, and it must be allowed go onto the private property and help get some of this debris away. Many of the people will have lost their jobs and don't have an income. They will not be able to have that done on their own.

Those are some of my thoughts. I salute the majority leader and the Democratic leadership for moving the \$10 billion supplemental promptly. That was a good thing last week.

Under the Anti-Deficiency Act, FEMA cannot expend a dime that has not been authorized by Congress. FEMA has already used up all of that money. It is a crime for them to violate the law that says you can't spend money Congress has not appropriated. The result is that we must come back and do it again quickly. We are running out of money again quicker than we thought, and we had to respond.

I salute the majority leader for bringing us up to date and doing it fast, but I say we are moving awfully fast now. It is time for our leadership, both in the Congress and in the White House, to ask how can we make sure we have integrity, wisdom, and good sense in handling this disaster.

If we do so, we can make some of these communities bloom again. We can make some of these towns and areas as beautiful as they were before. It has happened before. We have had disasters and we bounced back before, and we will bounce back again. It is the right approach.

I thank everybody in this country—faith-based groups, volunteers, civic groups—for the resources they provided to our people in Alabama. We got a call from the national group that makes modular housing and they were sending five office trailers down. They agreed to send one to Mobile. I talked to them. A group from Indiana sent in two 53-foot trailers. A businessman in north Alabama sent \$100,000.

The mayor of Ozark sent down two trucks and himself and a whole team to help. He adopted the city of Bayou La Batre. The mayor of Gadsden in north Alabama adopted the town of Bon Secour. Steve Means, the mayor of Gadsden, came down and was of great help and assistance. That kind of thing was helping, spontaneously, with resources all across the country.

We are hopeful, pleased, and thankful. And that is the most common feeling I have observed, as did my wife, who served in the food lines in Bayou La Batre and talked to people. People are thankful. It is amazing. You begin to count your blessings and recognize what is important in life when that occurs.

Also, people are not whining, not the people I have talked to. They know this was a storm that nobody caused. They know it is a difficult time. They are thankful for the assistance they have received from their neighbors, and they are not complaining about the situation. It has made me proud to represent them.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

AMENDMENT NO. 1669

Mr. SUNUNU. Mr. President, I ask unanimous consent the pending amendments be set aside for the purpose of offering an amendment.

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

Mr. SUNUNU. Mr. President, I ask for consideration of an amendment that I had earlier sent to the desk.

The PRESIDING OFFICER. The clerk will report.

The bill clerk read as follows:

The Senator from New Hampshire [Mr. SUNUNU] PROPOSES AN AMENDMENT NUMBERED 1669.

Mr. SUNUNU. I ask unanimous consent the reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose: To increase funding for the State Criminal Alien Assistance Program, the Southwest Border Prosecutors Initiative, and transitional housing for women subjected to domestic violence)

On page 131, line 14, strike "\$15,000,000" and insert "\$30,000,000".

On page 134, between lines 4 and 5, strike "\$170,000,000" and insert "\$230,582,000".

On page 134, between lines 4 and 5, strike "\$30,000,000" and insert "\$48,418,000".

On page 156, strike lines 3 through 7 and insert the following:

In addition, for necessary expenses for existing grant projects of the Advanced Technology Program of the National Institute of Standards and Technology, \$46,000,000, to remain available until expended.

Mr. SUNUNU. Mr. President, I offer an amendment today to make some changes in the funding allocations that are found in this bill. I very much appreciate the work of the subcommittee chairman and the ranking member. I know, having served on the Appropriations Committee in the House, it is not an easy task. You are asked to set a lot of priorities, to make a lot of decisions about a good deal of money. It is not an easy task, but the purpose of bringing the bill to the floor is to give us an opportunity to adjust those priorities. I attempt to do so in this amendment in a couple of ways.

In this amendment I increase the funding in two general areas: first, in the area of border security and prosecution of illegal aliens who have committed crimes. This is an area that I think many people would say is in crisis right now, the problem with securing our borders, the problem with illegal aliens, and specifically the problem of dealing with the costs associated with illegal aliens who are committing

crimes, violent crimes and otherwise. In this amendment I increase funding for the Criminal Alien Assistance Program by \$60 million. It is still well short of the funding that has been provided in the companion bill in the House.

But it is an increase which I think will be well used. It deals in the area of illegal immigration and criminal alien assistance that I think most everyone agrees is in a crisis situation now with the state of emergency having been declared in parts of the Southwest to deal with this type of problem.

Similarly, this amendment increases funding by \$18 million for the Southwest Border Initiative that deals with prosecution, helping our Southwestern States deal with the costs associated with prosecuting aliens that have committed crimes against the laws of those States and the Federal Government.

It brings that level of funding up to the President's level. I think the President's request in this particular area was well warranted, given how much attention has been given to the problem of illegal aliens in recent years.

This increases funding in this critical area by \$78 million.

My amendment also provides additional funding of \$50 million to transitional housing for women who have been exposed to domestic violence. This is a relatively new program. It is authorized at \$30 million per year. The bill appropriates only \$15 million. I would increase that to \$30 million for this transitional housing program, which is part of the programs authorized under the Violence Against Women Act. Transitional housing is critical. It meets the needs of those who require emergency shelter services or crisis intervention. There is no other program funded by the Federal Government that provides transitional housing solely for victims of domestic violence and sexual assault. This is not typically the case in the Federal Government. There are no other sources of funding, and we ought to provide funding at the authorized level.

In the State of New Hampshire, there are 12 emergency shelters for battered women. The average length of stay is about 27 nights.

Therein lies the immediate need for transitional housing. I think that is probably a story that is repeated in State after State.

I think it is not only a worthwhile area but an area in need of funds, an area where there are no other programs at the Federal Government level for meeting this need.

The funds that I allocate to deal with criminal alien prosecution and transitional housing for those affected by domestic violence will come from the Advanced Technology Program, APT. This is a program that has long been targeted for elimination. The funds over the last several years have been phased down.

Last year, funding was provided only for existing contracts—for no new con-

tracts. I think it makes sense to at least hold the line at that level. So I scaled back funding to a level that is appropriate to cover all the existing contracts so anyone who has an obligation under ATP will have that obligation met. We simply would not provide funds for additional contracts. I think that is the right policy. I think the entire program should be phased down and eliminated for a few fundamental reasons.

First and foremost, this duplicates what already exists in the private sector. The ATP program gives funding to private companies that are developing new programs. That is why we have a venture capital system. That is why we have the private banking system. That is why we have private equity funding—to support companies that are competing in the marketplace and developing new products every day. I used to work for a technology firm. We developed new products, and we certainly didn't look to the Federal Government to fund new product development. It is a historic marketplace because inevitably you will have a bureaucrat in Washington deciding which new product ideas get funding and which do not. That is not a good idea and not a good use of public resources—to try to pick winners and losers in the product development marketplace.

Finally, these are funds, resources, public funding that are going to private companies, many of which are very profitable and very successful. We shouldn't have an industrial policy at the Federal level that provides unnecessary subsidies to private corporations.

I think we can do better. We can find better areas in which to allocate these resources—dealing with illegal immigration, crimes committed by illegal aliens, and transitional housing for those affected by domestic violence.

Those are certainly priorities that are much more significant, much more valuable, much more appropriate than a project that subsidizes private companies.

The final point about the Advanced Technology Program: It has been allocated at over \$100 million, \$150 million to \$200 million, depending on how far back in time you go.

I simply ask my colleagues to consider, if they were at a company, say, that was developing microprocessors, and one of their competitors was being given a subsidy by the Federal Government to do the same thing, would you think that was fair? If you were developing heating equipment and one of your competitors was being given a product development subsidy by the Federal Government, would you think that was fair?

This distorts the marketplace. It is simply not a good use of taxpayer money, but we only scale it back to the extent that all current obligations continue to be met.

I think this is fair, it is the right thing to do, and I ask my colleagues to support the amendment.

I yield the floor.

NOTICE OF INTENT

Mrs. CLINTON. Mr. President, in accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill, H.R. 2862, the Science, State, Justice, Commerce appropriations bill, the following amendment:

S.A. 1660

At the appropriate place, insert the following:

TITLE —KATRINA COMMISSION

SEC. 01. ESTABLISHMENT OF COMMISSION.

There is established in the legislative branch the Katrina Commission (in this title referred to as the "Commission").

SEC. 02. COMPOSITION OF COMMISSION.

(a) MEMBERS.—The Commission shall be composed of 10 members, of whom—

(1) 1 member shall be appointed by the President, who shall serve as chairman of the Commission;

(2) 1 member shall be appointed by the leader of the Senate (majority or minority leader, as the case may be) of the Democratic Party, in consultation with the leader of the House of Representatives (majority or minority leader, as the case may be) of the Democratic Party, who shall serve as vice chairman of the Commission;

(3) 2 members shall be appointed by the senior member of the Senate leadership of the Democratic Party;

(4) 2 members shall be appointed by the senior member of the leadership of the House of Representatives of the Republican Party;

(5) 2 members shall be appointed by the senior member of the Senate leadership of the Republican Party; and

(6) 2 members shall be appointed by the senior member of the leadership of the House of Representatives of the Democratic Party.

(b) QUALIFICATIONS; INITIAL MEETING.—

(1) POLITICAL PARTY AFFILIATION.—Not more than 5 members of the Commission shall be from the same political party.

(2) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be an officer or employee of the Federal Government or any State or local government.

(3) OTHER QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be prominent United States citizens who represent a diverse range of citizens and enjoy national recognition and significant depth of experience in such professions as governmental service, emergency preparedness, mitigation planning, cataclysmic planning and response, intergovernmental management, resource planning, recovery operations and planning, Federal coordination, military coordination, and other extensive natural disaster and emergency response experience.

(4) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed on or before October 1, 2005.

(5) INITIAL MEETING.—The Commission shall meet and begin the operations of the Commission as soon as practicable.

(c) QUORUM; VACANCIES.—After its initial meeting, the Commission shall meet upon the call of the chairman or a majority of its members. Six members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 03. DUTIES.

The duties of the Commission are to—

(1) examine and report upon the Federal, State, and local response to the devastation wrought by Hurricane Katrina in the Gulf Region of the United States of America especially in the States of Louisiana, Mississippi, Alabama, and other areas impacted in the aftermath;

(2) ascertain, evaluate, and report on the information developed by all relevant governmental agencies regarding the facts and circumstances related to Hurricane Katrina prior to striking the United States and in the days and weeks following;

(3) build upon concurrent and prior investigations of other entities, and avoid unnecessary duplication concerning information related to existing vulnerabilities;

(4) make a full and complete accounting of the circumstances surrounding the approach of Hurricane Katrina to the Gulf States, and the extent of the United States government's preparedness for, and response to, the hurricane;

(5) planning necessary for future cataclysmic events requiring a significant marshaling of Federal resources, mitigation, response, and recovery to avoid significant loss of life;

(6) an analysis as to whether any decisions differed with respect to response and recovery for different communities, neighborhoods, parishes, and locations and what problems occurred as a result of a lack of a common plan, communication structure, and centralized command structure; and

(7) investigate and report to the President and Congress on its findings, conclusions, and recommendations for immediate corrective measures that can be taken to prevent problems with Federal response that occurred in the preparation for, and in the aftermath of, Hurricane Katrina so that future cataclysmic events are responded to adequately.

SEC. 04. FUNCTIONS OF COMMISSION.

(a) IN GENERAL.—The functions of the Commission are to—

(1) conduct an investigation that—

(A) investigates relevant facts and circumstances relating to the catastrophic impacts that Hurricane Katrina exacted upon the Gulf Region of the United States especially in New Orleans and surrounding parishes, and impacted areas of Mississippi and Alabama; and

(B) shall include relevant facts and circumstances relating to—

(i) Federal emergency response planning and execution at the Federal Emergency Management Agency, the Department of Homeland Security, the White House, and all other Federal entities with responsibility for assisting during, and responding to, natural disasters;

(ii) military and law enforcement response planning and execution;

(iii) Federal mitigation plans, programs, and policies including prior assessments of existing vulnerabilities and exercises designed to test those vulnerabilities;

(iv) Federal, State, and local communication interoperability successes and failures;

(v) past, present, and future Federal budgetary provisions for preparedness, mitigation, response, and recovery;

(vi) the Federal Emergency Management Agency's response capabilities as an independent agency and as part of the Department of Homeland Security;

(vii) the role of congressional oversight and resource allocation;

(viii) other areas of the public and private sectors determined relevant by the Commission for its inquiry; and

(ix) long-term needs for people impacted by Hurricane Katrina and other forms of Fed-

eral assistance necessary for large-scale recovery;

(2) identify, review, and evaluate the lessons learned from Hurricane Katrina including coordination, management policies, and procedures of the Federal Government, State and local governments, and nongovernmental entities, relative to detection, planning, mitigation, asset prepositioning, and responding to cataclysmic natural disasters such as Hurricane Katrina; and

(3) submit to the President and Congress such reports as are required by this title containing such findings, conclusions, and recommendations as the Commission shall determine, including proposing organization, coordination, planning, management arrangements, procedures, rules, and regulations.

SEC. 05. POWERS OF COMMISSION.

(a) IN GENERAL.—

(1) HEARINGS AND EVIDENCE.—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this Act—

(A) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

(B) subject to paragraph (2)(A), require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission or such designated subcommittee or designated member may determine advisable.

(2) SUBPOENAS.—

(A) ISSUANCE.—

(i) IN GENERAL.—A subpoena may be issued under this subsection only—

(I) by the agreement of the chairman and the vice chairman; or

(II) by the affirmative vote of 6 members of the Commission.

(ii) SIGNATURE.—Subject to clause (i), subpoenas issued under this subsection may be issued under the signature of the chairman or any member designated by a majority of the Commission, and may be served by any person designated by the chairman or by a member designated by a majority of the Commission.

(B) ENFORCEMENT.—

(i) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under subsection (a), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(ii) ADDITIONAL ENFORCEMENT.—In the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this section, the Commission may, by majority vote, certify a statement of fact constituting such failure to the appropriate United States attorney, who may bring the matter before the grand jury for its action, under the same statutory authority and procedures as if the United States attorney had received a certification under sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194).

(b) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this title.

(c) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this title. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairman, the chairman of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission.

(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders.

(d) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

(e) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(f) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

SEC. 06. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.

(a) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(b) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—The Commission shall—

(1) hold public hearings and meetings to the extent appropriate; and

(2) release public versions of the reports required under section 10.

(c) PUBLIC HEARINGS.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order.

SEC. 07. STAFF OF COMMISSION.

(a) IN GENERAL.—

(1) APPOINTMENT AND COMPENSATION.—The chairman, in consultation with the vice chairman, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The executive director and any personnel of the Commission who are employees shall be employees under sec-

tion 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(b) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(c) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 08. COMPENSATION AND TRAVEL EXPENSES.

(a) COMPENSATION.—Each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(b) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

SEC. 09. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided with access to classified information under this title without the appropriate security clearances.

SEC. 10. REPORTS OF COMMISSION; TERMINATION.

(a) INTERIM REPORTS.—The Commission may submit to the President and Congress interim reports containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) FINAL REPORT.—Not later than 6 months after the date of the enactment of this title, the Commission shall submit to the President and Congress a final report containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(c) TERMINATION.—

(1) IN GENERAL.—The Commission, and all the authorities of this Act, shall terminate 60 days after the date on which the final report is submitted under subsection (b).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the final report.

SEC. 11. FUNDING.

(a) EMERGENCY APPROPRIATION OF FUNDS.—There are authorized to be appropriated \$3,000,000 for purposes of the activities of the Commission under this title and such funding is designated as emergency spending under section 402 of H. Con. Res. 95 (109th Congress).

(b) DURATION OF AVAILABILITY.—Amounts made available to the Commission under subsection (a) shall remain available until the termination of the Commission.

NOTICE OF INTENT

Mr. DORGAN. Mr. President, I submit the following notice in writing: In accordance with rule V of the Standing Rules of the Senate, I hereby give notice in writing that it is my intention to move to suspend paragraph 4 of rule XVI for the purpose of proposing to the bill H.R. 2862 the following amendment:

S.A. 1670

At the appropriate place, insert the following:

TITLE —SPECIAL COMMITTEE OF SENATE ON WAR AND RECONSTRUCTION CONTRACTING

SEC. 01. FINDINGS.

Congress makes the following findings:

(1) The wars in Iraq and Afghanistan have exerted very large demands on the Treasury of the United States and required tremendous sacrifice by the members of the Armed Forces of the United States.

(2) Congress has a constitutional responsibility to ensure comprehensive oversight of the expenditure of United States Government funds.

(3) Waste and corporate abuse of United States Government resources are particularly unacceptable and reprehensible during times of war.

(4) The magnitude of the funds involved in the reconstruction of Afghanistan and Iraq and the war on terrorism, together with the speed with which these funds have been committed, presents a challenge to the effective performance of the traditional oversight function of Congress and the auditing functions of the executive branch.

(5) The Senate Special Committee to Investigate the National Defense Program, popularly known as the Truman Committee, which was established during World War II, offers a constructive precedent for bipartisan oversight of wartime contracting that can also be extended to wartime and postwar reconstruction activities.

(6) The Truman Committee is credited with an extremely successful investigative effort, performance of a significant public education role, and achievement of fiscal savings measured in the billions of dollars.

(7) The public has a right to expect that taxpayer resources will be carefully disbursed and honestly spent.

SEC. 02. SPECIAL COMMITTEE ON WAR AND RECONSTRUCTION CONTRACTING.

There is established a special committee of the Senate to be known as the Special Committee on War and Reconstruction Contracting (hereafter in this title referred to as the "Special Committee").

SEC. 03. PURPOSE AND DUTIES.

(a) PURPOSE.—The purpose of the Special Committee is to investigate the awarding and performance of contracts to conduct military, security, and reconstruction activities in Afghanistan and Iraq and to support the prosecution of the war on terrorism.

(b) DUTIES.—The Special Committee shall examine the contracting actions described in subsection (a) and report on such actions, in accordance with this section, regarding—

(1) bidding, contracting, accounting, and auditing standards for Federal Government contracts;

(2) methods of contracting, including sole-source contracts and limited competition or noncompetitive contracts;

(3) subcontracting under large, comprehensive contracts;

(4) oversight procedures;

(5) consequences of cost-plus and fixed price contracting;

(6) allegations of wasteful and fraudulent practices;

(7) accountability of contractors and Government officials involved in procurement and contracting;

(8) penalties for violations of law and abuses in the awarding and performance of Government contracts; and

(9) lessons learned from the contracting process used in Iraq and Afghanistan and in connection with the war on terrorism with respect to the structure, coordination, management policies, and procedures of the Federal Government.

(c) INVESTIGATION OF WASTEFUL AND FRAUDULENT PRACTICES.—The investigation by the Special Committee of allegations of wasteful and fraudulent practices under subsection (b)(6) shall include investigation of allegations regarding any contract or spending entered into, supervised by, or otherwise involving the Coalition Provisional Authority, regardless of whether or not such contract or spending involved appropriated funds of the United States.

(d) EVIDENCE CONSIDERED.—In carrying out its duties, the Special Committee shall ascertain and evaluate the evidence developed by all relevant governmental agencies regarding the facts and circumstances relevant to contracts described in subsection (a) and any contract or spending covered by subsection (c).

SEC. 04. COMPOSITION OF SPECIAL COMMITTEE.

(a) MEMBERSHIP.—

(1) IN GENERAL.—The Special Committee shall consist of 7 members of the Senate of whom—

(A) 4 members shall be appointed by the President pro tempore of the Senate, in consultation with the majority leader of the Senate; and

(B) 3 members shall be appointed by the minority leader of the Senate.

(2) DATE.—The appointments of the members of the Special Committee shall be made not later than 90 days after the date of the enactment of this Act.

(b) VACANCIES.—Any vacancy in the Special Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) SERVICE.—Service of a Senator as a member, chairman, or ranking member of the Special Committee shall not be taken into account for the purposes of paragraph (4) of rule XXV of the Standing Rules of the Senate.

(d) CHAIRMAN AND RANKING MEMBER.—The chairman of the Special Committee shall be designated by the majority leader of the Senate, and the ranking member of the Special Committee shall be designated by the minority leader of the Senate.

(e) QUORUM.—

(1) REPORTS AND RECOMMENDATIONS.—A majority of the members of the Special Committee shall constitute a quorum for the purpose of reporting a matter or recommendation to the Senate.

(2) TESTIMONY.—One member of the Special Committee shall constitute a quorum for the purpose of taking testimony.

(3) OTHER BUSINESS.—A majority of the members of the Special Committee, or $\frac{1}{2}$ of the members of the Special Committee if at least one member of the minority party is present, shall constitute a quorum for the purpose of conducting any other business of the Special Committee.

SEC. 05. RULES AND PROCEDURES.

(a) GOVERNANCE UNDER STANDING RULES OF SENATE.—Except as otherwise specifically provided in this resolution, the investiga-

tion, study, and hearings conducted by the Special Committee shall be governed by the Standing Rules of the Senate.

(b) ADDITIONAL RULES AND PROCEDURES.—The Special Committee may adopt additional rules or procedures if the chairman and ranking member agree that such additional rules or procedures are necessary to enable the Special Committee to conduct the investigation, study, and hearings authorized by this resolution. Any such additional rules and procedures—

(1) shall not be inconsistent with this resolution or the Standing Rules of the Senate; and

(2) shall become effective upon publication in the Congressional Record.

SEC. 06. AUTHORITY OF SPECIAL COMMITTEE.

(a) IN GENERAL.—The Special Committee may exercise all of the powers and responsibilities of a committee under rule XXVI of the Standing Rules of the Senate.

(b) HEARINGS.—The Special Committee or, at its direction, any subcommittee or member of the Special Committee, may, for the purpose of carrying out this resolution—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Special Committee or such subcommittee or member considers advisable; and

(2) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials as the Special Committee considers advisable.

(c) ISSUANCE AND ENFORCEMENT OF SUBPOENAS.—

(1) ISSUANCE.—Subpoenas issued under subsection (b) shall bear the signature of the Chairman of the Special Committee and shall be served by any person or class of persons designated by the Chairman for that purpose.

(2) ENFORCEMENT.—In the case of contumacy or failure to obey a subpoena issued under subsection (a), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(d) MEETINGS.—The Special Committee may sit and act at any time or place during sessions, recesses, and adjournment periods of the Senate.

SEC. 07. REPORTS.

(a) INITIAL REPORT.—The Special Committee shall submit to the Senate a report on the investigation conducted pursuant to section 03 not later than 270 days after the appointment of the Special Committee members.

(b) UPDATED REPORT.—The Special Committee shall submit an updated report on such investigation not later than 180 days after the submission of the report under subsection (a).

(c) ADDITIONAL REPORTS.—The Special Committee may submit any additional report or reports that the Special Committee considers appropriate.

(d) FINDINGS AND RECOMMENDATIONS.—The reports under this section shall include findings and recommendations of the Special Committee regarding the matters considered under section 03.

(e) DISPOSITION OF REPORTS.—Any report made by the Special Committee when the Senate is not in session shall be submitted to the Clerk of the Senate. Any report made by the Special Committee shall be referred to

the committee or committees that have jurisdiction over the subject matter of the report.

SEC. 08. ADMINISTRATIVE PROVISIONS.

(a) STAFF.—

(1) IN GENERAL.—The Special Committee may employ in accordance with paragraph (2) a staff composed of such clerical, investigatory, legal, technical, and other personnel as the Special Committee, or the chairman or the ranking member, considers necessary or appropriate.

(2) APPOINTMENT OF STAFF.—

(A) IN GENERAL.—The Special Committee shall appoint a staff for the majority, a staff for the minority, and a nondesignated staff.

(B) MAJORITY STAFF.—The majority staff shall be appointed, and may be removed, by the chairman and shall work under the general supervision and direction of the chairman.

(C) MINORITY STAFF.—The minority staff shall be appointed, and may be removed, by the ranking member of the Special Committee, and shall work under the general supervision and direction of such member.

(D) NONDESIGNATED STAFF.—Nondesignated staff shall be appointed, and may be removed, jointly by the chairman and the ranking member, and shall work under the joint general supervision and direction of the chairman and ranking member.

(b) COMPENSATION.—

(1) MAJORITY STAFF.—The chairman shall fix the compensation of all personnel of the majority staff of the Special Committee.

(2) MINORITY STAFF.—The ranking member shall fix the compensation of all personnel of the minority staff of the Special Committee.

(3) NONDESIGNATED STAFF.—The chairman and ranking member shall jointly fix the compensation of all nondesignated staff of the Special Committee, within the budget approved for such purposes for the Special Committee.

(c) REIMBURSEMENT OF EXPENSES.—The Special Committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by such staff members in the performance of their functions for the Special Committee.

(d) PAYMENT OF EXPENSES.—There shall be paid out of the applicable accounts of the Senate such sums as may be necessary for the expenses of the Special Committee. Such payments shall be made on vouchers signed by the chairman of the Special Committee and approved in the manner directed by the Committee on Rules and Administration of the Senate. Amounts made available under this subsection shall be expended in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate.

SEC. 09. TERMINATION.

The Special Committee shall terminate on February 28, 2007.

SEC. 10. SENSE OF SENATE ON CERTAIN CLAIMS REGARDING THE COALITION PROVISIONAL AUTHORITY.

It is the sense of the Senate that any claim of fraud, waste, or abuse under the False Claims Act that involves any contract or spending by the Coalition Provisional Authority should be considered a claim against the United States Government.

Ms. MIKULSKI. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. REED. Mr. President, I ask unanimous consent to speak as in morning business for up to 10 minutes.

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

HURRICANE KATRINA

Mr. REED. Mr. President, I want to join my colleagues and all Americans in offering my condolences and my prayers to the residents of the gulf region. These families have suffered grievously. They have lost all of their possessions. They are without homes, without employment. We owe them a great deal of support and consideration, and, indeed, as I say again, all our prayers.

As news reports show, there are heroes throughout the gulf—those who helped neighbors survive the hurricane and those who continue to work in the region to help reunite families and restore order.

Americans throughout the Nation are opening their homes to hurricane survivors and volunteering their time and resources to meet the needs of evacuees. But while this disaster shows the best that America can offer, it also shows the worst. It shows that the Federal bureaucracy is ill prepared to respond to a natural catastrophe that we knew was possible. It shows the Federal bureaucracy ill prepared to respond to future potential disasters.

It shows a government so tied up in red tape that it is not serving its people at their time of need.

In the days, weeks, and months ahead, we will be investigating what went wrong, and there will be plenty of blame to pass around, but we cannot blame the victims of this tragedy as some have chosen to do. Many families in the gulf region did not have the resources or means to leave before Hurricane Katrina struck because this administration's economic policy favored tax cuts for the wealthy over programs that provide economic opportunities for all Americans. Over the last 3 years, poverty has risen in America and the real median income of workers stagnated. We must be willing to look honestly at how budget decisions and tax policy at Federal, State, and local level left New Orleans residents and other communities vulnerable to this tragedy. We must look honestly at how these policies continue to leave millions of Americans vulnerable across the Nation.

Hurricane Katrina demonstrated the economic, social, and racial divides that exists in America. As a Nation we must step back and evaluate our priorities. In my judgment, now is not the time to cut funding for social programs such as Medicaid, food stamps, and community development block grants while the administration pushes to repeal the estate tax. Now is not the time to continue to provide corporate tax breaks, while we must help rebuild a region in the midst of massive deficits as a result of the administration's policies. The damage to the national economy wrought by Hurricane

Katrina, the expense to rebuild, and the need to provide for low-income and working families in light of this disaster will add to our growing debt. We must prioritize and deal with the needs of the most vulnerable among us.

For decades, we have known that New Orleans is in harm's way. Senator LANDRIEU has often spoken passionately about the Federal Government's duty to help protect wetlands in order to safeguard coastal states. Yet, we continued to allow coastal wetlands to degrade and cut funding to vital programs to protect these natural buffers as well as man-made levees to protect New Orleans. The flood waters from the city of New Orleans must be drained in an expedient fashion. However, we must not ignore the environmental impact that these heavily contaminated waters will have on the long-term public and environmental health of the city.

The stagnant waters engulfing New Orleans for the past week contain a myriad of contaminants, including human waste, oil, and even dead bodies. This toxic mixing bowl is rife with disease and harmful chemicals. We are facing a potential ecological disaster as these flood waters continue to be dumped into the surrounding area, and I am greatly concerned that the impact will be seen for years to come. New Orleans is surrounded by Lake Pontchartrain, the Mississippi River, and many precious wetlands. All of these bodies of water drain directly into the Gulf of Mexico.

Now is the time not only to evaluate, but also to act to prevent further ecological damage in the region. More must be done to ensure that while we are clearing the city of New Orleans from this devastating flood, we are also working toward its future rejuvenation.

Our primary focus must be on getting rid of the red tape and getting aid and assistance to those displaced by Hurricane Katrina. But we must also begin to ask how did this happen. The only way to do that effectively and apolitically is to have an independent commission to investigate the long-term impact of Hurricane Katrina on the people of the gulf region and on our Federal Government's response to this disaster as well as our ability to respond to future events. The bicameral commission announced yesterday by the Majority Leader and the Speaker is not the answer. Having the President head up a task force to investigate his Administration's response is not sufficient. The only way the people of the gulf region and the people of America will get the answers that they deserve is through an independent commission.

I also support efforts to restore the Federal Emergency Management Agency, FEMA, to an independent, cabinet-level agency to ensure its effectiveness in preparing for and responding to these types of events. FEMA's director must have the qualifications and abilities to plan for, respond to, and assist

in the recovery after such an emergency. We must do better.

As the recovery efforts for the victims of Hurricane Katrina continue, we must stand beside the survivors to provide relief and assistance for their immediate needs now. For this reason, I am cosponsoring Senator REID's Katrina Emergency Relief Act, which will help get these families by providing medical coverage, housing the homeless, educating children, and offering financial assistance.

Hurricane Katrina upset the lives of millions, displacing families from their homes and inflicting severe economic damage. Neighborhoods that were once called home are now wastelands, and people are concerned their lives may never be the same. The economic impacts are being felt by low-income and working American families throughout the nation. Indeed, there is an imminent emergency confronting millions of low-income Americans caused by soaring energy cost and diminishing affordability of home heating fuel as winter approaches. The administration cannot ignore this looming crisis. The administration must request emergency funding for the Low Income Home Energy Assistance Program so that these families can remain safe this winter. I also encourage the administration, and my colleagues, to support greater investment in energy conservation programs such as the Weatherization Assistance Program and the State Energy Program to help families.

In one way, Hurricane Katrina holds parallels to other situations. We could have anticipated this phenomenon. The reports of the class V hurricane were available to all Federal officials, State officials, and local officials. We knew the levees in New Orleans were not designed to withstand anything more than a class III. Yet we were not ready. This administration ignored what should have been obvious. We had to be ready for a severe hurricane with devastating consequences in New Orleans. This administration was not.

This also speaks to what may happen in the future. This should give Americans pause if they think about another natural disaster and, God forbid, perhaps an intentional mass-casualty effect in the United States. If we bring this same level of expertise and skill and insight, then we surely will see another major disaster on our hands. I hope we do not. That is why it is important to look carefully and closely at what transpired and to do so through an independent commission. I hope we learn from this and apply it to the future, but most particularly, I hope we give real, immediate, and effective support to hundreds of thousands, perhaps even a million Americans who tonight still endure the devastation of Hurricane Katrina.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I rise to engage in a colloquy with the

chairman and ranking member of the Subcommittee on Commerce, Justice and Science on funding for SCAAP, the State Criminal Alien Assistance Program. I also understand my colleague from Texas, Senator HUTCHISON, would also like to discuss the importance of this program to her State.

I begin by thanking the chairman, Chairman SHELBY, and the ranking member, Senator MIKULSKI, for including \$200 million in funding for this program, with a carve-out of \$30 million for the Southwest Border Prosecution Program. That is good. The problem is, it is not enough. With the rising costs associated with criminal alien incarceration, I had hoped the Senate would see fit to increase the funding for this program over last year's allocation of \$305 million. Instead, it is down to \$200 million, with \$30 million reserved for the prosecutor's program.

Immigration policy and control of our borders is an exclusively Federal responsibility. We all know this. Yet in our State prisons and our county jails, there is an incurrence of very heavy costs in incarcerating undocumented criminal aliens. Taxpayers should not have to foot the bill for incarcerating illegal aliens convicted of criminal offenses who are in State and local jails.

There is a growing belief among many in this country that the immigration situation is out of control. This year, the Pew Hispanic Center released a study which shows that between 2000 and 2004, approximately 3.1 million individuals entered the country without proper authorization. That is approximately 700,000 a year. Compare that to the fact that in 2003, Border Patrol agents apprehended somewhat over 1 million individuals seeking to enter the country illegally. It is said that for every one individual caught, three more enter illegally. If that is the case, nearly 3 million seek to enter the country illegally in a given year.

These costs are borne by our local educators, our hospitals, and our law enforcement officials. Let me use California as an example. This is based on a comprehensive study conducted by the Department of Finance. They estimate—and this goes back to costs in 1994–1995—\$400 million for corrections for 23,000 individuals; \$400 million for 390,000 patients; and \$1.7 billion for K–12 education. That is a total of \$2.5 billion.

Mr. REID. Will the Senator yield?

Mrs. FEINSTEIN. Certainly.

Mr. REID. We have a unanimous consent request to be offered on the emergency supplemental. We will return as soon as this is offered.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENT—H.R. 3673

Mr. FRIST. We will be very brief. I appreciate the consideration of the distinguished Senator from California.

Mr. President, I ask unanimous consent that the Senate now proceed to the immediate consideration of H.R. 3673, the supplemental appropriations

bill from the House, with 90 minutes of debate equally divided, with 30 minutes from the majority side under the control of Senator COBURN, with no amendments being in order. I further ask consent that following the use or yielding back of the time, the bill be read a third time and the Senate proceed to a vote on passage without any intervening action or debate.

Let me modify this. We will proceed to the immediate consideration of H.R. 3673 immediately following the statement by the Senator from California and the Senator from Texas.

Mr. REID. Reserving the right to object, I am wondering if the two distinguished Senators from California and Texas could give us an indication—there are Members wanting to know when we will vote—as to how much time they will require.

Mrs. FEINSTEIN. I have a very short time. We will wrap this up in 10 minutes.

Mrs. HUTCHISON. I am happy for you to start the time running right now and give us the first 5 minutes to finish this colloquy.

Mr. REID. Mr. President, if I could, on the Democratic side the time will be divided in the following manner: Senator BYRD, 15 minutes; Senator REID of Nevada, 10 minutes; Senator KENNEDY, 5 minutes; Senator DURBIN, 5 minutes; and Senator CLINTON, 10 minutes. That uses our 45 minutes.

Mr. FRIST. Mr. President, I ask the unanimous consent request as propounded follow the completion of the statement by the Senator from California and the Senator from Texas.

The PRESIDING OFFICER (Mr. THUNE). Without objection, it is so ordered.

The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the majority leader and the Democratic leader.

To give a couple of recent statistics, the General Accountability Office conducted a study of those criminal aliens incarcerated in Federal, State, and local prisons. They found the following regarding State jails: In fiscal year 2003, 47 States received reimbursement for incarcerating 74,000 criminal aliens. Four States alone spent a total of \$1.6 billion in fiscal years 2002 and 2003 to incarcerate criminal aliens. Yet they were only reimbursed \$233 million through this program. That is only 15 percent of the total spent by these States. So the Federal Government is only reimbursing States 15 percent of what they actually spend on incarceration costs. That is local costs, that is State costs.

I can go on, but I want my colleagues to understand that the diversion of dollars from agencies such as the Los Angeles County Sheriff's Department to house criminal aliens has real operational impact on their law enforcement activities—fighting drugs, street gangs, and other pressing law enforcement operations.

On March 17 of this year, the Senate agreed to a sense-of-the-Senate amend-

ment to the budget resolution that SCAAP should be appropriated at a level of \$750 million. While I recognize we cannot reach that number, the House bill does provide \$405 million for this program. As this bill moves forward, I hope we will agree to the House funding level in conference. I ask the chairman and the ranking member to work with us on this issue.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, I thank my good friend and colleague from California, Senator FEINSTEIN, for bringing this issue forward again. She has been dedicated to SCAAP funding.

I want to also mention Senator JON KYL from Arizona who has always stepped in when we had an appropriations bill to make sure our States got some reimbursement for their costs of incarcerating illegal aliens. Unfortunately, as Senator FEINSTEIN has said, we have more and more illegal aliens coming into our country and, unfortunately, committing crimes.

This is a Federal responsibility. The counties along the border States should not have to fund what is a Federal responsibility. Incarcerating illegal aliens for criminal activities is absolutely a Federal responsibility. So I join my colleague, Senator FEINSTEIN, in urging the chairman and ranking member of this subcommittee to accept the House position when we go to conference. Mr. President, \$200 million does not cover a 10th of the cost to the border States in reimbursing them for the incarceration of criminal aliens. And \$400 million goes a much longer way. I think it is a minimum.

All of us realize that illegal immigration must be stopped in our country. We must know who is in our country for security purposes, and we must be able to deport or incarcerate people who are here illegally and commit crimes in our country.

I hope the committee chairman and ranking member will work with us to increase the number from the Senate position of \$200 million to the House position of \$400 million, at a minimum. I thank the Senator from California for bringing this forward once again.

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Mr. President, I thank the Senator from Texas. I also acknowledge as well Senator KYL's work in this area. It seems to me those of us from the Southwest or whose borders are in the Southwest have been beating this drum year after year. Sometimes we make a little bit of progress, but very often we do not. This is a very bad year in terms of the amount and the need.

So I thank the distinguished chairman of the Military Construction Subcommittee. I always appreciate working with her, and this is one more instance of that.

Mr. President, I yield the floor.

MAKING FURTHER EMERGENCY SUPPLEMENTAL APPROPRIATIONS

The PRESIDING OFFICER. Under the previous order, the Senate will consider H.R. 3673, which the clerk will report by title.

The legislative clerk read as follows: A bill (H.R. 3673) making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.

The PRESIDING OFFICER. The majority leader is recognized.

Mr. FRIST. Mr. President, I yield myself time as necessary for my statement.

Mr. President, we do turn to the second supplemental—the second supplemental in a week and a half—to address the natural disaster we have watched unfold, and that has literally unfolded in several ways, which is continuing now with both continued recovery and people settling around this country.

Yesterday, Speaker HASTERT and I announced the formation of a bicameral and bipartisan committee to analyze and conduct a real top-to-bottom investigation of the emergency preparation and response to Hurricane Katrina. The committee will be made up of senior Members. They will report their findings no later than February 15.

The review will look at the emergency plans that were in place at the local, State, and Federal levels, and they will assess how the local, State, and Federal governments actually responded.

It is clear that in some places the response was simply unacceptable at all levels of breakdown in systems. I saw it this weekend firsthand as a medical volunteer: too little command-and-control structure, too little communication. America deserves better. America deserves answers. The Senate must do all it can—and we are doing all we can right now—to provide immediate relief for the hundreds of thousands of people stranded and shattered by last week's events.

We urgently need to pass a second disaster relief supplemental, and we will do that tonight, with no amendments, no delay. It is absolutely critical.

Last Thursday's \$10.5 billion emergency package has been drained—totally drained. As of midnight tonight, all of the money will have been spent. And it is good. It shows a positive, rapid, quick response on behalf of our Federal Government. But it means we must act; thus this supplemental bill we will be voting on here in about 90 minutes.

If we were to fail to act, every relief that is going on right this very moment, every search-and-rescue operation, all of the emergency food that is being delivered, and the shelter that is being provided, and the medical care that is being extended, will be without money when the sun rises tomorrow.

The administration has requested \$51.8 billion in this supplemental. That breaks down to \$50 billion for FEMA, \$1.4 billion for the Defense Department, and \$400 million for the Army Corps of Engineers.

We need to pass this bill and get it to the President for his signature tonight. Tens of thousands of volunteers, relief workers, law enforcement and military personnel are working right now, this very minute, to provide aid, rescue, and recovery.

National guardsmen are going block by submerged block to carry out their rescues.

The Army Corps of Engineers is hard at work pumping the floodwaters out of New Orleans. The water level, happily, has already gone down by 40 percent. They estimate it will take another 2½ months to completely drain the city.

Right now, 60,000 U.S. military forces are on the ground in Alabama, Louisiana, and Mississippi, aiding the recovery. They are providing extensive search and rescue, evacuation, and medical support.

Twenty-seven Navy and Coast Guard ships are stationed off the gulf coast providing supplies and medical treatment.

FEMA is working around the clock to find temporary homes for the thousands of displaced families. They are exhausting every option, including military bases, cruise ships, emergency trailers, vacant properties, and motels.

All of these efforts are underway, and they must continue. The lives of hundreds of thousands of people are at stake.

Meanwhile, there is still a lot of work to do, and we are working around the clock to do it here in the Senate.

Today, we began consideration of the Commerce, Justice, Science appropriations bill, which includes critical support for recovery and rebuilding efforts. It provides funding for the disaster loan program administered by the Small Business Administration. It provides grants to State and local authorities, including law enforcement, for critical equipment such as satellite phones, which are especially critical right now where communication is spotty and, in places, where sometimes communication is even nonexistent.

The Commerce bill also supports the National Oceanic and Atmospheric Administration, NOAA. NOAA is responsible, as we all know, for researching, forecasting, monitoring, and warning the public of hurricanes such as Hurricane Katrina.

Clearly, we need to pass this bill. We also need to cut the redtape and bureaucracy that gets in the way of helping people, the redtape and bureaucracy we have heard again and again slowing the response at every level.

In the coming days and weeks we will take up legislation that streamlines the system and gets help to the people who need it on time, efficiently and quickly.

As we have seen over the past 12 days, America is a compassionate, generous Nation. People from all over have poured out their hearts, time, and resources to help their neighbors on the gulf coast. Private citizens and businesses have donated hundreds of millions of dollars. Relief organizations and faith-based organizations are on the front lines every day working valiantly to provide material and spiritual assistance.

Here in the Senate, we cleared a resolution last night allowing noncash Katrina assistance to be solicited and donated among our Senate employees.

Americans from all across this country and in all walks of life are offering hope and love and compassion. It is a testament to our Nation's strength and to our historic bond as citizens, as Americans.

Hurricane Katrina now stands as the worst natural disaster in our Nation's history. It is a tragedy of epic proportions. But there is hope and there is determination.

The gulf coast will recover and rebuild and emerge more modern and more prosperous than ever. It is going to be a massive effort. It will take all of our strength and all of our determination. But this is America, and in America no challenge is too great. We rebuilt Chicago. We rebuilt San Francisco. New Orleans, Biloxi, Mobile, and the entire coast will rise again bigger, stronger, and better than ever.

Mr. President, I yield the floor.

The PRESIDING OFFICER. Who yields time?

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, Senators are aware that the bill that has come over from the House carries additional appropriations for the Department of Homeland Security for disaster relief in the amount of \$50 billion; and for the Department of Defense, \$1.4 billion; and for the U.S. Army Corps of Engineers, \$400 million.

The House has adopted this measure, and now we are hopeful the Senate will act tonight so these funds will be made available immediately to the agencies that are carrying out the disaster relief efforts in the States affected by Hurricane Katrina.

This is a destructive force of monumental proportions, the most widespread destruction in my State from any natural disaster in history. So the relief being provided now by the Federal Government agencies is very meaningful and deeply appreciated. So are the voluntary contributions that are being made by Americans who are freely, and in a heartfelt way, giving what they can to help those who are less fortunate.

Senators are volunteering personal assistance. The Senator from Illinois, BARACK OBAMA, is organizing a team of doctors to come to Mississippi to provide emergency medical care for those who are still in need of that care. Medicines are being brought with those physicians to be administered to those who

need them. That is one example. There are many others.

Members of Congress are raising money on their own volition and then turning it over to the fund that has been started by Governor Haley Barbour in our State, to collect donations from people who want to help victims, to be used in humanitarian ways, to help people who are in a desperate situation, with no housing, no clothing, no food, many of whom are very poor.

So it is heartwarming to witness this. I express personally my appreciation for all of those who have acted so generously on behalf of the victims of this hurricane.

We have other Senators who have asked for time to speak on this measure tonight. I know the distinguished Senator from West Virginia has time reserved under the order and the understanding for proceeding on this bill. I am happy to yield the floor to him for any comments he would like to make at this time, if he chooses to speak.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. BYRD. Mr. President, Hurricane Katrina dealt this country an unspeakable blow. Tens of thousands of homes have been destroyed. Families have lost everything. Entire cities have been washed away. And, most tragically, hundreds, perhaps thousands of lives have been lost. Our Gulf States are in crisis. People have been scattered to cities and homes across the country, as the Army Corps of Engineers continues to pump the water out of the flood zones. It will take weeks, if not months, for the waters to recede.

The Congress has responded. Last week, the Congress approved \$10.5 billion in emergency supplemental funding. And now we are poised to provide another \$51.8 billion. This funding is likely just a down payment.

The bill that is before the Senate provides \$50 billion for FEMA Disaster Relief. This funding will provide food, water, housing and cash assistance to the victims of Hurricane Katrina. It also will be used to reimburse the many Federal agencies that are in the region providing health care, rebuilding roads, providing security and removing debris. The bill also includes \$1.4 billion for the Department of Defense for the deployment of military personnel to provide relief supplies, health care, and security, and for repairing facilities. Finally, the bill includes \$400 million for the Corps of Engineers for emergency repairs to levees and pump stations, and for draining flooded areas. The White House expects that there will be a need for more funding in early October.

Congress responded to the President's first supplemental request in one day because FEMA was about to run out of disaster relief funds. Congress approved the President's \$10.5 billion request without amendment. Yesterday afternoon, we received the President's second supplemental re-

quest, for \$51.8 billion, once again because FEMA is expected to need more money. Today, because of the urgency, we are approving his second request. I understand that the President intends to send a third request, which will be more comprehensive. Yet, the administration has not made any commitment to send that request to the Congress quickly. The White House should not, once again, send that request one day before FEMA runs out of money and expect the Congress to rubber stamp the request. I hope the majority leader will work with the White House to make sure that the request is sent quickly so that Congress can debate the matter. As Senator REID, Senator LANDRIEU, and others have pointed out, there are many issues about the Federal response to Hurricane Katrina that should be examined.

As we move forward, we must ask serious questions about the Government's failure to help the people of the Gulf States on a timely basis. We want answers—we all want answers—as to why it took so long for rescue teams to get on the ground. There is no excuse for the days of delay and the inexplicable lack of coordination in the response effort. The anger and frustration in our country are justified.

Was the slow response because our resources were committed overseas? Were lives lost because the Government took its eyes away from the danger? Or because it failed to recognize a danger at all? That's one of the issues that most concerns me. We all watched the weather radar and saw this storm. Its footprint covered the entire Gulf of Mexico. We knew the storm was coming. We knew the danger was coming. Yet, the Government failed to respond. Lives were lost because the Government failed to do its job.

What would have happened if this had been a terrorist attack that we did not see coming? What if a surprise attack breached the levees around Lake Pontchartrain? How slow would our response have been then, to a danger that the Government did not see coming?

The Government clearly was not ready to evacuate large numbers of low-income, disabled and elderly people. Not all people in this country have jets, helicopters and fleets of SUVs to move them around. If there were a terrorist attack, would our Government, once again, leave behind the many people in this Nation who do not have the resources to be mobile?

It's time that we put America first. It's time that we refocus our energies and our resources into protecting this Nation here at home. Reinforce our critical infrastructure. Train and coordinate response and rescue efforts. Close the gaps. Fix the problems.

The Government's actions in the days following the tragedy were slow and misguided at best, and inept at worst. The Federal response effort was unacceptable, and the Government must do better. Let us pray that this funding will help to save lives and ease the suffering.

I urge Senators to support this supplemental appropriations bill. Hurricane Katrina is a national disaster. It is a national tragedy. And it will take a national effort to help our fellow citizens rebuild their homes, their cities, and their lives.

I thank my distinguished colleague, chairman of the Appropriations Committee, Mr. COCHRAN, for his contribution. May I say to him, I have personally been concerned about him, his people in Mississippi, his people and Senator LOTT's people. I called him and told him that I wanted to be of assistance, if I could be, and that any appropriations bill that we might appropriate, might send from our committee would have my support. We did this promptly. We are going to continue to do what we can. I commiserate with him as to the tragedy which has befallen his State, his people, our country, our people.

Mr. President, I yield the floor.

The PRESIDING OFFICER (Mr. CHAMBLISS). The Senator from Mississippi.

Mr. COCHRAN. Mr. President, I am deeply grateful to the distinguished Senator from West Virginia for his kind remarks and his cooperation and presentation of this bill and support of the first supplemental appropriations bill, as well as providing funding to try to help the disaster victims in my State and the other coastal States that were affected by this terrible tragedy.

I have admired my friend from West Virginia from the moment I came to the Senate. I respect his dedication to the Senate and his conscientious efforts to effectively represent the State of West Virginia in the U.S. Senate. I have learned a lot from him, and I continue to do so as time goes on.

One of the things that has not been as widely noted, I think, as should have been is the leadership provided in the gulf coast areas by the local elected leaders. The Governor of my State, Haley Barbour, has shown an enormous amount of skill, compassion, and determination to use all of the available resources of our State Government to aid the disaster victims, to get them to safety, to provide for them, to help in the debris removal, getting businesses started again and the schools going. It has been a challenge of enormous proportions.

I was able to visit with him and his team that he had assembled at the Mississippi Emergency Management Offices on Riverside Drive in Jackson, MS, on my first visit to the State after the hurricane, and I was very impressed by the dedication, the willingness to work, the voluntarism that was apparent on that occasion and to see the results that are being produced by the local leaders in my State to ensure the recovery from this disaster. So they are to be commended. We are going to continue to support them from the Federal level to the fullest extent of our capability and understanding of the needs and how we can best do it.

There are safeguards in this bill, Senators should know, to help protect against abuse. There are provisions in the bill requiring the Corps of Engineers, the Federal Emergency Management Agency to make weekly reports on the obligations of their funds. These can be monitored to ensure that they are consistent with the law and the needs of the people who have been affected by this disaster.

The Department of Defense is required to report within 5 days of any transfers of funds in this relief effort.

In the Federal Emergency Management Agency title, there is \$50 billion; \$15 million is for the inspector general to conduct audits, as authorized by law, to ensure that the funds are being disbursed as authorized by law and in accordance with the understanding of the needs of the people who are affected by this disaster.

We do not want waste. We do not want abuse of these programs. We want them to be administered with integrity and an adherence to the principles of law.

I want Senators to understand we are not taking this money and pouring it out on the ground. We are trying to devise ways to see that it gets to the people who need it, who are entitled to it under the provisions of the disaster legislation that we passed in earlier disasters.

Mr. President, I know other Senators have asked for recognition. I see my colleague on the floor, Senator LOTT, who personally has suffered tremendous damage and loss of his home on the gulf coast, who has worked tirelessly—I have observed it—on the phones, traveling back and forth from the State, interacting with Members of the House to help shape this legislation so it provides meaningful relief not only for the victims in our State but throughout the gulf coast region.

I commend him and salute him and want him to know we are standing with him and trying to provide all the support and assistance we know how to provide to help overcome the ravages of this hurricane.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, I inquire of my distinguished colleague, the senior Senator from Mississippi, has he made other commitments at this time or would it be appropriate for me to make my remarks?

Mr. COCHRAN. Mr. President, it is appropriate for the Senator from Mississippi to speak. It is appropriate to yield to other Senators, but they are not here at this time.

Mr. LOTT. Mr. President, I wish to say what a pleasure it is to work with my partner, the senior Senator from Mississippi, Mr. COCHRAN. He is always a gentleman and very thorough and capable and competent in his leadership as a legislator and as chairman of the Appropriations Committee.

I must say, I am quite pleased the chairman of the Appropriations Com-

mittee hails from my State. I thank him for his generosity personally and his comments and all he does to offer comfort on a personal basis.

I thank him for leading in this particular effort and moving this supplemental forward. We are both here, but our hearts are in Mississippi now. We are here because we want to make sure these funds are available and that they will get to the people and we will not have the important agencies that are involved run out of money in a day or two, or three.

I thank Senator BYRD for calling me last week to check on me. I called him back and talked with him yesterday. He was very kind and very generous. I want people to know we do check on each other and check on each other's wives. He has been very generous with that. I thank these two men for their leadership, and I thank the Senate for their personal concerns.

A lot of Senators are not just offering concerns, they are offering help. They are sending truckloads of help. They are making personal contributions to charities. It is very heartwarming on both sides of the aisle.

I was pleased to see the House take this matter up promptly and pass it overwhelmingly. Over 400 House Members voted for it; 11 voted nay. Now we have it, and we have an agreement with the leadership on the Democratic side that we would have a time limit and that we were not going to have a long amendment process because this money is needed.

I want to emphasize to my colleague that we want to make sure this money gets to the right place, the right people, and in the right way. We will be very careful to make sure these contracts are done properly.

I was speaking to the Governor of our State a few minutes ago. They are going to be monitoring this very carefully. We have the best quality of elected officials in my State we ever had, Democrat and Republican. I believe that. We have leaders up and down the line in the State offices, and we have young, dynamic mayors who had their towns wiped out. We have old experienced mayors who can pull all the communities together, and they are doing a wonderful job. Supervisors are doing a great job too.

We will monitor this very closely. We are not asking for a handout, but we do need help. We need a "handup." We want to get our people where they at least are safe and secure. Right now health concerns, for instance, are bothering me very greatly. My wife is digging through the rubble now. I said: Please don't get cut accidentally, and watch out for snakes. One of the many things that comes with hurricanes, people do not realize, is the snakes blow in, and when the water goes out, they stay. I am nervous with her digging around in our neighborhood looking for some of our things that are left.

We are going to need help from HHS to make sure we have medical atten-

tion, personnel, equipment, chemicals, and drugs to help from the Mississippi gulf coast right into New Orleans. Of course, they will have a distinctly different problem in New Orleans.

A massive effort is underway. I have had people say to me: \$1 billion a day, how could that be? You ought to see what is going on and you ought to see the need.

The Coast Guard has been fantastic. They have saved lives, and they are working today. The Corps of Engineers has been working to clear the channels. The Navy has ships in the area. The *Iwo Jima* is in New Orleans. The *Bataan* and the *Truman* are off the coast of Mississippi. The USNS *Comfort* is pulling into the area so we can house personnel, people who need help if the hospitals can't help them, and to give people a place to spend a night inside and get a good meal. This has never been done before, so there is a massive effort.

Senator COCHRAN and I flew from Biloxi, MS, over to New Orleans, and then I came back on a helicopter last Friday. It was similar to being in a war zone. Honestly—fires burning, water rising, helicopters bringing in injured people. There were helicopters all over the place. I was very nervous, quite frankly.

The point I am trying to make is, there is a huge effort underway, a big push of supplies, equipment, people who are working to save people's lives to this very day and to give us a chance to get back up so we can help people go back to work.

It is the worst I have ever seen. For 37 years, I have dealt with hurricanes, tornadoes, floods, ice storms, everything but locusts, and I am expecting them to arrive very soon. But this beats all I have ever seen, and it is going to be so hard to deal with the magnitude of the debris, let alone the human tragedies with which we are going to be dealing.

We need this help. We need this money. Some people are saying it is not going perfectly well. It never does. I have been through this every time. Every time we have trouble getting temporary housing into the area. We have trouble moving them from Georgia, pre-positioned in Mississippi, so we can get them to the people. We are having that problem now. The size and the magnitude of this disaster is so big that things are not going to happen fast enough, and there are going to be problems and slip-ups.

I do not think we should take time to be damning mistakes made last week. I want to know what the problems are today, what is the solution, and what actions we are going to take. I am very proud of that.

I want to also say, yesterday I put a list in the CONGRESSIONAL RECORD of private companies and organizations that have just gone beyond the call of duty—money, supplies. There are also hundreds of heroic acts, humanitarian acts where people went beyond the call

of duty to save lives to help other people—veterans who were rescued from the Gulfport VA Hospital, nurses who went without water themselves for 3 days to look after their patients.

I am going to put in the RECORD a whole list of these stories of great human efforts to help other people, sacrifices that people made, people who loaded up vans and showed up. A woman minister from Illinois loaded up a van, hitched to a pickup truck, drove herself to Mississippi, went to a church parking lot without any prearrangement and started distributing supplies. That story will be told a hundred and thousands of times over.

I want to make the point that this is a lot of money, I know it, and I am sorry we have to spend it the way we do. I prefer we not have this problem, but it is there, it is real. This is America. Americans have proven over and over again how charitable we are and how we will come to the rescue of people when they are in need and when they are hurt.

Let me say, too, about my State, I am proud of my State. We have been working and pushing. We are getting the job done. We will come back bigger, better, stronger, and we will continue to be an important part of this great country and a part of our economy.

Mr. President, I know I have used too much time of all other time that has to be yielded, but I thank my colleagues, one and all, for this opportunity to express my feelings. I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mrs. HUTCHISON. Mr. President, every single one of us in this body is going to support this supplemental appropriation for those who have suffered so much in Mississippi, Alabama, and Louisiana. We will do everything we can to help them. I know we will have another supplemental in the near future. I want to make sure that everyone realizes that there are now States that have taken the evacuees and done it with open hearts and open arms. We want to do everything to make them comfortable. That includes educating children. It includes medical care and Medicaid reimbursements that will be necessary.

It is my hope that the next supplemental will include help for the school districts that are taking large numbers of these students and are not able to absorb all of those costs in a way that would assure that these children, as well as the children who are already in the school district, have the quality education we are all striving to have.

As chairman of the Veterans' Affairs Subcommittee of Appropriations, I have just seen pictures today of the facilities that have been damaged in Biloxi, MS, and in New Orleans. I know we are going to need supplemental appropriations to begin the process of planning how we will rebuild facilities to serve patients in these areas. I will certainly vote in support of this with total commitment. But I do hope that

the next supplemental that goes through will have some of these issues that will help the people rather than just the three States that have the infrastructure as well as the people problems. Let us give the services that all of us want to give to them as well.

The PRESIDING OFFICER. The Senator from New York.

Mrs. CLINTON. Mr. President, in a few days, on Sunday, we will mark the fourth anniversary of September 11. I remember very well the extraordinary support, the kindness, the solidarity, the friendship shown by our colleagues toward my State. The Federal response, the congressional actions, matched by the extraordinary generosity of the American people made what was the worst manmade disaster in our Nation's history somewhat bearable because we knew that despite what the terrorists had done, America stood with us.

We are now confronting the worst natural disaster in our Nation's history. On behalf of the people of New York, I publicly express our solidarity, our support, and our friendship. I am very familiar with the gulf coast. I went to Biloxi, MS, and the Mississippi gulf coast as a teenager. I have had a lot of opportunities to travel through Mississippi when I lived all those wonderful years in Arkansas. We also spent a lot of time in Louisiana. We had friends in Baton Rouge and Lafayette and lots of friends in New Orleans and surrounding parishes. Of course, I have been in Mobile. I have been along the gulf coast of Alabama. So I can personally see in my mind's eye what Senators are speaking of.

Senator LOTT spoke about what happened to Mississippi, and Senator COCHRAN spoke about the devastation being greater than anything he had ever seen or experienced. Senator LANDRIEU and Senator VITTER try to describe what it is like for everything one knows and everything that is familiar to be gone.

I imagine those days and nights of friendship and good times that I had the privilege of spending in such a wonderful part of our country. So I am very proud of how America is responding once again. The generosity of countless Americans—even people far beyond our shores want to contribute to try to help put lives and communities back together. It is entirely fitting that our Federal Government, that this Congress would be acting to pass in an expeditious manner this important supplemental so that the work of cleanup, recovery, even hopefully of rebuilding, can begin. I believe that when we vote, as we will, this evening, it will send a very tangible message that the Congress understands and that on behalf of the American people we will be with the people of the gulf coast until they, too, can recover and rebuild.

Just as we did after 9/11, there are many questions we should be answering. When I was in Houston this past

Monday with my husband, President and Mrs. Bush, and Senator OBAMA, hundreds of people surrounded us asking questions to which we do not yet know the answers. There is a lot of false information, misinformation about what happened, should have happened, did not happen. People are grabbing at whatever they hear, trying to make sense of a devastating experience that has totally transformed their lives and their futures.

I respect the fact that our leaders in the Senate and the House have commenced hearings in the Governmental Affairs Committee and that there was an announcement yesterday about a bicameral effort to try to look into what did happen. But I would respectfully suggest that just as with 9/11, we need an independent commission that will look in depth and will bring to that inquiry independent expertise, people who are not elected officials, people who can look with a very cold and calm eye at the facts and the evidence so that we in the Congress, in the executive branch and State and local governments and, most importantly, the American public, can have some sense that we understand, so far as it is humanly possible, what was done and what could have been done.

The reason for the independent commission is not only because I believe we need to replicate the 9/11 Commission to send a clear message that we are open to looking anywhere and everywhere to find the answers that the people are demanding but also because we do not have the luxury of having officials in the executive and congressional branch diverting their attention to this inquiry, beginning the process of compiling evidence, of interviewing witnesses, of holding hearings. We are now required to focus on the future on behalf of not only the people of the gulf coast but on behalf of our constituents as well. We are spending a lot of money and we will be spending a lot more to ensure that we treat fairly, equitably, and with accountability the needs people have right now and in the months and years ahead.

Therefore, I would hope that we will come to a bipartisan agreement to establish such a commission, exactly as the 9/11 Commission functioned, with 10 members, the President appointing the chair, the other members being appointed by the Democratic and Republican leaders of the House and the Senate, that they will be people of independence and integrity, and that they will, in a sense, be the surrogates for all Americans as they try to make sense of how could this have happened.

I chanced upon a television program the other night that was recounting responses from people around the world—places that know their fair share of disaster—who were asking: How could this happen in the United States of America? It did not make sense to them. They would not have been surprised if it had happened in some poor country,

some country without an elaborate bureaucracy intended to deal with disasters, but they were shocked. They were asking questions. Perhaps the most important reason for us to convene this commission and get it working immediately is because we need these answers to ensure that whatever happens in the future will be better handled.

There are lessons for all levels of government, and there are probably lessons for those of us in the Congress. We have no idea what Mother Nature has in store for us. We are not even at the peak of hurricane season yet.

I remember going to Homestead, FL, in 1992 to see the impact of Hurricane Andrew. It was late August, early September, and we were only on the A's. Hurricane Andrew was an A. We are already to K, and we have M and others forming out in the ocean and the gulf. We need these answers to protect ourselves. We need to clear away all of the confusion, the natural tendency of human beings to say: It was not me, it was somebody else; oh no, wait, it was somebody else indeed. We need to just calmly, dispassionately conduct this investigation as quickly as possible to get the answers we need.

I do not think there is any doubt any longer that the Department of Homeland Security, for understandable reasons that I certainly, as a Senator from New York, understand and appreciate, turned much of its attention to the war against terrorism. People drilled, people met, people worried about a bioterrorist attack, a chemical attack, a radiological or, heaven forbid, a nuclear attack. But in the meantime, we have to worry about natural disasters, too, which we have just seen. There were thousands—millions—of people who had to be evacuated. People lost everything. Businesses are gone. It is certainly fair to say that it will have a devastating effect on the gulf coast, but it will ripple through the economy as well.

So I would hope that I would find support in the days to come for the bill I have introduced, the Katrina Commission bill. I have also offered it as an amendment to Commerce-Justice-State, but that we could come to a nonpartisan agreement to do this piece of the people's business, to answer the questions and to make sure this never happens again.

The PRESIDING OFFICER. Who yields time?

If no one yields time, the time will be charged to all parties.

The Senator from Mississippi.

Mr. COCHRAN. Mr. President, under the order, there was 30 minutes reserved for the distinguished Senator from Oklahoma. All of the time on our side on this bill has been used. His is the only time available on our side.

The PRESIDING OFFICER. The Senator is correct.

Who yields time?

The Senator from Massachusetts.

Mr. KENNEDY. Mr. President, I believe under the agreement that I have

been allocated 5 minutes; is that correct?

The PRESIDING OFFICER. The Senator is correct.

Mr. KENNEDY. I thank the Chair.

First, I wish to mention to our Senate colleagues that of the \$51 billion we are considering on the supplemental, there is no funding for education. Under the leadership of Senator ENZI, our committee has had 2 days of hearings with leaders from Louisiana and from the gulf area about what is happening in the education system and the important need to give help and assistance to local communities, not only in those areas but also that have taken students across this country.

I talked to the Secretary of Education this afternoon, and she indicated that she had submitted to the President a series of recommendations that she hopes we can act on in the next very few days, and I hope that will be the case. Otherwise, I think we are missing an extremely important opportunity to try to provide help and assistance in an area of enormous importance to families. There are—85,000 students in the public schools in New Orleans who have lost their education, 35,000 or 40,000 in private schools, and the list goes on.

The second point is I heard that the President had now waived the Davis-Bacon provisions in terms of construction. I am not going to spend a great deal of time on the Davis-Bacon provisions, but I believe it is a great mistake. What we have seen time in and time out when we have debated this issue, this is about quality and the deliverance on time to meet construction requirements.

I am deeply disappointed that President Bush has decided to suspend wage protections in the wake of Hurricane Katrina. Many people harmed by Hurricane Katrina were already struggling to make ends meet, and the jobs and businesses they relied on have disappeared. Experts have said that as many as 1 million workers may become unemployed as a result of the hurricane, with the unemployment rate reaching 25 percent or higher in the gulf region. Many affected workers will be unemployed for 9 months or longer.

One of the major opportunities for work will be in the recovery and rebuilding of the area. We need to be sure that these new jobs pay decent wages. This is all that Davis-Bacon does: it simply ensures that workers on Federal Government projects earn a typical wage. The whole purpose of this law is to ensure that Federal funds do not undermine local labor markets by driving down wages.

Workers who take these jobs will already face special hazards. We heard just yesterday that according to this administration, the floodwaters in New Orleans contain e.coli that is ten-times higher than acceptable safety limits. We cannot allow Federal funds to undercut these workers' condition even further by lowering wage rates. But the

President apparently believes that workers in Louisiana, Mississippi, and Alabama don't even deserve to earn a decent wage for a day's work.

Opponents of Davis-Bacon would have you believe that its wages are exorbitant. Nothing could be further from the truth. Indeed, in areas affected by Katrina, some typical wages include:

\$9.16 per hour for sheet metal workers in Pearl River County, MS;

\$10 per hour for laborers in Livingston Parish, LA;

\$8.54 hour for truckdrivers in Mobile County, AL

Haven't these workers and their families suffered enough? We are providing tens of billions of dollars in relief, and we should be sure that it goes toward decent wages for workers as they work to rebuild the vital infrastructure that is so desperately needed. We have had those protections so we have had quality. One of the things the American people are very concerned about is shabby work. That is certainly true about the people whose family houses are going to be rebuilt and buildings going to be restored. They deserve the best. One of the best ways is to make sure we are going to have the skilled personnel to be able to do it. I regret the President's decision.

On a final point, we find now that we have appropriated some \$10.5 billion previously and now \$51.5 billion this evening. Those funds will go through existing institutions, through FEMA, through Homeland Security. It ought to be understood by the American people that those agencies have extremely important functions to provide for our country. Homeland Security has to look after the challenges for all of our Nation. They have to protect from the dangers of terrorism in our ports in Seattle, WA, and Boston, MA, and Los Angeles. They have other challenges across this nation. They cannot spend the time, the effort, the energy, the focus just on rebuilding the gulf area.

FEMA has 35 different challenges this year that they are going to have to address. They cannot be expected to devote their time, effort, and energy just on the gulf development.

I think the best way to do that is to follow a past tradition, a tradition that goes back to the time of President Coolidge. When we had flooding of the Mississippi in the 1920s, what did he do? He selected Herbert Hoover to coordinate all of the efforts, to be above the discord, so to speak; to coordinate efforts to make sure we were going to have focus and attention and we were going to bring all the parties to the table; to make sure we were going to do this while ensuring the grants, the development, and the investments that were going to be made were going to meet the highest criteria of integrity and would be done in the most comprehensive and complete way.

This is not only from a construction point of view, an environmental point of view, but also for the restoration of

the lives of the people in those areas and to ensure, as we are going to rebuild those areas, we are going to make this available to the people in that area so they are going to be part of the reconstruction of their lives.

This is going to be enormously important. There are going to be training programs available to them, so they will feel part of this whole reconstruction, which is a key thing to the American family.

We are one country. We have one destiny. To make sure we are going to have one country and one destiny and one future, we have to make sure we have the opportunity to have a commission of integrity, made up of the very best of our society, one that ensures the integrity of those investments and makes sure those people whose lives are so affected, who are uprooted, are going to get the very best. I hope that would be an area where we could come together, Republican and Democrat alike, and eventually gain support. I know our leader has talked about it, as has Senator LANDRIEU. I have had the opportunity to talk to other Senators about it. Hopefully, we can develop that opportunity to ensure the kind of reconstruction that all Americans want to see.

The PRESIDING OFFICER. Who yields time? The Senator from Illinois.

Mr. DURBIN. Mr. President, I was led to believe that I had 5 minutes. I don't know if time is controlled?

The PRESIDING OFFICER. The Senator has 4 minutes 50 seconds.

Mr. DURBIN. Close enough.

Mr. President, we estimate the cost of Hurricane Katrina could reach \$150 billion. Some Senators speculate even more. We are passing a second supplemental appropriations bill which I assume will pass unanimously: \$51.8 billion on top of \$10.5 billion last week and no end in sight. This is an enormous responsibility, a responsibility that challenges us in terms of our Nation's budget priorities.

Hurricane Katrina has redrawn the map of the gulf coast. It has also redrawn the budget in Washington. When we reached an agreement earlier this year on a budget, it was a much different environment. We did not anticipate the staggering expenses of Hurricane Katrina. Some did not anticipate the continuing costs of the war in Iraq and Afghanistan, which should never be forgotten. We included in that budget resolution a proposal for \$70 billion in tax cuts, the first time in the history of the United States of America we suggested we would make tax cuts in the midst of a war. Usually, a President calls on the Nation to sacrifice during a war, to understand that we each have to give a little to help our troops overseas. This administration suggested the opposite. For the most well off in America, we proposed cutting their taxes in the midst of a war and in the face of the largest deficits in the history of the United States of America.

That was before hurricane Katrina. The world has changed. The deficit for this year has been estimated to be \$331 billion. Can we add \$70 billion to that in tax cuts for the wealthiest people in America? Even worse, the estimated cumulative deficit over the next 10 years has been estimated by the Congressional Budget Office to be \$2.1 trillion. This is before Katrina—before the tax cuts. Can we afford to add \$70 billion in tax cuts, primarily for the wealthiest people in America, to that astounding historic deficit? We cannot. I think most right-thinking people on both sides of the aisle now realize that.

Let's be clear. The wrong way to attempt to shrink this deficit would be to cut \$35 billion in domestic spending, including \$10 billion in cuts in Medicaid, the health insurance program for those who are homeless now because of Katrina and the most disadvantaged in America.

At a time when Louisiana, Mississippi, Alabama, and other Gulf States are struggling to help these people in need, and other States such as my own State of Illinois and so many others are reaching out to help them; at a time when public health challenges are reaching epidemic proportions; at a time when States are struggling on their own to meet their budget responsibility, we cannot cut \$10 billion in Medicaid payments to the States.

Thousands of people who did not evacuate New Orleans before the storm couldn't leave the city simply because they couldn't afford to leave. As my colleague, Senator OBAMA, said so often, they couldn't fill up the SUV with \$100 of gas, put in the bottled water and head out with a credit card to a hotel in some other State to wait it out. That was impossible.

They faced the reality of poverty and the reality of disaster. We have to face the reality of our budget. Our budget tells us that we cannot cut in Homeland Security, we cannot cut in FEMA, we certainly can't cut the safety net that so many Americans rely on.

The Homeland Security Department needs more resources than ever, particularly for FEMA, and to restore the confidence in America that this agency is truly prepared for the next disaster, whatever it happens to be—whether it is a natural disaster, God forbid, or a terrorist disaster. Our confidence has been shaken in the Department of Homeland Security. We believed that we were safe, and in a few hours we learned, with the disaster on the Gulf Coast, that in many ways we are not.

We couldn't keep the flood waters out of New Orleans once that hurricane had turned. But can we tell America that we are prepared to keep the next flood, the next hurricane, the next disaster from creating what is a shameful situation now facing us across America?

This storm should compel us to reexamine our priorities. A budget document represents a set of moral choices

not just fiscal choices. For the past 5 years, we have chosen wealthy persons over working Americans, pharmaceutical companies over seniors, oil companies over the environment, and defense contractors over veterans. It is time to change those priorities.

I will vote for this money. I believe all Senators will probably vote for this money to help our victims. But let us be honest about the realities, the budget challenges we face. Let us understand that a tax holiday for the wealthiest people in America is not appropriate—not this week, not next week, and not any time this year, as we face the reality of a war in Iraq, which continues to claim lives every single day, and this catastrophe of Katrina, which is going to test our moral fiber.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Oklahoma.

Mr. COBURN. Mr. President, I thank the leadership for giving me an opportunity to talk this evening and to express some views. We heard a very good talk about the budget. The points I was going to make have to do with the disasters we face. It is "disasters"—it is not one, it is two. One is slowly creeping upon us, and the other is right in front of us.

The tragedy that we see on the gulf coast is something to which we have to attend, something for which we have to supply the funds. It is important that we offer aid, that we come to the aid of those people. One of the most disheartening things I have seen in the last week-and-a-half has been finger pointing by politicians at all levels of our country that benefits no one, accomplishes nothing except to prove to the American people partisanship tends to trump any issue. It is disheartening that we as a body would fall into that, when such great responsibilities are in front of us.

I said "disasters" because the other disaster we are not looking at is the Federal budget that the Senator from Illinois discussed. I take a very different view. I am disappointed in our President for not bringing forward with this bill recommended spending cuts that would easily be achieved in the discretionary budget of this country to pay for the disaster assistance. We heard Senator LOTT talk about the sacrifices of the people, both those who are involved and those who have contributed to help in this tragedy. It is no sacrifice on the part of Congress to steal \$51.2 billion from our grandchildren to supply the need now without doing the hard work that Americans would expect of us to make sure our priorities are right. It is a time for leadership in this country.

Our budget deficit, after we pass this bill, will be \$670 billion this year. That is the real deficit. That comes to over \$2,000 per man, woman, and child in this country this year alone. So we have two disasters. One is that we have chosen political expediency over the

future of our country. The heritage that our country leaves us and has been given to us is one of sacrifice to preserve the opportunities for the next generation.

We are going to do what is right for the people on the gulf coast, I have no doubt. But we are not doing what is right for the generations that are beyond us, for our children and our grandchildren. It takes courage to stand up and say we can do better. We have heard that. But we have not ever talked about how we can do better. We have talked about how agencies can do better. The way we do better is by finally starting to make the hard choices on priorities for our country.

The President, in his budget proposal this year, recommend 99 programs to be eliminated that did not meet an assessment rating program that was developed by OMB. That program was many times agreed to by many people in this body. That was \$19.6 billion. There is not the courage coming from the executive branch to offer those, to say we are not going to spend another \$19.6 billion of our grandchildren's money. Yet we are going to do the easy thing. We should pay for this. We should pass this bill, but we should not pass it on the backs of our children and our grandchildren.

I have a message for Americans out there. We have seen so many great efforts at contribution. Oklahoma has 3,800 people from Louisiana now, and we are going to love them and care for them and do everything we can to help those individuals in our State. But everybody else in this country can make a sacrifice, too. There is no charity without sacrifice. If it doesn't cost you anything, it is not worth much.

What we have to do is look at every level of the Government, every operation of the Government, and say: Where can we do better? I have talked to hundreds and hundreds of Federal employees who know where the waste is in their departments and in their agencies. Now is the time to come forward. The doctors in this country, you can save Medicare a ton. The hospitals in this country, you can save Medicare a ton. This year alone, trim your bills, cut back 4 or 5 percent. Do what is hard for you but gives benefit to the future. We need to set a standard that we are going to do what is right, both in this generation and in the generations that follow us.

We have an oath to uphold the Constitution, but we have a higher oath, and that higher oath is to keep the obligations that our forefathers put forward to create the best, brightest, the country providing the most opportunity of any in the world.

We will borrow internationally this year \$1.4 trillion. How many years do you think the international financial community will continue to allow us to borrow that money without some cost coming home?

I believe we should have made the effort to pay for part of this supplemental spending.

I believe it is easy for us not to make that effort. I think it is very hard if we choose to make the effort. I believe if we do not step up to the responsibilities given to us by not attempting to make us better, by not attempting to make us more efficient, by not attempting to root out the waste—examples: Last year, 2004, the Federal Government overpaid \$41.5 billion for things it bought or handed out. That would almost pay for this bill, if we would eliminate that. We can eliminate it. We choose not to do the oversight that is necessary to find the problems to make us more efficient, to accomplish the very goals to create the opportunity in the future for the next generation.

I will vote for this bill. But I am noticing our Members that we should do better; we should do what is expected of us; we should make the hard choices people expect us to make rather than to go to an unending piggy bank of debt and defer those choices to our grandchildren.

What does that mean? It means our grandchildren are going to have a far lower standard of living as we try to continue to load this debt on them. That is not opportunity. That is not a heritage I want to be involved with. I want to follow the heritage of our forefathers and the great generation of World War II where sacrifice was made.

I believe it is incumbent upon us to do better. I challenge every Member of this body to start doing the oversight, to find the areas where we can be better, where we can spend less money now—not because it may not be a great project—where we don't spend \$26.5 billion in earmarks on a highway bill, the New York Times today listed ways we could help pay by eliminating earmarks and pork.

I find it ironic that I am agreeing with editorials in the New York Times. But they are right. The American people should demand of us now to make the very hard choices of ordering our priorities. Not doing that is below what every individual Member of this body is about.

I challenge Members as we look forward to the next supplemental which we consider if there is an area in the Federal Government that isn't working well where we could save money. The assumption on other side of that is the Federal Government is 100-percent efficient. If there is not any place where we can find money to trim to pay for that, that means the Federal Government is working perfectly. There is not a person in this country who believes that.

I know this talk about finding the money falls on deaf ears to many Members of this body. I am not partisan in any way except I am partisan for the future of our country. We cannot continue to live beyond our means.

The individuals out there who sent \$20 to the American Red Cross didn't go freely to get \$20 to buy the next ice cream cone or go to the next

Starbucks. They gave up something to give that money. We need to be doing the same, and hardship is required. We need to stand up—Democrats, Republicans, individuals—and lead on the issue of efficiency and accuracy and the ordering of priorities; it is most important.

Is it important right now to spend \$200 million on a bridge to 50 people in Alaska? Is that important? Should we be doing that when we could spend \$200 million helping people in New Orleans or Mississippi? There isn't going to be anybody except 50 people and two Senators and one Congressman who thinks that is a good priority. We ought to be adjusting what we have done to pay for this.

The other final point I would make, it was suggested to the administration and it was rejected, but we need a controller for this money under the Office of the President to make sure it is spent properly. If we have the legislation that is already authorizing that, it is available, it should be put forward. I am going to offer that legislation next week to make sure it is spent right. The President has authorized in good will an inspector general increase to look at it, but they won't be controlling the money. What they do is see how it is spent after the fact. We need somebody in charge of spending before it is spent to make sure it is a priority before it goes down there, as we should be doing here.

I thank the body for the time and the effort. I believe it is incumbent on us to secure the future of this country. We can be critical of FEMA, but if we are not critical of our own positions in how we have spent our children's and our grandchildren's future, we have no right to be critical of any other agency of this Federal Government.

I yield the floor.

Mr. COCHRAN. Mr. President, I ask for the yeas and nays on passage of the bill.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with.

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

Mr. REID. Mr. President, I extend my appreciation to President Bush for making this request that is now before the Senate. It contains important money for the victims of Katrina, and I will support it. However, before we vote, my colleagues should know that this bill is seriously flawed in several ways.

First, all the money for the relief effort—most of the money in the bill—goes to FEMA. After what we have witnessed these past 10 days, is there anyone in America who feels we should

continue to rely exclusively on FEMA to head the Federal Government's response? I think not.

Second, the President's request fails to make the substantive changes in law necessary to address many of the critical needs of our survivors—notably health care, housing, education, and financial relief. Victims need this assistance, and they need it now. But this legislation before the Senate tonight makes no such changes. It only spends more money.

Again, let me be clear. Despite these flaws, my Democratic colleagues and I will support this supplemental. We simply must do everything we can for the victims of Katrina.

That said, I would like to remind the Senate we cannot rest with the passage of this supplemental. There is much more work we need to do, and there are dozens of steps the Senate should take quickly to get the victims the relief they need.

Along with Senator LANDRIEU and many of my colleagues today, I introduced legislation called the Katrina Emergency Relief Act that makes the changes in law we need to give survivors the relief they need right now.

For example, health care. The survivors of Katrina need health coverage. Some of them were already uninsured. Others may have had insurance but they have been relocated miles from home and lost their insurance when they lost their jobs.

Here is how the Senate could help. We can ease enrollment into Medicaid so that survivors get Medicaid benefits without regard to assets and income. These people do not have the necessary documents to prove their residency or their needs. But we can make all that irrelevant by easing enrollment. We can also assure States that the Federal Government will pick up the tab for any health services they provide survivors.

Regarding housing, FEMA has estimated that up to 1 million people may be left homeless by Katrina and require housing assistance. Many will lack the standard paperwork to apply for Government assistance and will face steep rents as affordable housing is already limited for many. Yet FEMA is ill-equipped to handle the housing needs of Katrina's victims, many of whom are scattered around the country and will need housing for an extended period.

Regarding this housing, here is how the Senate can help. We could very easily direct legislatively the Department of Housing and Urban Development to provide housing vouchers that survivors can use anywhere to get out of shelters and into a home. We have all seen the images of families sleeping in the convention center or in the Astrodome, at the Superdome or at our armory here in Washington, DC or in universities in Nevada or in States all across this country. The Senator from Arkansas has indicated that 60,000 people who are victims of the gulf disaster

are now in Arkansas. We must help them get off the cots and into real homes.

About education, the Katrina disaster struck as school was set to begin. Thousands of kids have lost their classrooms. They have lost their teachers. They have nowhere to go. No student should miss a single day. Here is how the Senate could help. Again, it is pretty simple. We can give school districts \$2,500 for each displaced student they enroll. It will help offset their costs, and it will encourage some of them to open their doors. We have a lot of school districts that are suffering financially. We can help school districts get other resources. For example, they need to deal with bigger classes—help with teachers, textbooks, material, and counselors who are badly needed.

What about financial assistance? Senator LIEBERMAN has legislation, which is his part of our package, that shows not only have hundreds of thousands of Americans lost their homes but they have lost their jobs and their livelihood for now and any time in the near future. It will take time for Americans to get back on their feet. And here is how the Senate can help. We can temporarily forgive victims of their financial obligations for the Federal Government—things such as student loans and Small Business loans. We can help people so they don't lose their homes because they lost their jobs to Katrina and can't make the payments. We can extend unemployment insurance for these victims who have lost their jobs through no fault of their own. The joblessness rate is expected to increase to 25 percent or higher in the region, and we need to make sure unemployment benefits are available.

We can make it easier for victims to use their own savings to get back on their feet. Some may have Individual Retirement Accounts which they could draw from at this time, and we can make it easy for them to access money by suspending taxes on such withdrawals.

All of these are steps we could have taken today. A number of these amendments have been presented on the Commerce, State, Justice bill. But there are points of order raised against it because the rules of the Senate are such that you can't have legislation on an appropriations bill.

We had hoped the Senate would act on these items promptly, and that is why we introduced four amendments this afternoon to the Commerce, Justice, Science appropriations bill that I have described in some detail. But rather than voting on our efforts, as I have said, the majority plans to raise procedural objections. It is unfortunate. Victims of Katrina don't care about the Senate procedures. They just know they need health care, housing, and school for their children—not more Federal redtape.

My colleagues and I will continue to fight for these items in the days ahead.

People who have lost their jobs and everything they have ever worked for don't care if they get Democratic relief or Republican relief. They want relief, and they want it now.

In the days ahead, victims of Katrina and the American people will want something in addition to short-term relief. I think it is important that we begin to address this. Survivors and the American people will want at least two things—a long-term plan to rebuild the gulf coast and answers about why the Government failed them.

To rebuild the gulf coast, we need to think about a Marshall plan.

I have something I have worked on for a number of years that was moving along very strongly prior to September 11, the American Marshall Plan. Remember, for every \$1 billion we spend on developing our infrastructure, we create 47,500 jobs. We need a Marshall Plan to reconstruct the gulf region, a plan on par with the one we used to rebuild Europe after World War II. This is a region rich in culture and steeped in our history. It must be rebuilt, and we need a grand plan to rebuild it.

While we rebuild the gulf coast, we make sure we do not do it on the backs of American workers. I have been told the President has decided to suspend Davis-Bacon, a bill on the books for 60-plus years. It works because it creates an even playing field for workers. I will object if the President decides to do this. This is a time to work together and restore lives, not to play partisan politics.

We also need to find out why the Federal Government failed the people of the gulf coast when they needed their Government the most. Following September 11, preparedness for national emergencies was supposed to be a priority for this Government. Americans were made to believe the Government was doing everything it could to prepare for terrorist attacks, natural disasters, and other natural crises. Katrina makes it clear that we aren't ready.

When we faced a similar situation after September 11, Democrats and Republicans came together and established an independent blue ribbon commission. We now want to do this. We must do this. It will happen. It is only a question of when it will happen.

I have been told the majority in the Senate and in the House wants a different approach. They unveiled, very loosely, a proposal to investigate the events of last week. They call it a bicameral committee. Please. We have down at 16th and Pennsylvania Avenue an announcement by the President that he is going to be the leader of the investigation. We certainly do not need the same thing in the Senate. We have committees of jurisdiction that can do the work, and we must have, as Senator CLINTON has proposed, this bipartisan commission. It is very important. I support this commission. The victims deserve an answer independent of politics—the kind of answers only an independent commission can deliver.

I appreciate the patience of my colleagues.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Very briefly, Mr. President, this supplemental will be the last vote of the evening and for the week. We will be here tomorrow to continue business on Commerce-Justice-Science. Amendments can be offered either tonight or tomorrow. There will be no rollcall votes tomorrow. We will be voting on Monday. Instead of 5:30, it will be a little later than that. We will announce that specific time on Monday.

We will finish Commerce-Justice-Science early next week. Senators should not wait to offer amendments. Either offer them tonight or tomorrow. We will wrap this bill up in the very early part of next week.

The PRESIDING OFFICER (Mr. ALLEN). The bill having been read the third time, the question is, Shall the bill pass?

The yeas and nays have been ordered. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Alaska (Mr. STEVENS) and the Senator from Louisiana (Mr. VITTER).

Mr. DURBIN. I announce that the Senator from Hawaii (Mr. INOUE) is necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 97, nays 0, as follows:

[Rollcall Vote No. 223 Leg.]

YEAS—97

Akaka	Dodd	Martinez
Alexander	Dole	McCain
Allard	Domenici	McConnell
Allen	Dorgan	Mikulski
Baucus	Durbin	Murkowski
Bayh	Ensign	Murray
Bennett	Enzi	Nelson (FL)
Biden	Feingold	Nelson (NE)
Bingaman	Feinstein	Obama
Bond	Frist	Pryor
Boxer	Graham	Reed
Brownback	Grassley	Reid
Bunning	Gregg	Roberts
Burns	Hagel	Rockefeller
Burr	Harkin	Salazar
Byrd	Hatch	Santorum
Cantwell	Hutchison	Sarbanes
Carper	Inhofe	Schumer
Chafee	Isakson	Sessions
Chambliss	Jeffords	Shelby
Clinton	Johnson	Smith
Coburn	Kennedy	Snowe
Cochran	Kerry	Specter
Coleman	Kohl	Stabenow
Collins	Kyl	Sununu
Conrad	Landrieu	Talent
Cornyn	Lautenberg	Thomas
Corzine	Leahy	Thune
Craig	Levin	Voinovich
Crapo	Lieberman	Warner
Dayton	Lincoln	Wyden
DeMint	Lott	
DeWine	Lugar	

NOT VOTING—3

Inouye	Stevens	Vitter
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The bill (H.R. 3673) was passed.

Mr. COCHRAN. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. DURBIN. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. COCHRAN. Mr. President, I thank the distinguished Senator from West Virginia for his cooperation in the development and presentation of this bill to the Senate. I also especially thank the Congressman from California, JERRY LEWIS, chairman of the House Appropriations Committee, and his colleagues on that committee, both Democrat and Republican, who helped get that bill passed today in the House of Representatives. We appreciate the prompt action on the President's request. We thank all Senators for their cooperation in agreeing to the expedited procedure for consideration of the bill today and passing the bill. This will get needed relief to the disaster victims in coastal States of Mississippi, Louisiana, Alabama, the Gulf Coast, and others who have been injured and victimized by this disaster. We thank the leadership for scheduling the bill and for supporting our efforts to get the bill done today.

The PRESIDING OFFICER. The Senator from New Mexico.

POSTDISASTER RESPONSE

Mr. DOMENICI. Mr. President, I rise to discuss, for a moment on the record, what I have been telling some Senators individually and in groups about the management of postdisaster activities in the Gulf Coast area. Let me begin by saying that I am not going to add to the various discussions being had about who should decide what persons, if any, made mistakes in terms of controlling this disaster, the scourge of this hurricane. Did somebody not do what they were supposed to do or did somebody do it too late? If so, who was it, when did the mistake occur, and why did the person act as they did? That is, who was at fault in responding to this natural disaster, if anyone. I am not talking about that. I hear the rancor and the partisanship in the discussion about who should do that.

I am talking about the fact that we have now the most difficult situation that America on its homeland has ever had to manage. We have never had anything as difficult as this to manage—the confusion, disrepair, individual suffering, displacement, hardship, property destruction, pollution. All of those things affected literally hundreds of thousands of people in three-plus States. We are currently in the immediate aftermath of the force that brought all those things upon us as a nation.

How many people have been displaced—sometimes called refugees, but they will not be referred to as such by me—how many men, women, and children? I understand that the numbers displaced due to a natural disaster before this did not exceed 30,000. It was something under 30,000. For this one disaster, there were over 450,000 people

displaced. Anybody who thinks that what we have in place to manage a crisis of this magnitude is fine doesn't understand the proportions of this event. We don't have in place the tools, the wherewithal, the ability to manage this problem—not from the time of its arrival and not now, as we work to gradually make the situation better for everybody, to a point in time that we can take a deep breath and say: We have done as much as we can for as many as we can, and as far as our country and its people and its businesses and its charities are concerned, we have completed the task of responding to this emergency.

We don't have any way of doing that. Anybody who is sitting around here contemplating the work of its committee, be it a chairman of a committee or the chairman of a subcommittee, and thinking they know how to do that, let me tell you, they don't. I regret to say it. In all deference, I am one of those chairmen. I have a standing committee and a subcommittee. They are both involved in this event. One is Energy and Natural Resources. The other is Appropriations for Energy and Water, which is literally all the energy around there, pipelines and the like, and the Corps of Engineers. So I could be saying I will do my share. I will start having hearings. But I submit that this work that I would do and that any other committee of the Congress would do is as apt to be meaningless or wrong or moving in the wrong direction, when looked at a year from now, as it is to be appropriate.

It isn't that we are doing anything wrong; it is that we don't know what our goal is. We don't know where we are going. We know people need checks. We know people need money. We know people need accelerated Social Security and Medicaid benefits. We also know people need housing. But does that mean we should hold a hearing in the housing Appropriations Committee and decide: Here is a new program. We are going to fund the program. It will be grants and loans, 100,000 new houses for these people? Of course it doesn't mean that at all.

We need somebody to put the plan together and decide what the housing situation is going to be like for these people. Do we need interim help? Will that be vouchers? And who will start putting that together? I could go on. This is not because anybody has not done their job. Forget about that. Whatever the job that was to be done, right or wrong, is finished. What you have to do now is rehabilitate, replan, and put in place what must be done within the laws of America, with the dollars of our taxpayers.

I came here in 1972, believe it or not. I was 39 years old. I don't know how I got here or why I was here. I got a great big assignment, one committee, Public Works. You new Senators who worry about your committee assignments these days, I only had one. I got

a very auspicious job, too. I was ranking committee member on a subcommittee on disaster relief. I thought: Well, I will never have a hearing, but when I have been here long enough, I will go to another committee.

But lo and behold, Agnes hit. Agnes was a giant hurricane that caused a Northeastern flood, all the way through Pennsylvania. Sure enough, I went to work. I learned about disasters.

But what I also learned was that through the good wisdom of a Senator, who, as I now understand it, was Hugh Scott, the minority leader from Pennsylvania—he used to sit over here when we had very few seats on this side of the Aisle—he talked Richard Nixon into appointing a man to be in charge of the Agnes recovery named Frank Carlucci. You've all heard his name of late. However they found him, I don't know. They must have been clairvoyant; they must have known he was something super. He was President's Nixon's on the ground representative for Agnes for 3 or 4 years, and we came out of that. Today his job would be comparable to having all involved computers run out of one office by people in the executive branch of Government, as if the OMB moved over there to handle things. Everything ran according to plans that came out of Carlucci's office of recovery. Nixon did not use a Marshall plan. He put somebody in charge of telling us what resources we ought to use and what our options were.

From that, he went on to other areas of success, so they must have picked the right guy. He held two Cabinet positions. He was a great success in business. That has nothing to do with what I am talking about, but he was apparently a very talented man. Now this President ought to pick a very talented leader, someone who is not in the Government, for a similar task. I mean no offense to the current establishment working in the Gulf Coast. They are there because we had an emergency—a disaster. But they are not there to handle what is going to be about a 10-year recovery program.

I think the occupant of the Chair knows this. This recovery plan will go on long beyond the next 2 or 3 years. We better have our recovery efforts, and oversight of those efforts, occur in an orderly manner or can you imagine how many hearings we are going to have? Can you imagine how many committees are going to be involved in saying they are solving this problem? Can you imagine the number of press releases that will be issued by subcommittees that are holding hearings about fixing this thing? Can you imagine the laws they are going to bring down here to the floor to pass saying, we are solving Katrina? All those things ought to come out of somebody who is on the ground analyzing the situation.

I urge the President to act. Give the position whatever name you like. I hate to use the word "czar". It doesn't

sound right to say "commander." It doesn't sound right to say "general." But they ought to put somebody in charge by executive order and give them the OMB type of office experts to help them analyze this situation and present to the Congress, through the President, the information we need for us to make the decisions about what policies we want.

Far be it from me to know much about managing things because I don't manage much except in my office, and I am not sure sometimes if a Senate office is even manageable. Whatever I have to manage, it probably has not been managed very well. Once I thought it was so important to manage that I hired somebody to see if they could write a manual on how you manage a Senate office. He was the greatest manager I had ever seen in New Mexico. He spent a year and a half working. He wrote a manual. When he was finished, he said: I guess I have tell you, you have to make this current about every week because things are so changeable here. So I don't know how to manage things.

But what I know is that what we have now cries out for a manager or we are going to have disorder following disaster. We are going to have money following money and then people asking: What wasn't done that should have been done? The sooner a manager is put in place, the better. I hope the President will act.

I thank the Senate for listening. I thank the Presiding Officer, because he is the only one who has to stay around here before we finish, and Senator ALEXANDER for being a gentleman.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I am glad I had an opportunity to hear the Senator from New Mexico, who has a lot of wisdom on a lot of subjects. One of the most important things he reminded us of was to try to get in concrete terms the immensity of this disaster. We see it on television. We know there is more to be done than has been done. We know it is going to last a long time. I heard the same facts he did today, that the most displaced families that FEMA has ever had in one of its disasters was 22,000. This is 400,000 or 450,000 or 500,000. In other words, this is 20 times the scale of the worst disaster we have ever had in terms of displaced Americans. And so we are all scrambling. I think it is important for the Senator from New Mexico to have brought that up.

He also heard, as I heard, that one of the last great hurricanes we had was Harvey, I believe. FEMA is just finishing the work on Harvey now 10 years later because it takes a long time to help communities and people get back on their feet. So this is a massive challenge. All of us want to help.

There is one other thing I am prompted to say before I say a word or two about higher education and the bill

that was reported today by the HELP Committee. I have talked a lot in the past about the idea of a citizen legislature. The Senator from New Mexico has as well. Senator Howard Baker, who used to be the majority leader, used to talk about the citizen legislature and how valuable it was for our country if those of us who serve here spend a lot of time in our home states, that we spend time at the diner instead of dinner with a lobbyist, that we spend time at the church instead of up here at a ball game, that we keep our feet on the ground, and that is very important.

I believe that is probably more important today than it has ever been before. I will give an example. I was about to come back up here after our 5-week break. The morning paper reported that an airplane had arrived from Louisiana with 80 people on it who were in dire straits. Al Gore, the former Vice President of the United States from Tennessee, gave no interview to anybody, and had nothing to say. It has come out since then that he apparently arranged for the plane and may have paid for it. In other words, he brought them up from New Orleans.

I did what other people, I guess, did in our country. Before I came back to Washington, I sent a contribution over to the American Red Cross in Blount County, my home county. These 80 people were brought to the Christian church on Highway 321, where the Red Cross began to try to help them in various ways.

It never once occurred to me that I might be giving some advantage to a prominent Democrat by supporting something he was doing to help people. It never occurred to me. I doubt it ever occurred to Vice President Gore that he was bringing those 80 displaced persons to one of the most Republican counties in the United States. We have not had an elected Democrat in Congress from our area since the Civil War.

So in Maryville, TN, and I am sure in the Commonwealth of Virginia and everywhere in this country, the people who sent us here know what to do. They are opening their hearts, they are opening their doors, they are opening their churches, and they are opening their pocketbooks. The furthest thing from their minds is political advantage. I suspect that is exactly how they would like for us to conduct ourselves here.

It seems to me impossible in this body to avoid partisanship. Sometimes I think we have a playpen over here and a playpen over here, and a few Senators and House Members are always angling for partisan advantage. But this is no time for it. So when those impulses or outbursts occur, my suggestion would be that we go home.

In my case, it will be Maryville, TN. Most of us go home on the weekend or we go home for periods of time. We go down to a shelter, we go down to a church, and we see how the people who sent us here are conducting themselves

in dealing with this tragedy. And we remind ourselves of that, and we take a lesson from them. When we come back up here Monday through Friday, then hopefully we would conduct ourselves as well as they are conducting themselves. They would expect that from us, and we will do a lot better job of helping deal with this immense tragedy, 20 times as large as anything we have seen before.

FEDERAL SUPPORT FOR COLLEGES AND UNIVERSITIES

Mr. ALEXANDER. Mr. President, I wish to say a word about something important that happened this afternoon that is good news for the men and women in this country who go to college.

We have the best system of colleges and universities in the world. I can remember Senator KAY BAILEY HUTCHISON from Texas and Senator FRIST arranged for a group of us to meet with the former President of Brazil, Mr. Cardoso, who had been at the Library of Congress for a while and was going back to Brazil. Senator HUTCHISON said: Mr. Cardoso, what will you take back to your country about your stay in the United States? He did not hesitate for a moment. He said: Senator HUTCHISON, the excellence of the American University. He said: There is nothing in the world like it. It is one of the greatest strengths of your country.

There are many reasons for this. I believe it is because we have created an environment in which we can bring out the best. We have 6,000 autonomous for-profit, nonprofit, State-supported, not-State-supported institutions, and we have generous Federal funding that follows students to the college or university of their choice. That market environment has permitted us to surpass the world. We do not just have some of the best colleges and universities in the world, we have most of them, and several of those are in the home State of the Presiding Officer, in Virginia, and some of those are in my State as well.

Today the committee upon which the Presiding Officer and I serve, the Health, Education, Labor and Pensions Committee, reported out legislation that has to do with Federal support for colleges and universities for the next 4 or 5 years. The importance of that is this: 60 percent of the students in our country attending universities, community colleges, technical institutes, or for-profit institutions do so with the support of Federal grants or Federal loans. Sixty percent of the college students are affected by this legislation.

While the details of this legislation will come out over the next few weeks, it is important to say two things about it. One is the remarkably effective job by the Senator from Wyoming and the Senator from Massachusetts, Senator ENZI and Senator KENNEDY. This is a complex bill. There are lots of opinions

on it. There are more than 20 of us on the committee. At a time of great difficulty around here, they produced legislation that we unanimously supported and agreed upon and will bring to the Senate floor. It is almost certain it will go to conference with the House of Representatives and result in a final bill that we will then send to the President. It was a first-class job of leadership by Senator ENZI and Senator KENNEDY, and I salute them for it, and I am glad to have been part of their committee.

The second thing to say is the bill is good for students. For students, it increases the amount of Pell Grants from \$4,050 to \$4,500 over 5 years. The bill gives students who want to use their Pell Grant during the summer the opportunity to do so for the first time, making Pell Grants available year round.

We have a lot of working people who go to colleges and universities today. They may want to go four straight semesters. Right now they cannot do that if they are eligible for Federal support. Now they can under this bill when it passes. In addition, Pell Grants will be larger for students who are majoring in math, sciences, or critical foreign languages, thereby encouraging students to pursue these fields.

Someone told me in Tennessee last week that we only had one new physics teacher who graduated and came into our classes. They are going somewhere else. We need more homegrown scientists in the United States, and this is one step to help with that.

The bill is also good for universities as well as students because it begins to relieve the oppressive paperwork burden the Federal Government places on colleges and universities, freeing up scarce dollars to spend on improving quality teaching, research, and public service rather than paperwork.

For example, this legislation creates an expert panel to review, evaluate, and streamline the 7,000 Federal regulations that govern grants and loans to college students. I made a speech on the floor of the Senate a few months ago, and I stacked up in several boxes the 7,000 regulations that every single one of the 6,000 colleges and universities has to go through before they can admit students with a Federal grant or a Federal loan. That is ridiculous. The President of Stanford said they were spending 7 percent of their tuition on complying with Federal grants and Federal loans. Universities should be able to focus more on teaching and research, and less on complying with reporting requirements.

In addition, for the first time, the Federal Government will be required to develop a compliance calendar, making it easier for our 6,000 colleges and universities to comply with Federal rules and helping them with institutional planning and avoiding inadvertent errors in meeting these requirements. In other words, we are saying to the U.S. Department of Education, if you are

going to have 7,000 regulations—and we in Congress are guilty of causing that to happen, let me admit that—at least somebody in the Department of Education is going to have to put on a single calendar all of the deadlines when someone at George Mason University or Vanderbilt University or some small college in Iowa has to comply with each particular regulation. That will make it easier for the colleges, and it might discourage the number of new regulations.

Finally, universities doing a good job of keeping down the rate of loan defaults will be given more flexibility in how they use Federal dollars in grants and loans to students.

I am especially delighted the bill includes Teach for America legislation that I introduced with the Democratic leader, HARRY REID. Expanding Teach for America will not only build a corps of young college graduates who spend 2 years teaching in schools in lower income areas, but a corps of expanding influential alumni who support quality public education. I actually believe that corps of expanding influential alumni of these tremendously talented young people who graduate from the finest colleges and universities and go into the inner city and teach for 2 years will produce for us a corps of thousands of Americans who know what they are talking about when the issue of quality public education comes up. We have the best colleges and universities in the world, but they need to continue to be the best in order to maintain our standard of living.

The Federal Government is doing its part. Over the last 5 years, Federal spending on higher education has increased 71.8 percent. At the same time, State funding for higher education has increased on average by only 6.8 percent, partly because of the big increase in Medicaid costs to States, which have increased over the same time by 35.6 percent. This lower amount of State funding has meant that college tuition at public 4-year institutions has increased 38.2 nationally.

In Tennessee, the situation is equally pronounced. As I stated, Federal spending on higher education has increased 71.8 percent over the past 5 years. In Tennessee, spending on higher education has increased about 10 percent while Medicaid spending has increased by 71 percent. That is why during the same period the tuition at the University of Tennessee has increased by 33.4 percent.

I raise this because I hope in our discussion of the higher education bill that we will come to an understanding that one of the principal reasons for the big increases in tuition is the out-of-control State spending for Medicaid. Governors—and the Presiding Officer and I were both Governors—constantly have to fight to keep Medicaid spending under control so we will have enough money left for quality education. And if we do not have quality colleges and universities over the next

10 years, we will not be able to keep our standard of living as we compete with Japan, China, Germany, India, and Great Britain—all who recognize the superiority of American higher education, and are taking significant steps to keep their brightest students home and to improve their institutions.

I am delighted to be able to salute Senator ENZI and Senator KENNEDY. I know they each will have longer statements to make about the bill and all of its parts. But it is a good piece of legislation for students, it is a good piece of legislation for colleges and universities, and it is an excellent piece of legislation for our country.

I yield the floor.

HURRICANE KATRINA

Mrs. FEINSTEIN. Mr. President, I come to the floor today—heart-sick—to speak about the absolute devastation wrought by Hurricane Katrina. This tragedy represents the worst natural disaster in our Nation's history.

This hurricane spared nothing. Estimates of damage now run as high as \$200 billion. The cost, in human lives and suffering, is just staggering.

Tragically, it will take weeks and weeks to ascertain the true loss of life. As the recovery proceeds, I pledge to do all in my power to help those in need to rebuild cities, communities, and shattered lives and families across the Gulf Coast.

My home State of California knows well the destruction possible from natural disasters. So many times the people of California have been saved by the generosity of the American people.

I have no doubt that the people of my State will now rally to the aid of those in Louisiana, Mississippi, and Alabama. Many already have.

In addition to monetary contributions from residents throughout the State, over 1,500 California first responders are on the scene, as well as over 700 California National Guard personnel, 116 California Highway Patrol officers, eight swiftwater rescue teams, eight urban search and rescue task forces, and six disaster medical assistance teams.

On Tuesday, Gov. Arnold Schwarzenegger announced that California had accepted a request from FEMA to provide housing and assistance for 1,000 storm victims left homeless by the hurricane. San Diego has made 600 beds available, San Francisco 300, and San Jose 100. And if FEMA asks for more, the State will be ready. Los Angeles has planned accommodations for 2,000 evacuees and Sacramento County is preparing for 300.

Campuses of the University of California and California State University systems, as well as private colleges and universities from across the State, have opened their doors to college students who were displaced or had their educational plans interrupted by the hurricane. Hundreds of students have

already taken advantage of these opportunities and will be starting classes this fall.

My heart goes out to all those suffering from this catastrophe. I have seen the destruction caused by massive mudslides, major earthquakes, and torrential rains. I have seen the fear and hopelessness that comes when families lose everything except the shirts on their backs. My thoughts and prayers are with those Americans in the pitch dark with no electricity, in shelters with their homes swept away, and with a future that seems without hope.

I commend all those who have worked literally around the clock in response to the disaster. The emergency responders—from the National Guard and Coast Guard to hospital workers to the local police and fire departments—have been nothing short of heroic. They are risking their lives and deserve our deep gratitude.

The American Red Cross, the Salvation Army, and many other charitable organizations and religious groups have mobilized thousands of volunteer workers to bring aid and shelter to victims of the devastation.

The American people are already demonstrating their tremendous compassion and magnanimity—contributions exceed \$500 million, with surely much more to come. Nations from around the world have also offered to help. I thank them as well.

But despite the effort and concern of all these individuals, I am shocked at what has gone terribly wrong in preparation for Hurricane Katrina. What we saw in the days following the storm has been a massive failure of government on all levels to anticipate, prepare, and respond. Days before the storm FEMA knew it was coming. It was announced well in advance that Katrina had become a lethal category 5 storm as it made its way through the Gulf of Mexico.

To see the horrific images of the dead lying in the street unattended, bodies floating aimlessly facedown in the water, and Americans with no choice but to relieve themselves on the field of the Superdome—it boggles the mind that such depraved conditions descended on one of America's great cities.

It was a flat embarrassment to the country. Those who have lost loved ones deserved much better than these appalling conditions.

Senators COLLINS and LIEBERMAN have launched a Governmental Affairs Committee oversight investigation to ensure that the requisite support and resources go to those in need. They will also be examining the inadequate preparation and response to this disaster.

Senator CLINTON and others have called on President Bush to appoint an independent national commission to review Hurricane Katrina relief efforts modeled after the 9/11 Commission.

I completely support these efforts, and would like to go on record with a few of the serious concerns that I have

regarding what has taken place. These are all problems that we must grapple with if we are to truly protect our homeland from disasters of all kinds.

Two days before the storm, a mandatory evacuation order went out for the residents of New Orleans. But didn't Federal, State, and local authorities know that tens of thousands of city residents lacked the funds and means to depart and, more fundamentally, had nowhere to go?

As a result, the poor stayed put: stranded throughout the city and away from any safe and secure shelter. Clearly there is not an adequate mechanism for removing Americans out of harm's way in the face of a crisis.

Warning systems and evacuation plans, prepositioning of transportation assets and emergency communications facilities, are all in dire need of an overhaul.

As always in these situations, the first priority is to save lives. Once the storm had passed, emergency responders went to dramatic lengths to save those stranded in houses, in apartments, and on rooftops throughout the region. Through their tireless efforts, thousands have been saved.

But what should have been an immediate and massive delivery of food, water, and medical supplies to evacuees came much too late. Thousands of hurricane victims went for days without anything to eat or drink. Babies went without formula. Diabetics went without insulin. People took refuge on freeways only to bake in the heat without relief or water and nowhere to go.

I realize the unprecedented magnitude of this disaster. But the delay in response was simply inexcusable. It pains me to admit that people died because aid did not arrive fast enough to those in need.

Downtown, New Orleans' Charity Hospital went unevacuated for days with no food, clean water, or basic medical supplies. These represent the sickest and neediest of the storm victims, and all efforts should have been made for their immediate evacuation—by boat to reach the hospital or at least helicopter airlifts from the roof if possible. Vigilant doctors, nurses, and other hospital workers performed courageously but did not have the support they needed.

There seemed to be no plan in place for providing shelter once the storm was over. Ad hoc decisions appeared to cause widespread confusion as desperate evacuees did not know where to find basic needs. Rumors swirled of food here and fuel there, forcing victims to scavenge in search of the basic necessities of life.

As regional evacuation centers filled there was no effective plan for long or even short-term shelter and care of displaced residents. With nowhere for storm victims to go, evacuation centers turned to squalor. Serious reports of abuse and assault have come out of these shelters.

Other cities graciously volunteered to open facilities to evacuees. For that

I offer them my sincere gratitude. But now even they have reached capacity—the Houston Astrodome, for example. We were just not prepared to handle an evacuation of this magnitude.

We were quickly and brutally reminded that an effective response to this type of tragedy cannot happen until a reasonably safe situation exists on the ground. This is nothing new. It is a given in these types of situations.

Yet days passed before adequate National Guard troops arrived. Meanwhile, thugs, miscreants, and ruthless pillagers terrorized the streets and thwarted rescue and aid.

Command and control breakdowns have been rampant. Throughout the region, complaints abound that no one seems to be in charge. This is a recipe for chaos, which only works to hamper relief efforts and put innocent people in serious danger. Again, this points to the fact that we do not have adequate plans and mechanisms for dealing with serious disasters.

Regrettably, I could go on, but the time for dealing with the faults in preparation and response has not yet come. Right now, the victims of Hurricane Katrina need our help. Entire communities have been destroyed. Families have been torn apart. Many are still missing. Tens of thousands remain homeless. We must find a way to help bring some stability and hope back into their lives.

Congress has made a start by keeping FEMA operations running through an immediate \$10.5 billion appropriation last week. And the President has asked for \$51.8 billion more, which Congress will surely approve soon. But even this will not be enough—we have just begun the effort to rebuild these cities and communities.

This is a process that will take years to accomplish and require a great deal of commitment on our part. I call on all Americans to do what they can to assist in the recovery efforts. There are countless opportunities and help is vitally needed.

As we move forward together as a nation, we also need to focus on concrete solutions for improving our preparedness for calamities that engulf any part of the country.

In close cooperation with State and Federal emergency agencies, each city in this country absolutely must have an effective emergency plan in place.

These plans need to include professional and skilled emergency operations directors, clear lines of authority, practical evacuation strategies, and previously determined command centers that can be up and running on a moment's notice with satellite connections and powered by their own generators. Key department heads should carry two-way radios with extra battery packs at all times.

The plans also must have mechanisms to immediately call for and facilitate the delivery of food, water, and medical supplies to areas in need.

But it is not enough to just have a plan in place. These plans must be re-

hearsed and drilled until they become second nature for the public agencies, emergency responders, and communities involved. When disaster strikes, there can be no confusion as to what must happen.

Unfortunately, even when effective and rehearsed plans exist, large-scale catastrophic events, such as Hurricane Katrina, can quickly overwhelm local jurisdictions.

In these cases, we need a system in place that allows the Federal Government to come in immediately with the full force of its resources and assume primary responsibility for response and relief.

The U.S. Conference of Mayors should convene a national intercity effort to share information and assist in emergency preparation efforts.

In emergency situations such as this, communications capabilities are essential. Emergency responders must have the equipment that will allow essential communications efforts to continue in case of the major damage to infrastructure we have seen in New Orleans.

Clearly, the Federal Emergency Management Agency needs to change. We need to look at whether the tasks charged to FEMA are too large to be included with 21 other agencies under the Department of Homeland Security.

Let us seriously consider professionalizing FEMA from top to bottom—some have called for the resignation of the current Director, Michael Brown, whose credentials as an emergency manager have been widely questioned.

FEMA needs to be devoid of political appointees and employ only the highest trained professionals with expertise in transportation, emergency medical aid, communications, and providing Federal disaster assistance.

Funds Congress appropriates for FEMA from this point forward ought to be prioritized for disaster preparation, and we need to intensively review programmatic appropriations for the Department of Homeland Security which, some critics point out, has received funds diverted from the levee project in New Orleans.

We have a Strategic Petroleum Reserve, but shouldn't we have a strategic food and water reserve too, that can, within hours, be airlifted into directly and brutally hit areas such as New Orleans?

We need preplanned, carefully thought out means for moving National Guardsmen and other military forces and particularly assets, such as high-water vehicles and Chinook transport helicopters, swiftly into place to prevent urban areas from sinking into anarchy—as was so painfully evident at the convention center in New Orleans and throughout the city.

The Army Corps of Engineers, the administration and Congress knew for years about New Orleans' vulnerable topography and the inherent weaknesses of the 350-mile city levee system but limited funding for flood control work nonetheless—why?

The administration and Congress need to conduct a nationwide assessment to determine the other most vulnerable areas and have Federal disaster assistance resources pre-positioned if possible so no time is lost in the aftermath of another future tragedy.

These are just a few ideas to consider. President Bush was conveniently understating the case last Thursday when he said that federal efforts were "not acceptable".

Americans have an obligation to come together, now, with their resources, money, and can do spirit to save New Orleansians, their great city, and all those suffering down the Gulf Coast.

Nothing less is acceptable.

Mr. VOINOVICH. Mr. President, I rise today to address the national crisis we are facing in the wake of Hurricane Katrina. It is hard to even begin estimating the extent to which this natural disaster will affect all of us and, most particularly, our fellow Americans along the gulf coast. I extend my deepest sympathies to the victims and loved ones of this unprecedented disaster. My thoughts and prayers are with all those in need.

Katrina is likely the largest natural disaster this nation has ever faced. The storm's impact is unfathomable, and an entire region has been irrevocably affected. I cannot conceive of a perfect evacuation or mitigation effort for a circumstance of this magnitude. I urge people to refrain from allocation of blame. Finger pointing will only make matters worse. For now we must show our strength as Americans: we must do the best that we can with what we have.

Our first priority must remain search and rescue. We are working to save as many lives as we can, and to send aid to those victims who at this time are without adequate shelter, food, and water. We need to bring relief to those who are living this nightmare, beginning with the most vulnerable—children, elderly, those in need of medical attention—and moving outward to encompass all those who can be reached. Once we have ensured the basic health and safety of those in need, our next priority will be to begin restoring some quality of life. Many have lost everything. Until the region is stabilized, they will need somewhere to go, somewhere to work, somewhere to be with their families, somewhere to begin rebuilding their lives.

Last Friday, the Senate acted and passed a \$10.5 billion emergency funding package for New Orleans; however, we will need to give more Federal money for disaster relief. I recognize that this will be costly, and although I am an advocate for fiscal responsibility, this is a time for the Federal Government to act.

We also need to reach into our own pockets and be as generous as we can be. I encourage my fellow members, my fellow Ohioans, and my fellow Americans to contribute to this relief effort

by calling the Red Cross at 1-800-HELP-NOW, or visiting their website at www.RedCross.org. The Department of Homeland Security website, www.dhs.gov, also has valuable information for those wishing to make a monetary donation or to offer other services such as housing, and many local communities and faith-based groups have set up collection agencies. Opportunities to give are readily available, and the need is great.

I would like to thank all those who have already opened their hearts and homes, and have given whatever is in their power to give. The response of this Nation, as well as many foreign countries, has been remarkable. Individuals, businesses, and governments—all have answered this call to meet human needs, and this effort will demand that all levels of government work together to ensure that what needs to get done, gets done.

I would like to take a moment to recognize the dedication of those who have offered tireless assistance to the victims of Katrina. In the last eight days, the Coast Guard alone has saved over 30,000 people, more than the cumulative number of its search and rescue operations for the last 10 years combined. Their relief effort has been simply incredible. I am proud of the Coast Guard men and women who have truly exhibited *semper paratus*.

Katrina also reminds us of how important our National Guard troops are in a time of crisis. From across the United States, there are some 41,500 National Guard troops that are on duty along the Gulf Coast. I am very proud of Ohio's National Guard, which have deployed a total of 1,500 soldiers and airmen to support Operation Buckeye, Ohio's hurricane response operation. This includes the 437th Military Police Battalion, the 1-148th Infantry Battalion and the 73rd TC-Task Force Command from Columbus; the 371st Corps Support Group from Kettering; and the 269th Combat Communications Squadron from Springfield. As we review the many policy concerns that have emerged in response to Katrina, it will be important to look at the issues facing our National Guard and to work to support them.

I have only mentioned the Coast Guard and the National Guard, but approximately 100,000 people are now involved in relief efforts. These people have chosen service over self and demonstrated their dedication to their fellow Americans. I am inspired by their efforts and I thank them for their service. We owe them all our gratitude and respect.

In addition, words cannot express my gratitude for the 20 States that have welcomed some 235,000 survivors from the gulf region. I would also note the contributions that my home state is making to the recovery effort, in addition to the contributions of the Ohio National Guard. The Ohio Department of Natural Resources deployed 24 officers with 10 boats and 10 vehicle-trailer

combinations to Louisiana. In addition, hundreds of Ohio police officers and firefighters have gone or are on call to go to Louisiana and Mississippi to assist with the recovery effort. I am pleased that Ohio has opened its arms and stands ready to receive over 1,000 victims. In preparation, the State Emergency Management Agency, in conjunction with their local partners, is already locating housing, schools, and support services for families who have been displaced. As a former Mayor of Cleveland and Governor of Ohio, I am extremely proud of the Buckeye State's response.

However, Mr. President, in my current capacity as Chairman of the Subcommittee on Oversight of Government Management of the Homeland Security and Governmental Affairs Committee, I have many questions about the timely response to this catastrophe which have yet to be answered. In my position, I will work to make sure these questions are answered because we need to understand what went right and what went wrong in order to better prepare for natural disasters. At this juncture, it is too early to prejudge the overall successes and failures of each level of government during this disaster, or answer questions such as, "Should FEMA be part of DHS?" Those answers should be provided only after a careful and thorough assessment of the entire situation. I would like to recognize the leadership of Senator COLLINS and Senator LIEBERMAN, the chair and ranking member of the Homeland Security and Governmental Affairs Committee, and I look forward to working with them as we examine the response of all levels of government. However, right now, our responders have a job to do on the gulf coast, and our first objective should be to offer whatever assistance it is within our power to give.

Even though we are just beginning to wrap our arms around the magnitude of this event, I would offer some initial thoughts as to how we might mitigate the damage from future natural disasters like Katrina.

The responsibility of planning for, and responding to, natural disasters is shared by all levels of government. But as a former Mayor of Cleveland and Governor of Ohio, I know firsthand the paramount importance of State and local first responders. Therefore, I implore every State and local emergency preparedness organization to review their action plans to ensure that they have the proper procedures and contingencies in place to deal with a catastrophic event. The emergency planning and response capabilities must be reviewed and, if necessary, rewritten to address every possible incident for a given geographic location. The safety of our citizens and communities depends on it.

Prior to Hurricane Katrina, I began working with the State of Ohio's Emergency Management Agency in efforts to assess the ability of the State to prevent, protect, respond to and re-

cover from any disaster, whether natural or otherwise. The State of Ohio is currently conducting a thorough top to bottom review of their strategic and emergency operations plans. It is my hope that these reviews will be conducted by every State.

I would also highlight a Federal program that can help prepare State and local first responders. Earlier this year I offered an amendment to the Homeland Security Appropriations bill to increase funds for the Emergency Management Performance Grant program. The EMPG program is the only source of Federal assistance that provides vital emergency management, coordination and planning support to State and local governments and first responders for all hazards. I believe that by investing in a program with a proven track record, recovery from events like Katrina will be more effective, and the EMPG should receive even higher levels of funding. I will continue in my efforts to ensure that the Federal Government stresses preparation for all hazards: we must be prepared for both terrorism and all of the blows that nature can deal.

Hurricane Katrina also shows that we have serious needs for the repair and improvement of our Nation's aging infrastructure and waterway systems. The desperate conditions these systems are currently in are impacting our economy, the environment, and the welfare of the American people. The backlog of unfunded Army Corps of Engineers operation and maintenance projects mandated by Congress is \$1.2 billion. This is up from \$250 million when I arrived in the Senate in 1999.

It has been 5 years since Congress passed a water resources and development reauthorization bill. The passage of another WRDA bill cannot be delayed any further. It is simply too important to our Nation in terms of its benefits to our economy and environment and for the speedy recovery for the areas affected by Hurricane Katrina.

The economic benefits of infrastructure projects speak for themselves. The national return on investment for the Mississippi Valley and Tributary system—the system affected by Hurricane Katrina—is \$24 for each dollar spent, according to the National Waterways Conference. The Corps of Engineers flood damage reduction program saves lives and prevents almost \$8 in damages for each dollar spent.

Right now our infrastructure is collapsing due to insufficient funding. We desperately need to provide increased funding for the Army Corps of Engineers. Currently, the Corps is able to function only at 50 percent capacity at the rate of funding proposed by the Office of Management and Budget. With proper investment from Congress, our waterways and ports have the potential to help strengthen our economy, help ease our Nation's growing congestion problem, and provide a better quality of life.

This devastating hurricane also served to underscore the fragile nature of our national and economic security when the energy spigot went from a full flow to merely a drip. I praise my colleague and Chairman of the Energy Committee, Senator DOMENICI, for his Herculean task of shepherding an energy bill through this body. That bill is a tremendous step toward a much larger goal, which is our Nation's energy independence. However, in the aftermath of the energy bill's passage, we should not assume those efforts will suffice.

Rather, the effects of this hurricane on our Nation's energy supply and the ripple effects sent through the economy should only heighten the clarion call for our country. Much like our Nation committed itself when the Russians launched Sputnik and we entered the race to space, I believe we should have a national commitment to becoming energy independent.

We should open additional domestic resources in the near term to help wean us from foreign oil. My colleagues from Alaska have long sought to open the Arctic National Wildlife Refuge an idea I support. We should also invest in clean coal technologies that will help utilize one of our Nation's cheapest and most abundant resources.

However, we should also look ahead. For instance, a great deal of research has been done in my State on hydrogen fuel cells. I have heard that within a decade, commercial applications for these fuel cells will be a real possibility. But I would ask, why 10 years? Why not five? I truly believe there is too much at stake to ignore or merely feign interest in becoming energy independent.

I do not think it hyperbole to say that one of the main factors that will determine the next great superpower will be the nation that is able to become energy independent. The commitment we make today will determine the safety and quality of life future generations will have. I pray that we heed this warning.

Finally, I would like to address an issue related to Hurricane Katrina, and that is the soaring gasoline prices across the Nation. In the wake of the horrible tragedy caused by Hurricane Katrina, it now appears that some individuals may be profiting off the misfortune of others. This is unconscionable. It is unfortunate that there are no Federal laws in place to address and stop the price gouging of gasoline. In fact, less than half of our States have laws on the books to protect consumers from price gouging. Therefore, I am considering legislation to provide the Federal Government with the requisite authority to investigate cases of gasoline price gouging during an emergency. This proposed legislation would resolve this issue by providing a Federal framework for protecting consumers against this unjustifiable business practice. I would note that I have been actively involved in this issue for

several years. I participated in hearings in 2000, 2002, and 2004 in two different committees, and I have asked Senator COLLINS to explore this issue in the Homeland Security and Governmental Affairs Committee.

Mr. President, these are but a handful of the issues that must be addressed in the weeks and months ahead. Let us roll up our sleeves and get to work. Let us learn from this horrible tragedy that has befallen the gulf coast, and forge better laws and procedures for the future. In closing, my heart goes out to the victims of this disaster, and I ask that all Americans do what they can to assist them.

Mr. KENNEDY. Mr. President, in the wake of Hurricane Katrina, we have seen images we thought we would never see in America. We have been reminded that we are all part of the American family. And we have a responsibility to help members of that family when they are in need.

We in Congress have a responsibility to do all we can in many ways. Let's make sure children don't lose a year of their lives. Let's help them return to as much of a normal environment as possible. We need to act quickly to provide the help they and their parents need to cope with this strategy, and rebuild their future.

We all remember Hurricane Andrew, the category-5 hurricane that left over \$40 billion in damage in 1992. It tore through south Florida, and the Army, Navy, and National Guard pitched in to help schools repair classrooms and reopen the school doors in about 2 weeks.

Last year, Hurricane Charley tore through central Florida and left \$15 billion in damage. Schools closed, but within a month, they returned to normal and students were back on track in their classrooms.

But Hurricane Katrina is a different type of storm, and the magnitude of its damage is vastly more extensive.

In Mississippi alone, 271 schools have been damaged or destroyed. Schools are closed in the three gulf coast cities in the State hit hardest by Katrina: Gulfport, Biloxi, and Pascagoula. Those districts enroll 20,000 students.

In North Gulfport, the walls of the Harrison Central 9th Grade School collapsed. In Pascagoula, the roof of St. Martin High blew off. The State superintendent has already requested help from Washington to find portable classrooms. Officials are considering converting an abandoned Kmart into a temporary school.

Vastly more damage has occurred in Louisiana. At least 135,000 students in public schools have been displaced. 100,000 college students have been displaced for the fall semester at Tulane, the University of New Orleans, Xavier University, and Loyola University.

Fortunately, America has begun to respond.

The Houston school district has pledged to accommodate 30,000 displaced students in their schools. The Dallas Public Schools has created a

hotline to streamline enrollment for displaced students. St. Paul, MN is willing to accept 5,000 in its schools.

In Massachusetts, more than 30 colleges and universities have offered to enroll students, and provide housing and tuition assistance.

People have opened their homes and communities have opened their schools. We owe a great debt of gratitude to the principals, the superintendents, and the university presidents and deans who have pledged their help.

But they need help from Congress as they struggle to accommodate these students. We need a response that is as caring and as generous as the American spirit.

We must do all we can to assist schools and colleges as they attempt to meet the incredible challenge of incorporating hundreds or thousands of new students into their systems.

We must provide funds to help ease the transition of students into new school districts, support basic instruction, and purchase books and materials. We must help schools temporarily expand facilities and avoid overcrowding.

We must help college students find temporary help so they don't lose a semester or a year of college, and give them the financial assistance they need to continue.

We must also help former students who are paying off past loans, by offering every affected borrower a 6 month grace period when no further interest will accrue so they can avoid any increased cost or damage to their credit while they get their lives back on track.

Thousands of young children affected by Katrina need temporary space in safe and healthy settings. We must provide them with quality early childhood programs and facilities, until the children and their families can return to their homes and communities.

And in weeks and months ahead, we must focus on rebuilding and reconstructing the schools devastated by the tragedy so that, as soon as possible, children can return to schools fully stocked with the resources they need.

This morning, Senator ENZI and I heard moving testimony in the HELP Committee from Dr. Diane Roussel, Superintendent of Schools in Jefferson Parish in Louisiana. The parish has 85 schools, 51,000 students and 3,600 teachers. It lies just south of New Orleans, and was directly in the path of Katrina.

The local tax base provides a third of the district's resources for education to help students who have been displaced. Now, they're left with nothing to rebuild their schools.

In Dr. Roussel's words:

Money isn't always the answer to solving the ills in our public schools, but when we're talking about equipment, supplies, rebuilding, and maintaining our teaching workforce, money is the answer.

We're reminded in this disaster that schools are the heart of local communities across America. When schools

open, people return. When schools open, business returns, and life begins to return to normal.

In the coming days and weeks, we must act expeditiously to provide the help that the entire gulf coast community needs to re-open its schools. If they get what they need, I am confident they will come back, stronger than ever before. Let's get it done.

Mr. LEAHY. Mr. President, I want to take a moment, on behalf of myself, my fellow Vermonters and Americans across this country, to express our heartfelt gratitude for the outpouring of generosity by more than 90 countries and international organizations that have offered assistance to the recovery efforts after Hurricane Katrina.

The United States is coping with devastation and destruction on a scale not seen in our lifetimes. It has been shocking and sobering to see how woefully unprepared our Government was to help the victims of this disaster. The chaotic response has also raised serious concerns about the adequacy of our preparedness to respond to terrorist attacks, despite the many billions of dollars the Department of Homeland Security has spent since 9/11.

Yet if there is a silver lining in such a disaster it is that it unites Americans and it unites the world in the common cause of alleviating suffering. A massive relief effort is underway, albeit belatedly, involving everyone from the Coast Guard to the Red Cross to private citizens who are rescuing people who were stranded and caring for those who lost their homes and possessions. Organizations such as the United Nations Office for the Coordination of Humanitarian Affairs, the World Food Program, World Health Organization, UNICEF and the U.N. High Commissioner for Refugees have all contributed personnel and resources to help in the recovery. Canadian search and rescue teams from as far away as British Columbia were on the ground in some Louisiana communities as early as August 31, even before FEMA had mobilized American relief workers.

It is not often that we, the world's only superpower, find ourselves on the receiving end of foreign aid. It is almost always the other way around, when Americans respond, as we do continuously, to the needs of people suffering from famine, conflict and natural disasters overseas. It is notable that our own disaster relief specialists in USAID's Office of Foreign Disaster Assistance are assisting in this domestic recovery effort.

The outpouring of sympathy and the hundreds of millions of dollars in contributions by Americans to the victims of the South Asian tsunami earlier this year are today being reciprocated by some of those same countries, and by scores of others.

From the wealthiest European countries and Japan, to the poorest, such as Bangladesh and Sri Lanka, generous offers of cash, water purification and communications equipment, and emer-

gency and medical personnel have been extraordinarily gratifying.

But while no offers have been expressly rejected by the U.S. Government, few have been accepted and received. It is regrettable that our Government's abysmal coordination in the early days of the recovery effort has prevented critical international aid from being delivered to our stricken citizens and communities in the affected Gulf states.

One of many examples is Canada's offer to send three warships and a Coast Guard vessel. They were delayed for a week due to bureaucratic inertia.

I know that in any major humanitarian crisis when unsolicited offers of aid pour in it is difficult to coordinate and use it immediately. Some is simply not usable, such as electric generators that require a voltage not readily available in this country. There are also problems of limited access to airfields and ground transportation, and the necessary personnel to handle and distribute it. But these obstacles should have been anticipated. Bureaucratic backlogs and bungling have kept foreign relief planes grounded for days, medical personnel on standby, and tons of supplies waiting to be delivered to the desperate people of Louisiana and Mississippi.

The sluggish response has left foreign governments frustrated and baffled. I think it needs to be emphasized how much we welcome and appreciate their generous offers of help. It is unfortunate that our government was so unprepared to receive this aid in a timely manner, when lives could have been saved and suffering alleviated. Let us hope that the bottlenecks are being removed so the State Department, the Department of Homeland Security, and particularly FEMA, can speed the delivery of aid from our friends around the world without further delay.

LOCAL LAW ENFORCEMENT ENHANCEMENT ACT OF 2005

Mr. SMITH. Mr. President, I rise today to speak about the need for hate crimes legislation. Each Congress, Senator KENNEDY and I introduce hate crimes legislation that would add new categories to current hate crimes law, sending a signal that violence of any kind is unacceptable in our society. Likewise, each Congress I have come to the floor to highlight a separate hate crime that has occurred in our country.

On February 27, 2004, James Maestas and Joshua Stockham received extensive physical injuries by a group of men after a confrontation at a restaurant in Santa Fe, NM. The apparent motivation for the beating was that they were a gay couple. Maestas, who spent more than a week in intensive care, had to undergo extensive physical and speech therapy, according to the district attorney.

I believe that the Government's first duty is to defend its citizens, to defend

them against the harms that are born out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

BROAD SUPPORT FOR RESPONSIBLE GUN STORAGE

Mr. LEVIN. Mr. President, according to a report last year by the Brady Campaign to Prevent Gun Violence, teenagers and children are involved in more than 10,000 accidental shootings in which close to 800 people die each year. Further, about 1,500 children age 14 and under are treated in hospital emergency rooms for unintentional firearm injuries per year. About 38 percent of them have injuries severe enough to require hospitalization. We can do more to reduce the number of these tragedies, the vast majority of which could be prevented if safe gun storage techniques were more widely practiced.

A study released Tuesday by researchers from the Center for Disease Control and Prevention, reportedly the largest of its kind ever carried out, analyzed the prevalence of firearms in homes and the storage practices of gun owners. Researchers analyzed survey results from more than 240,000 randomly selected households in all 50 States and the District of Columbia.

While the rates of gun ownership and the storage practices vary widely from State to State, the CDC researchers found that nearly a third of households in the U.S. have firearms. According to the study, in 18 different States more than 10 percent of households contain loaded firearms. In one State, the number is higher than 19 percent. In addition, in 23 different States more than 5 percent of households keep firearms unlocked and loaded. The most startling statistic revealed by researchers is that 1.69 million children in the U.S. live in households where firearms are kept unlocked and loaded.

Statistics like these should give us pause, especially when we consider the impact that safe gun storage practices can have on preventing accidental shootings and suicides by kids using guns. A study published recently in the Journal of the American Medical Association found that the risk of unintentional shooting or suicide by minors using a gun is reduced by as much as 61 percent when ammunition in the home is locked up. Simply storing ammunition separately from the gun reduces such occurrences by more than 50 percent.

Recently, I joined with 69 of my colleagues in voting for an amendment offered by Senator KOHL that would require licensed dealers, manufacturers, and importers to include a safe gun storage or gun safety device with every handgun they sell. Hopefully Senator KOHL's amendment will become law.

We can do more to help stop accidents involving children and guns. I

urge my colleagues to join me in supporting commonsense gun storage requirements so that fewer families will have to endure the pain of losing a child or loved one because of a preventable tragedy involving a firearm.

THE WINDFALL PROFITS REBATE ACT OF 2005

Mr. DORGAN. Mr. President, yesterday I introduced legislation called the Windfall Profits Rebate Act of 2005 that attempts to address the spiraling cost of oil and gasoline. Let me explain why I introduced this measure.

I come from a State of 642,000 citizens spread out in a landmass 10 times the size of Massachusetts.

As a result of being a large Northern Great Plains State with a small population and being a predominately agricultural State, we use a substantial amount of energy, specifically gasoline.

In fact, North Dakota uses twice as much gasoline per capita than New York does. Though these price spikes hurt all Americans, they are especially devastating to citizens who live in rural States.

Let me say first that the tragedy that we are witnessing on the Gulf Coast is devastating. The effects of Hurricane Katrina will be felt by the people of Louisiana, Mississippi and Alabama for a long time to come and my prayers go out to them in this time of need. The people in the gulf region have lost so much.

It is also the case that the hurricane has affected America's energy supply in the short term. A number of refineries were shut down. A couple of major pipelines were unable to operate and there has been and will be an impact on our energy supply and marketing as a result of this hurricane.

But it is important to understand that the price spikes we have seen with the price of oil and gasoline cannot be blamed exclusively on this hurricane.

We were headed down this road long before Hurricane Katrina hit.

In fact, since the beginning of 2004, we have seen the price of oil double from \$35 a barrel to nearly \$70 a barrel and that has resulted in consumers having to pay more than \$3 a gallon for gasoline in many parts of the country.

It is important to point out that at \$35 a barrel, the energy industry was making record profits. Now the oil industry claims that these higher prices are a result of supply-and-demand issues and that they need these additional profits for exploration.

However, I believe that the extra \$30 per barrel that is tacked on to a barrel of oil these days represents a windfall or excess profit to the major integrated oil companies, and I propose that we recapture part of that with an excise tax and rebate it to consumers who are paying these inflated gas prices.

Here are some numbers to remember: We use 21 million barrels of oil a day in this country. Forty percent of that

comes from domestically produced oil. The major integrated oil companies are larger and have more economic clout than they have had previously. They are experiencing the \$30-a-barrel increased price above the \$35 price that existed in January 2004, and that means they are reaping \$7 billion a month in windfall or excess profits. That is \$80 billion a year in excess or windfall profits. That is being paid by consumers who drive up to the service station and now receive the sticker shock of paying an arm and a leg for a tank full of gas.

A friend of mine gassed up his car and his son's car with 15 gallons in each car the other day and paid \$103.00 at the gas pump.

In addition to the windfall profits being gathered by the major integrated oil companies in our country, it is also the case that 60 percent of that which we use comes from off our shore. That has become a type of forced revenue sharing from American consumers to the Saudis, Kuwaitis, and others. There is not much we can do about that in the short term except to implement policies that try to wean us away from the addiction we have to foreign oil.

However, with respect to domestic companies and domestic production and domestic pricing, we can do something.

My legislation calls for a 50-percent excise tax on crude oil profits over \$40 a barrel when those prices are earned by the largest oil companies with the most ability to control the overall price. These are companies that, in many cases, move oil from the ground to gas pumps and control all of the processes in between. The revenue that would be collected from this excise tax would be used to provide a rebate to American consumers to help them offset the burden of higher energy costs that they are now forced to pay.

But my legislation also has a very important exemption. If the oil company is using the revenue from the extra \$30 a barrel they are receiving to increase exploration, or make investments to search for additional sources of energy, or to increase refining capacity, or to pursue investments in other renewable forms of energy, then that money would be exempt from this windfall profits tax.

In other words, these large companies would decide themselves whether they pay this tax. If they are buying back their stock or hoarding cash with which to engage in mergers and acquisitions, then they would be paying the excise tax and the consumers would be receiving the benefit of that excise tax.

I am not trying to hurt the oil companies or put them out of business. I want additional robust domestic exploration that would be exempt from the windfall profits tax.

However, American consumers should not pay these inflated prices just to fatten the corporate treasury of the major integrated oil companies.

The substantial rise in the price of oil and gas has produced both pain and

gain. The pain is for American consumers and the gain has been for the major integrated oil companies and OPEC countries, and I think Congress ought to weigh in on behalf of American consumers. That is what my bill attempts to do.

And with its exemption for investment in exploration, it does not attempt to help consumers by punishing oil companies.

I hope Congress will immediately consider adopting this measure and provide some help to American consumers at a time when gasoline prices are providing sticker shock every single day.

INQUIRY ON GASOLINE PRICES

Mr. NELSON of Nebraska. Mr. President, I appreciate this opportunity to speak about S. 1610, a bill requiring the Federal Trade Commission to conduct an inquiry into the retail price of gasoline. I thank my colleagues, Senators FRIST and HARRY REID, for their leadership and Senators LANDRIEU and VITTER and so many others for their efforts in working through this time of unprecedented destruction and human suffering.

I am here today to lend my support for giving U.S. gasoline consumers a more thorough understanding of the pricing mechanisms that are at play at the pump. The legislation I propose calls for the Federal Trade Commission to conduct an immediate study into whether rising gas prices are the result of a struggling market or whether market manipulation or a form of gouging is taking place during this time of tragedy.

Even before Hurricane Katrina, the Consumer Federation of America cited several reasons for the dramatic increase in gasoline prices, including tight crude oil inventories, inadequate oil refinery capacity, lack of competition and the oil industry's increasing market power. These are all plausible reasons for price spikes, but they are not enough to stop the questions of people concerned with their tighter budgets.

Between Nebraska and Iowa, more than 500 complaints have been made to State officials about high prices. Officials in both States indicate they have seen no evidence of market manipulation by retailers. Retailers are not singled out as the focus of this bill.

My bill calls for a 2-week study on the root of rising gasoline prices, including both regular gasoline and ethanol-blended gasoline. The report would then be forwarded to Congress for further action. If the report determines no market manipulation is occurring, the FTC would notify the U.S. Secretary of Energy, who would use the information to determine whether the Federal petroleum reserve would need to be tapped for additional oil.

But if manipulation is found, we will have the opportunity to act quickly.

The FTC would work with the attorneys general of various affected States to take appropriate action.

I am aware that inquiries as these have been conducted in the past, particularly around this time of year. Price surges around the time of the Labor Day holiday are common. As the prices fall, interest in determining why they reached record level diminishes. I hope this can be different. Even if prices begin to fall, which it appears they may, we still need to know what happened and why it happened.

Oil, as we all know, is the most widely used source of energy in the world. Facts indicate that world production of oil will start to decline. However, demand will not. At what point the production of oil will fall below demand cannot be accurately determined, but I believe that recent events that have disrupted normal supply and demand behavior is an illustration of what consumers can expect once that day arrives.

This is why, after years of delay, it was so important that we were able to pass an energy bill, allowing for the development of more energy sources. I am hopeful that these energy sources, particularly renewable fuels made from farm commodities, will be developed quickly enough to prevent price surges at times the oil supply or refinery capacity is disrupted.

According to the American Petroleum Institute, Nebraska has the distinct honor of being the only State west of Arkansas to see prices jump more than 50 cents per gallon since August 30. Why Nebraska? Let's find out.

In many cases, we saw pump price increases of 20, 30, 40 cents and even higher in a single day. Why such a dramatic increase? Let's find out.

We know there exists a very healthy competition between gasoline retailers, yet the price range for the same grade of gasoline yesterday was \$3.19 in Lincoln, Nebraska and \$2.99 in nearby Fremont. Why the difference? Let's find out.

What role do speculators play in establishing price? Let's find out.

These questions, and others, are important. Every part of our Nation's economy is impacted by these increases.

For example, the extraordinary prices of gasoline, diesel fuel, natural gas and petroleum derived input products such as fertilizer, chemicals and propane add another economic burden, particularly in rural areas and for farmers and ranchers who count on a ready and accessible energy supply for the production and harvest of their crops and livestock.

We need stable and reasonable gasoline, diesel, and natural gas prices to operate farm machinery, dry grain, and transport commodities to market, especially during the coming harvest season. The extreme volatility of world crude oil and petroleum product prices, according to USDA, has already impacted net farm income by over \$2 billion.

When we take a hard look at the facts, we will better understand the forces affecting prices at the pump. We'll understand why in Nebraska we pay prices that range from \$2.89 to \$3.61 and higher. We'll understand reports of \$6.00 gasoline in Atlanta and even higher prices at home and abroad. This legislation is nothing but beneficial for American gasoline consumers.

Now, I ask my colleagues to join me in promoting legislation that will provide valuable information on our Nation and the world's transportation fuels.

NATIONAL ASSISTED LIVING WEEK

Mr. WYDEN. Mr. President, today I want to draw attention to the 11th annual National Assisted Living Week, which begins on September 11 and continues through September 17. Created in 1995 by the National Center for Assisted Living, and being celebrated for the second time in conjunction with the American Association of Homes and Services for the Aging and Assisted Living Federation of America, National Assisted Living Week emphasizes the importance of assisted living services to the more than 1 million seniors and persons with disabilities who rely on them every day.

The theme for this week is "A Fair to Remember." The theme encourages assisted living facilities to create their own "Fair" environment for the residents, families, staff, volunteers and local community and to celebrate their time together and share the fun with family and friends.

Assisted living continues to grow in importance as our society's demographics change and as we live longer. Seniors and their families want a homelike setting and are seeking alternatives to nursing homes. Because assisted living has been able to develop to meet community needs, it can be very different in different States. However, the goal is the same: to provide quality care for those who need some help in caring for themselves but are not in need of the care provided by a nursing home.

My home State of Oregon pioneered the concept of assisted living, and I am proud of my State's ability to continue to evolve the concept so that it meets the changing needs of seniors. All of us want to be in a safe environment and as independent as possible for as long as possible. Assisted living provides care while maintaining the dignity of the individuals they serve. Our Nation must continue to support those long-term care options that allow consumers the care setting that is appropriate for their needs.

IN HONOR OF LIEUTENANT COMMANDER LUKE CLYBURN

Mr. LEVIN. Mr. President, it is with great pride that I pay tribute to an exceptional educator and steward of the

Great Lakes, LCDR Luke Clyburn. Commander Clyburn is captain of the ship "Pride of Michigan" and president of the Noble Odyssey Foundation. He is an innovative, committed leader who has worked for more than 32 years to educate young people about the importance of the Great Lakes and other fresh water lakes through the Naval Sea Cadets training program. We are grateful for his long and distinguished service.

The U.S. Naval Sea Cadet Corps was incorporated by an act of Congress in 1962, and a Great Lakes Division was added in 1973. The mission of the Corps is to "encourage and aid American youth to develop, train them in sea-going skills, and to teach them patriotism, courage, self-reliance and kindred virtues." For more than 32 years, Commander Clyburn has accepted that charge.

Under Commander Clyburn's able leadership, the Sea Cadet program acquired a retired naval vessel, the "Noble Odyssey," in 1977. On it, Sea Cadets from Michigan learned to man a ship from bow to stern, and they took part in invigorating scientific missions. With the cadets as crew, Commander Clyburn put together a series of Great Lakes research projects with professional scientists.

In 1989, it was my honor to help Commander Clyburn replace the "Noble Odyssey" with a larger ship, another retired naval vessel, the "Pride of Michigan." On the "Pride of Michigan," Luke has continued the same great work with the same great results. The scientific work has included significant research on invasive zebra mussels, which are harming the Great Lakes, and an investigation of an ancient drowned forest 2 miles off of Lexington, MI. These projects have been filmed and produced into documentaries, including the educational videos "Fresh Water Invaders," "Angels of the Sea," "Emperor," "The Underwater Forest," and "The Norwood Project."

In 2002, the Noble Odyssey Foundation was established as a nonprofit organization to raise money for the Sea Cadet Corps. With Luke as its president, the foundation has ensured the future of the Naval Sea Cadet Program, Great Lakes Division.

Commander Clyburn has dedicated himself to teaching young people about the importance of fresh water and how to protect these resources for future generations. He has been an inspiration and a gift to so many youth, and, along the way, he has made great contributions to scientific discovery. I know that my colleagues join me in thanking and praising Commander Clyburn for his distinguished service to our country.

ADDITIONAL STATEMENTS

HONORING JON KRAHULIK

• Mr. BAYH. Mr. President, I rise today with a heavy heart to honor the

life of a great man, Jon Krahulik, who died this week after a courageous struggle with cancer. He was a good friend, devoted family man, and faithful public servant. I will miss him dearly, and I know that sentiment is shared by countless others across Indiana.

I had the honor of appointing Jon to the Indiana Supreme Court more than 15 years ago. While on the court, he served Indiana with distinction, garnering the admiration of all those whom he encountered. During his time on the bench, he authored nearly 120 opinions, shaping the laws of our State and influencing policymakers across the country.

Whether it was teaching law, serving as a trial lawyer, working to reform State government or recommending changes to Indiana's criminal justice system, Jon brought to bear his remarkable talents and his belief in the potential of humanity. He always sought justice while forging collective solutions. His record of service to the legal profession was matched only by his service and dedication to the community.

Jon went to law school in Indianapolis and stayed on to practice law for nearly two decades at Bingham Summers Welsh & Spilman. He resigned from the Indiana Supreme Court to become president at Chemed Corp., in Cincinnati. A true family man who possessed a deep love for the law, Jon later returned to Indianapolis to start a law firm with his two sons.

His personal accomplishments are as impressive as his professional ones. A man of incredible physical strength, Jon ran in several marathons and competed in an Iron Man Triathlon in Hawaii.

Indiana lost a great man when cancer took Jon away from us. It is my sad honor to enter the name of Jon Krahulik in the RECORD of the United States Senate for his service to Indiana and for his profound contributions to the field of law.●

TRIBUTE TO ELLIOTT BALBERT

● Mr. HARKIN. Mr. President, more than 10 years ago I was proud to work shoulder to shoulder with Senator ORRIN HATCH to pass the Dietary Supplement Health Education Act, DSHEA, to give consumers access to dietary supplements and truthful information about these products. That is one of the reasons it is my great pleasure to pay special tribute to Elliott Balbert, upon his retirement as the president of the Dietary Supplement Education Alliance.

Elliott Balbert recognized the need to get the word out about the growing body of scientific support for dietary supplement use. So, 5 years ago, he created a unique industry alliance of companies to focus on providing meaningful information about the health benefits and responsible use of dietary supplements.

Starting a brandnew nonprofit organization is not easy. There were volun-

teers to recruit, a board to create, paperwork to file, and money to raise. But even though Elliott was still a full-time CEO of a large public company, he managed to build a solid foundation on which the Dietary Supplement Education Alliance can continue to grow.

Elliott Balbert served as president of the board of trustees for the Dietary Supplement Education Alliance for more than 4 years. He planted the seeds, nurtured them, and watched them blossom into a thriving organization.

I admire the fact that Elliott isn't afraid to put his money where his mouth is. He has provided ongoing philanthropic support to a number of health-related charities, including the Vitamin Angels, the Healthy Foundation, and other initiatives that provide health benefits to the underprivileged.

As Elliott moves on to dedicate more time to his business, I want to take this opportunity to express my gratitude for the outstanding job he has done for the Dietary Supplement Education Alliance. We wish Elliott and his family all the best, and we salute his leadership in working toward a healthier America.●

JOSEPH P. "SONNY" FOSTER

● Mr. NELSON of Nebraska. Mr. President, I am here today to speak about my cherished friend, long time aide, and trusted confidante, Sonny Foster, who died unexpectedly on August 25.

I first met Sonny in 1973 when he and I served together on the Urban League Board. Sonny was still a student at Creighton and I was counsel to an insurance company. Sonny loved to tell the story of my first Urban League meeting at the old Logan Fontenelle Center. When the meeting ended and I went to drive home, I found, to my dismay, that someone had helped themselves to my battery. Sonny retold the story the week before he died. With his unique high-pitched laugh he said "We never expected to see him again!" But I came back and a friendship began that lasted for more than 30 years!

In 1989, when I was planning to run for Governor, some 16 years later, we teamed up. No one ever expected us to win, and we never expected to lose. And we didn't. It was his first time to manage a statewide campaign and my first time as a candidate for office. Of this victory, the Omaha World-Herald said in its August 27, 2005 editorial "Foster put his stamp on the political map of Nebraska by the start of the 21st Century—not only because of his assistance in planting BEN NELSON firmly in the political firmament, but also in his steadfast efforts to make the Democratic Party a force in his North Omaha base."

Much has been made of Sonny's firsts. He was the first African American elected to be student body president at Creighton University in 1973. He was the first African American elected to the Omaha Board of Edu-

cation by district. He was also the first African American to run a statewide campaign in Nebraska. Sonny had a long and distinguished career in public service including serving as a legislative aide for Congressman John Cavanaugh and as deputy labor commissioner for Governor Bob Kerrey. When I was Governor, he served in multiple positions in my administration.

These are indeed significant accomplishments. And it is indeed appropriate that we celebrate them. But you know what Sonny treasured most was breaking the ground for others to follow—much more than anything he did on his own. In a very real sense, Sonny lived his life so others could enjoy their own success. Sonny lit the torch and passed it on. We must commit to never let that torch go out because of apathy or inaction. He set the standard—it is for others, for us, to now uphold.

I had a lot of time to think about what to say about Sonny in the eulogy I delivered at his memorial service hoping to do justice to a most remarkable life cut short by some divine plan which we must reluctantly accept. I started by listing his many qualities: Sonny was brilliant and perceptive. He was loyal, honest, trustworthy, dependable, responsible, competent, caring, passionate and compassionate.

He was totally trustworthy. Sonny was honest. He would tell you what you needed to know, not what he thought you wanted to hear. This was one of his most endearing qualities.

One time I teased him by saying I preferred to be told that my idea was unlikely to work rather than be asked "who came up with that crazy idea?"

Sonny was focused on getting things done. No task was ever too big or important or too small for him. Stories abound about his tackling impossible immigration cases and solving them. He met my plane when he could have assigned it to someone else. Those 20 minute trips gave us uninterrupted time to talk, to catch up, and to tease one another about one thing or another.

Then there is Sonny's passion. Everyone has a story about how strongly Sonny Foster felt about each and every cause. He didn't suffer foolishness. He possessed the ability to sort things out. Not bashful, he told you what he thought and sometimes in colorful terms. Most of those terms cannot be repeated here. Some thought Sonny lacked patience. I see it the other way around. His dedication, his devotion to his work, his dogged perseverance manifested itself in bold and bombastic ways. When he cared, you knew it!

Underneath the bombast and the passion was a deep well of compassion. Sonny had a soft, caring side. I think today of all those constituents who benefited from his good work in our office. How he cared about their problems! He left an indelible impression.

An e-mail from a young TV reporter who has left Omaha for another market

wrote, "A few years ago, Sonny took time out of his schedule to talk with me about working in politics. I walked away from that evening knowing Sonny loved his job meeting and working for all Nebraskans and representing Gov./Sen. NELSON. I'll never forget his guidance, career advice and passion for his job."

What was an everyday meeting for Sonny made a lasting impression on this young man. Sonny had that affect on people.

I will be the first to admit that I wouldn't be standing here today after 15 years in elective office without Sonny. He had a political sense unmatched in Nebraska. He heard the rumblings long before the storms. He didn't need to poll anyone to determine the mood of the people. He just knew. His instincts were right on. And that's why people sought his opinion and listened when he spoke.

Mrs. Foster described the last time she was with Sonny as being "jolly." Have I mentioned that laugh? Sonny filled the room with his presence and his persona. It overflowed when he laughed that unique, infectious belly laugh. No one enjoyed a practical joke more than Sonny, except maybe me! I think Mrs. Foster will forever keep that wonderful memory of Sonny and by sharing it with all of us has given us a gift we should cherish.

Thank you Sonny, for all you did for me, for my family, and most important, for the State of Nebraska. The "good life" will not quite be the same without you.●

CELEBRATING THE OPENING OF THE UNIVERSITY OF CALIFORNIA, MERCED CAMPUS

● Mrs. BOXER. Mr. President, I rise to recognize the opening of the University of California, Merced, the first new University of California campus in 40 years.

The University of California, Merced is the 10th campus in the University of California system, widely renowned as one of the finest public university systems in the world. Merced, located in the heart of the San Joaquin Valley in Central California, was selected as the site of the new campus in 1995 after a thorough and competitive screening process that took 7 years and involved more than 80 different locations.

The 1,000 students in the inaugural 2005 class are a shining example of the diversity that is a great strength of California. Students from Del Norte to San Diego, and from the Pacific Coast to the Sierra Nevada, make up the diverse student body population. A significant number of the students are the first in their families to attend college and come from underrepresented ethnic or racial minority groups in the Central Valley.

The University of California, Merced will grow steadily in the coming years. Initially, the university will offer major degrees in nine different majors

from three disciplines: engineering, natural sciences, and social sciences, arts and humanities. Graduate degrees in the three major disciplines will also be available. Total enrollment is expected to reach 5,000 in 5 years and reach 25,000 in 2035. The number of academic programs and degree offerings will increase accordingly as the university grows.

The students, faculty, and staff of the inaugural UC Merced class deserve special praise for their vision as they take on the responsibility of building and expanding the 10th University of California to one that will some day be steep in tradition, history, and excellence. In due time, the students, faculty, and the staff of the first UC Merced class will be rightfully seen as pioneers to those who will follow in their path in the years and decades to come.

The opening of the University of California, Merced is made possible by the tireless work and dedication of scores of committed public officials, hard-working professionals, and determined citizens. Every person who has lent a helping hand to the UC Merced campus can take great pride in knowing that their hard work has resulted in greater opportunities for future generations of California students.

I congratulate the University of California, Merced on its opening, and wish its faculty, students and the community a bright future as they help make the Central Valley and California an even better place to live.●

CHARLES CITY, IOWA, REVITALIZATION

● Mr. HARKIN. Mr. President, one of the greatest challenges we face—not just in Iowa but all across America—is preserving the character and vitality of our small towns. This is about economics, but it is also about our culture and identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our family farms, and on Main Street in small communities all across my State. That's why we need to be as generous as possible—and creative as possible—in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I am involved in funding many hundreds of programs every year. But the Main Street Iowa program—providing challenge grants to revitalize downtown buildings across my State—is in a class by itself. It's smart. It's effective. And it touches communities and people in very concrete ways.

For example, the citizens of Charles City, IA, are revitalizing their downtown and inspiring new interest in fine arts. Charles City received a Main Street Challenge Grant to construct an elevator addition to the Charles City arts center, which is housed in a historic, city-owned building that was

originally a Carnegie Library. This elevator installation is the first phase of a project called "Expanding Accessibility to the Arts," which aims to increase the number of people who can experience the programs and services offered by the arts center. The next steps in the plan are to refurbish the building's workshop and classroom areas to provide wheelchair access and eliminate sources of allergic reaction, and to expand the arts center exhibits and programs to meet the needs of the entire community.

This Carnegie Library building has been the cultural center of the Charles City community since it was opened to the public in 1904. When much of the downtown was devastated by a tornado in 1968, the Carnegie building was miraculously spared. In 2004, the Carnegie Library celebrated its centennial anniversary.

The addition of an elevator, plus other changes to improve access for people with disabilities, will help to equip the Carnegie Library building for its next 100 years. As the principal author of the Americans with Disabilities Act, I am heartened to see more and more of our old, historic buildings being retrofitted to improve access for citizens with disabilities.

The beauty of the Main Street Iowa program is that the ideas and initiatives come from our small towns and rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Iowa Department of economic development provides technical assistance, but, as we have seen in Charles City, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

This project is demonstrates how renovations of old buildings can serve to jumpstart broader civic improvements. When people see one of the anchors of Main Street being renovated or expanded, this can change the whole psychology of a town or community. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes.

So I congratulate the citizens of Charles City for putting together a winning proposal to secure a Main Street Challenge Grant. Their efforts to reinvigorate the city's historic downtown and improve access for people with disabilities are setting a terrific example for other small towns across America—and for that, I salute them.●

ADEL, IOWA, REINVIGORATION

● Mr. HARKIN. Mr. President, one of the greatest challenges we face—not just in Iowa but all across America—is preserving the character and vitality of our small towns. This is about economics, but it is also about our culture and identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our

family farms, and on Main Street in small communities all across my State. That's why we need to be as generous as possible—and creative as possible—in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I'm involved in funding many hundreds of programs every year. But the Main Street Iowa program—providing challenge grants to revitalize downtown buildings across my State—is in a class by itself. It's smart. It's effective. And it touches communities and people in very concrete ways.

For example, Aubrey Dunbar and the citizens of Adel, IA are taking strides to improve commerce and aesthetics in their downtown area. Adel's Main Street revitalization efforts received a \$45,000 Main Street Challenge Grant in 2004 to be used toward the purchase and installation of an elevator in Aubrey Dunbar's Grandeur on the Square, a three story effort containing shops and a restaurant. Mr. Dunbar kept the historic charm of the older buildings by refurbishing rather than replacing the tin ceilings, and even maintained the old Masonic symbol on one of the buildings.

The beauty of the Main Street Iowa program is that the ideas and initiatives come from our small towns and rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Main Street programs of the Iowa Department of Economic Development help provide technical assistance, but, as we have seen in Adel, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

Projects like the restoration of the Grandeur on the Square in Adel leverage the spirit and morale of people in our small towns and local communities. Grandeur on the Square has drawn affluent shoppers into Adel and has benefited downtown businesses. An average of 200 people now go through downtown Adel daily as a result of the shopping and dining opportunities created by Mr. Dunbar. When people see one of the anchor businesses on Main Street being renovated or expanded, this can change the whole psychology of a town or community. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes.

I congratulate Aubrey Dunbar and the citizens of Adel for putting together a winning proposal to secure a Main Street Challenge Grant. Their efforts to reclaim their heritage and reinvigorate their historic downtown are setting a terrific example for other small towns across America, and for that, I salute them.●

BEDFORD, IOWA, RECLAIMING HISTORY

● Mr. HARKIN. Mr. President, one of the greatest challenges we face—not just in Iowa but all across America—is

preserving the character and vitality of our small towns. This is about economics, but it is also about our culture and identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our family farms, and on Main Street in small communities all across my State. That's why we need to be as generous as possible—and creative as possible—in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I'm involved in funding many hundreds of programs every year. But the Main Street Iowa program—providing challenge grants to revitalize downtown buildings across my state—is in a class by itself. It's smart. It's effective. It has a powerful multiplier effect. And it touches communities and people in very concrete ways.

For example, the citizens of Bedford, IA, have shown tremendous initiative in rescuing and restoring an important piece of their heritage, the Garland Hotel, formerly known as the Bedford House. This building and business has been a centerpiece in their downtown since 1857. The Garland Hotel was placed on the National Register of Historic Places by the National Park Service in 1977, but it fell into disrepair and closed in 1997.

The citizens of Bedford are now determined to restore the Garland Hotel its former glory, and they are doing so with the help of a Main Street Challenge Grant. The \$40,000 Main Street grant is not only helping the Garland Hotel, it's serving as a catalyst to mobilize the community and leverage additional funding. \$260,000 has been invested by private citizens and companies to see the project through its completion. The Main Street grant itself will be used to reinstall the hotel's historic columns, second floor balcony, and the original signage on the hotel's façade.

The beauty of the Main Street Iowa program is that the ideas and initiatives come from our small towns and rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The beauty of the Main Street Iowa program is that the ideas and initiatives come from our small towns and rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Main Street programs of the Iowa Department of Economic Development help provide technical assistance, but, as we have seen in Bedford, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

Projects like the restoration of the Garland Hotel in Bedford leverage the spirit and morale of people in our small towns and local communities. When people see one of the anchor businesses on Main Street being renovated or expanded, this can change the whole psy-

chology of a town or community. It sets a positive example. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes.

I congratulate the citizens of Bedford for putting together a winning proposal to secure a Main Street Challenge Grant. Their efforts to reclaim their heritage and reinvigorate their historic downtown are setting a terrific example for other small towns across America, and for that, I salute them.●

WATERLOO, IOWA, REVITALIZATION

● Mr. HARKIN. Mr. President, one of the greatest challenges we face—not just in Iowa but all across America—is preserving the character and vitality of our towns. This is about economics, but it is also about our culture and identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our family farms, and on Main Street in communities all across my State. That is why we need to be as generous as possible—and creative as possible—in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I am involved in funding many hundreds of programs every year. But the Main Street Iowa program—providing challenge grants to revitalize downtown buildings across my State—is in a class by itself. It is smart. It is effective, and it touches communities and people in very concrete ways.

For example, the citizens of Waterloo are in the process of reinvigorating their downtown district. With the support of a HUD challenge grant, National Trust for Historic Preservation, the city of Waterloo, and the local Main Street program, the Fowler Project in Waterloo will play a significant role in the revitalization of its central business district. Upon its completion, the project will encourage and inspire additional participation in the downtown effort, and serve as a progressive economic engine of culture, arts, and entertainment. This will support the synergy of young professionals, increase members of the creative class in the Cedar Valley, and provide an alternative commercial enterprise for the city. The Fowler Project will be an integral tool in remaking downtown Waterloo into a thriving cultural, civic, and commercial crossroads of the Midwest.

The beauty of the Main Street Iowa program is that the ideas and initiatives come from our towns and rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Main Street programs of the Iowa Department of Economic Development help provide technical assistance, but, as we have seen in Waterloo, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

This project is a shining example of new construction and a catalyst for future projects. When people see one of the anchors of Main Street being renovated or expanded, this can change the whole psychology of a town or community. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes.

So I congratulate the citizens of Waterloo for putting together a winning proposal to secure a Main Street Challenge Grant. Their efforts to reinvigorate their historic downtown are setting a terrific example for other towns across America, and for that, I salute them.●

VALLEY JUNCTION, IOWA, INNOVATIVE EXPANSION

● Mr. HARKIN. Mr. President, one of the greatest challenges we face—not just in Iowa but all across America—is preserving the character and vitality of our towns. This is about economics, but it is also about our culture and identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our family farms, and on Main Street in communities all across my State. That is why we need to be as generous as possible and creative as possible in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I am involved in funding many hundreds of programs every year. But the Main Street Iowa program—providing challenge grants to revitalize downtown buildings across my State—is in a class by itself. It's smart. It's effective. And it touches communities and people in very concrete ways.

For example, the citizens of Valley Junction, IA, have been working hard to make their area a true destination in central Iowa and a more vibrant community. With the help of a Main Street Iowa Challenge Grant, the Lagniappe in Valley Junction, a trendy boutique offering art, jewelry, gifts, accessories, and clothing with an emphasis on local artists is now expanding. The retail area will be expanded by approximately 1,000 square feet and will offer garden art, fountains, planters, wind chimes, and other outdoor accessories. The new addition will also add a social flare to the specialty shop with an outdoor seating area for 50 people. The second floor remodeling will allow expanded selection of wine and gourmet foods. The addition of a coffee/wine bar, featuring a beautifully preserved oak and marble bar, will provide an elegant conversation area with access to a rooftop garden. This New Orleans-style atmosphere is quite fitting for this boutique, named for the Creole term for “a little something extra”

This expansion project is mainly the brainchild of Caren Sturm, the owner of the Lagniappe. Her creative and innovative thinking serves as an inspira-

tion to the rest of Valley Junction, and the project itself will allow for expanded business hours, special events, private parties, and jazz music on a regular basis. This upwards expansion is an innovative solution to the lack of commercial space present in the Valley Junction area. It is a model for other proprietors to emulate, as demand for retail space far exceeds the availability of property. I salute Caren Sturm and the rest of Valley Junction for their hard work to maintain the status of their town as one of the best retail and downtown areas in Iowa.

The beauty of the Main Street Iowa program is that the ideas and initiatives come from local creativity. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Main Street programs of the Iowa Department of Economic Development help provide technical assistance, but, as we have seen in Valley Junction, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

This project is a shining example of new construction and a catalyst for future projects. When people see one of the anchors of Main Street being renovated or expanded, this can change the whole psychology of a town or community. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes.

So I congratulate Caren Sturm and the citizens of Valley Junction for putting together a winning proposal to secure a Main Street Challenge Grant. Their efforts to reinvigorate their historic downtown are setting a terrific example for other shopping districts across America, and for that, I salute them.●

STORY CITY, IOWA, DOWNTOWN INVESTMENT

● Mr. HARKIN. Mr. President, one of the greatest challenges we face—not just in Iowa but all across America—is preserving the character and vitality of our small towns. This is about economics, but it is also about our culture and identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our family farms, and on Main Street in small communities all across my State. That is why we need to be as generous as possible—and creative as possible—in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I am involved in funding many hundreds of programs every year. But the Main Street Iowa program providing challenge grants to revitalize downtown buildings across my State is in a class by itself. It is smart. It is effective. And it touches communities and people in very concrete ways.

For example, the citizens of Story City, IA, and the editor of the Story

City Herald, Eloise Thorson are making efforts to improve their downtown and spur investment in the area. Eloise and the Story City Herald received a Main Street Challenge Grant in 2003 to reclaim their old downtown location. In 1987, the building that had housed the Story City Herald was deemed unsafe for occupancy and demolished. Receipt of the \$25,000 Main Street Challenge Grant was the true catalyst to the reestablishment of the Story City Herald in its original location.

This positive change is causing more positive change, as vacancies in Story City's downtown are being filled and more building owners are taking interest in improving the look of their downtown. Community pride in the downtown is returning. Since becoming a Main Street Iowa Community in November of 2004, Story City's downtown has seen over \$4 million in private investment, as well as a net gain of 16 businesses and 46 jobs.

Eloise Thorson and the Main Street Challenge Grant gave a great deal back to the community by replacing a long vacant building lot with a magnificent piece of architecture, gracing Story City's “main” street. The community pride in this project is evident as pedestrians walk along Broad Street and stop to show off this new construction to visitors and tourists. Residents are proud to have this century-old business located back in the downtown district, renewing faith in the future of Story City.

The beauty of the Main Street Iowa program is that the ideas and initiatives come from our small towns and rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Main Street programs of the Iowa Department of Economic Development help provide technical assistance, but, as we have seen in Story City, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

This project is a shining example of new construction and a catalyst for future projects. When people see one of the anchors of Main Street being renovated or expanded, this can change the whole psychology of a town or community. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes.

So I congratulate Eloise Thorson and the citizens of Story City for putting together a winning proposal to secure a Main Street Challenge Grant. Their efforts to reinvigorate their historic downtown are setting a terrific example for other small towns across America, and for that, I salute them.●

SIGOURNEY, IOWA, IMPROVEMENTS

● Mr. HARKIN. Mr. President, one of the greatest challenges we face—not just in Iowa but all across America—is preserving the character and vitality of our small towns. This is about economics, but it is also about our culture and

identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our family farms, and on Main Street in small communities all across my State. That is why we need to be as generous as possible—and creative as possible—in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I'm involved in funding many hundreds of programs every year. But the Main Street Iowa program—providing challenge grants to revitalize downtown buildings across my State—is in a class by itself. It's smart. It's effective. And it touches communities and people in very concrete ways.

For example, the citizens of Sigourney, IA, have been working hard to improve the image and opportunities offered by their downtown. Forty thousand dollars was awarded to the Sigourney Main Street-Chamber in the form of a Main Street Challenge Grant. The money was used to renovate the building that now houses the Copper Lantern, a restaurant, and Van's Lofts. Each property is on a prominent corner in Sigourney's downtown. Van's Lofts will provide high quality residential living with four new rental units, and the Copper Lantern now offers another dining option.

The beauty of the Main Street Iowa program is that the ideas and initiatives come from our small towns and rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Main Street programs of the Iowa Department of Economic Development help provide technical assistance, but, as we have seen in Sigourney, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

This project is a shining example of new construction and a catalyst for future projects. When people see one of the anchors of Main Street being renovated or expanded, this can change the whole psychology of a town or community. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes. Both of these projects are cornerstones of community development, and serve as an inspiration to other property owners in the area.

I congratulate the citizens of Sigourney for putting together a winning proposal to secure a Main Street Challenge Grant. Their efforts to revitalize their historic downtown are setting a terrific example for other small towns across America, and for that, I salute them.●

JEWELL, IOWA, DOWNTOWN REINVIGORATION

● Mr. HARKIN. Mr. President, one of the greatest challenges we face not just in Iowa but all across America—is preserving the character and vitality of

our small towns. This is about economics, but it is also about our culture and identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our family farms and on Main Street in small communities all across my State. That is why we need to be as generous as possible and creative as possible in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I'm involved in funding many hundreds of programs every year. But the Main Street Iowa program providing challenge grants to revitalize downtown buildings across my state is in a class by itself. It's smart. It's effective. And it touches communities and people in very concrete ways.

For example, the town of Jewell, IA is taking great strides to renovate and reinvigorate their downtown area. With the assistance of a Main Street Challenge grant, Jewell is taking great strides to restore the vitality and beauty of their Main Street. One such project is at 632 Main Street, a building that has housed a bank, a millinery, a newspaper office, and a senior citizen center. Although the building has been vacant for a number of years, the Jewell Area Development Enterprise plans to return the building to its former grandeur thanks in part to a Main Street HUD Challenge Grant. The hopes and dreams of the original builders will once again be seen in Jewell's future through the renovated building that will hold prosperous businesses on the main floor and an apartment on the upper story. The city received \$40,000 through the Main Street Challenge program, and citizens have called that grant a catalyst for the renovation of 632 Main.

The beauty of the Main Street Iowa program is that the ideas and initiatives come from our small towns and rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Iowa Department of economic development provides technical assistance, but, as we have seen in Jewell, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

This project is a shining example of new construction and a catalyst for future projects. When people see one of the anchors of Main Street being renovated or expanded, this can change the whole psychology of a town or community. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes. This project serves as an impetus for further downtown renovation projects, and the interest to continue in the beautification and restoration of downtown Jewell was clear when I visited it in August.

I congratulate the citizens of Jewell for putting together a winning proposal to secure a Main Street Challenge Grant. Their efforts to reinvigorate

their historic downtown are setting a terrific example for other small towns across America, and for that, I salute them.●

GREENFIELD, IOWA, REVITALIZATION

● Mr. HARKIN. Mr. President, one of the greatest challenges we face not just in Iowa but all across America—is preserving the character and vitality of our small towns. This is about economics, but it is also about our culture and identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our family farms, and on Main Street in small communities all across my State. That is why we need to be as generous as possible—and creative as possible—in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I am involved in funding many hundreds of programs every year. But the Main Street Iowa program providing challenge grants to revitalize downtown buildings across my State—is in a class by itself. It is smart. It is effective. And it touches communities and people in very concrete ways.

For example, the citizens of Greenfield, IA, have been working hard to improve their downtown and their cultural opportunities. Main Street Greenfield was awarded a \$30,000 Main Street Challenge Grant for the E.E. Warren Opera House Association to install an elevator. The \$150,000 project was completed in July of this year. Other investments in the building have included weather proofing, outside façade improvements, and interior rehabilitation including theater restoration, installation of restrooms, mechanical and electrical systems, remodeling, and decorating. The Opera House, which is listed on the National Register of Historic Places, offers both historic and sentimental value to the Greenfield community. The physical size of the building and its architectural significance enhance the aesthetics of their public square. The Opera House itself serves as a social center for the arts, and as a site for community dances, theater performances, and meetings providing education in rural—folk—cultural, and fine arts. It also serves to draw business to Greenfield by increasing activity on the town square.

The beauty of the Main Street Iowa program is that the ideas and initiatives come from our small towns and rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Main Street programs of the Iowa Department of Economic Development help provide technical assistance, but, as we have seen in Greenfield, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

This project is a shining example of new construction and a catalyst for future projects. When people see one of the anchors of Main Street being renovated or expanded, this can change the whole psychology of a town or community. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes.

The addition of an elevator will improve access for people with disabilities and will equip the Opera House for its next 100 years. As the principal author of the Americans with Disabilities Act, I am heartened to see more and more of our old, historic buildings being retrofitted to improve access for citizens with disabilities.

So I congratulate the citizens of Greenfield for putting together a winning proposal to secure a Main Street Challenge Grant. Their efforts to reinvigorate their historic downtown are setting a terrific example for other small towns across America, and for that, I salute them.●

ELKADER, IOWA, RESTORATION

● Mr. HARKIN. Mr. President, one of the greatest challenges we face—not just in Iowa but all across America—is preserving the character and vitality of our small towns. This is about economics, but it is also about our culture and identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our family farms, and on Main Street in small communities all across my State. That's why we need to be as generous as possible—and creative as possible—in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I'm involved in funding many hundreds of programs every year. But the Main Street Iowa program—providing challenge grants to revitalize downtown buildings across my state—is in a class by itself. It's smart. It's effective. And it touches communities and people in very concrete ways.

For example, the citizens of Elkader restored and reopened one of the cornerstones of their town, the Elkader Cinema. The Elkader Cinema, formerly known as the "Circle Theatre," was repaired with the assistance of a Main Street Challenge Grant. The faded, broken marquee and dilapidated building were sad focal points in Elkader's downtown, and the entire building was on the verge of demolition when the citizens of Elkader formed a special committee to spearhead the reopening the theatre. The committee was awarded a Main Street Challenge Grant of nearly \$50,000. Without the grant from Main Street Iowa, the private party who purchased and renovated the theatre building most likely would not have undertaken the project, as it would have been too risky.

The theatre is now a thriving business. It is open seven days a week, and

attendance has proven the seven-day-a-week schedule to be worthwhile. The theatre has had a very positive impact on other downtown businesses as well, bringing customers from all over Clayton County into Elkader. This project has been a tremendous success for Elkader, Clayton County and Main Street Iowa.

The beauty of the Main Street Iowa program is that the ideas and initiatives come from our small towns and rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Main Street programs of the Iowa Department of Economic Development help provide technical assistance, but, as we have seen in Elkader, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

This project is a shining example of new construction and a catalyst for future projects. When people see one of the anchor businesses on Main Street being renovated or expanded, this can change the whole psychology of a town or community. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes.

I congratulate the citizens of Elkader for putting together a winning proposal to secure a Main Street Challenge Grant. Their efforts to reinvigorate their historic downtown are setting a terrific example for other small towns across America, and for that, I salute them.●

DUBUQUE, IOWA, DOWNTOWN REVITALIZATION

● Mr. HARKIN. Mr. President, one of the greatest challenges we face—not just in Iowa but all across America—is preserving the character and vitality of our towns. This is about economics, but it is also about our culture and identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our family farms, and on Main Street in communities all across my State. That is why we need to be as generous as possible—and creative as possible—in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I am involved in funding many hundreds of programs every year. But the Main Street Iowa program—providing challenge grants to revitalize downtown buildings across my State—is in a class by itself. It's smart. It's effective. And it touches communities and people in very concrete ways.

For example, the citizens of Dubuque, IA are showing much initiative in restoring and renovating their downtown area. Dubuque actually received two Main Street Challenge Grants for their downtown; one to restore a six-building, 30-residential unit, 13-store-front neighborhood, and one to revive a landmark building downtown.

The Upper Main Revitalization project started as a two-building rehab, and has since expanded to six buildings. Marking an important gateway into Dubuque's downtown district, Upper Main, arguably the neediest district in the city center, will be taken from one of the most blighted blocks remaining in downtown Dubuque to one of the most refreshed, vibrant stretches of street in the district. This project will put the second and third floors of these buildings back into residential use for the first time in more than 30 years. Momentum is already growing in this district as a result of this project.

The second grant will be used to renovate and restore the Old German Bank, whose most recent incarnation was as the Silver Dollar Cantina. This building is an extremely significant structure in the oldest Historic District in Dubuque. The building suffered a double hit 3 1/2 years ago when the sandy soil in the Main Street area settled, causing cracks in the building. This halted business for several months. Then a few months after it reopened, a fire totaled the building. The Silver Dollar Cantina was popular long before the Old Main district was considered to be trendy, so it was a considerable loss to the downtown area when it was forced to close. With the use of their Main Street Grant, the Silver Dollar will open again, filling the niche of a popular lunchtime spot and even more popular nightclub. This grant is serving to preserve a true anchor of the community.

The beauty of the Main Street Iowa program is that the ideas and initiatives come from our towns and rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Main Street programs of the Iowa Department of Economic Development help provide technical assistance, but, as we have seen in Dubuque, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

This project is a shining example of new construction and a catalyst for future projects. When people see the anchors on Main Street being renovated or expanded, this can change the whole psychology of a town or community. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes.

So I congratulate the citizens of Dubuque for putting together winning Main Street proposals. Their efforts to reinvigorate their historic downtown are setting a terrific example for other small towns across America, and for that, I salute them.●

CENTRAL CITY, IOWA, DOWNTOWN REVITALIZATION

● Mr. HARKIN. Mr. President, one of the greatest challenges we face—not just in Iowa but all across America—is preserving the character and vitality of

our towns. This is about economics, but it is also about our culture and identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our family farms and on Main Street in communities all across my State. That is why we need to be as generous as possible—and creative as possible—in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I'm involved in funding many hundreds of programs every year. But the Main Street Iowa program—providing challenge grants to revitalize downtown buildings across my state—is in a class by itself. It's smart. It's effective. And it touches communities and people in very concrete ways.

For example, the citizens of Central City, IA, are making efforts to improve their downtown areas. Central City received a \$50,000 Main Street Challenge Grant in 2002, and has since put that money to use renovating 4 different buildings.

This first project was built in 1914 as a bank, but housed taverns and bars for more than 60 years. It was vacant for 15 years before renovation, and is now in use as an art and gift center. It was the winner of a 2004 Main Street Iowa Award for best total rehabilitation of a small building.

The next project allowed an international shipping and marketing service company, to repair and re-paint the façade of their building, improving the roof, decking, masonry, and parapets.

The third project, the McShane Annex, has been empty since 1989 when a fire destroyed the interior of the building. Using the Main Street Grant, the building's renovation included a new rubber roof, removal of warped plywood covering on the windows, an installation of energy efficient windows, and a restoration of the historic storefront of the two-story, brick Victorian commercial building. The building is now the home of Timeless Treasures, an Americana retail store.

The final project is the renovation of the former Mills Hardware building, another two story, brick Victorian commercial structure. This building was vacant for 10 years. Rear windows were broken and the upstairs had become the home for nesting birds, but with the help of the Main Street grant, the building quickly turned into the home of Aragon Mortgage and Aragon Medical Equipment. Improvements and renovations to the building included the installation of a new roof, repair of the masonry, a paint job for the wood trim, the decorative metal window cornices, and the roof parapet, the addition of an ADA-compliant entrance, the creation of a new housing for the freight elevator, and the installation of more than 20 energy-efficient windows.

The beauty of the Main Street Iowa program is that the ideas and initiatives come from our small towns and

rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Main Street programs of the Iowa Department of Economic Development help provide technical assistance, but, as we have seen in Central City, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

These projects are a shining example of new construction and a catalyst for future projects. When people see the anchor businesses on Main Street being renovated or expanded, this can change the whole psychology of a town or community. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes and future development.

I congratulate the citizens of Central City for putting together winning proposals to secure Main Street Challenge Grants. Their efforts to reinvigorate their historic downtown are setting a terrific example for other small towns across America, and for that, I salute them.●

CEDAR FALLS, IOWA

● Mr. HARKIN. Mr. President, one of the greatest challenges we face—not just in Iowa but all across America—is preserving the character and vitality of our towns. This is about economics, but it is also about our culture and identity. After all, you won't find the heart and soul of Iowa at Wal-Mart or Home Depot out in the strip malls. No, the heart and soul of Iowa is in our family farms and on Main Street in communities all across my State. That is why we need to be as generous as possible and creative as possible in keeping our downtowns not just alive but thriving.

As a member of the Senate Appropriations Committee, I'm involved in funding many hundreds of programs every year. But the Main Street Iowa program—providing challenge grants to revitalize downtown buildings across my state—is in a class by itself. It's smart. It's effective. And it touches communities and people in very concrete ways.

An example of this effect can be found in the efforts of the citizens of Cedar Falls to restore and reinvigorate their downtown area. Downtown Cedar Falls pursued the Challenge Grant opportunity from Main Street Iowa on behalf of two projects: The Black Hawk Hotel, which is the oldest continuously running hotel in the state of Iowa; and the Jiva Salon spa building. Both buildings received dramatic façade improvements that restored the buildings to their intended looks, and as a result contributed to the success of the businesses that occupy them. The hotel also renovated its interior, adding a barber shop, an evening lounge, 24 luxury suites, a deli, and a sushi bar, and the salon now houses a first class spa that attracts a regional audience.

Downtown Cedar Falls is a newly recognized Cultural District by the Iowa

Department of Cultural Affairs, and that designation resulted in part from the impact of these two projects along with the other investments encouraged through their initiative. The beauty of the Main Street Iowa program is that the ideas and initiatives come from our towns and rural communities. I have been pleased to secure \$1.5 million in funding since 2002 for Main Street Iowa Challenge Grants. The Main Street programs of the Iowa Department of Economic Development help provide technical assistance, but, as we have seen in Cedar Falls, success itself comes from local leadership, local teamwork, and home-grown ideas and solutions.

This project is a shining example of new construction and a catalyst for future projects. When people see one of the anchor businesses on Main Street being renovated or expanded, this can change the whole psychology of a town or community. It offers hope. It serves as a catalyst for a far-reaching ripple effect of positive changes.

I congratulate the citizens of Cedar Falls for putting together a winning proposal to secure a Main Street Challenge Grant. Their efforts to revitalize their historic downtown are setting a terrific example for other towns across America, and for that, I salute them.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

At 12:08 p.m., a message from the House of Representatives, delivered by Mr. Croatt, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3169. An act to provide the Secretary of Education with waiver authority for students who are eligible for Pell Grants who are adversely affected by a natural disaster.

H.R. 3650. An act to allow United States courts to conduct business during emergency conditions, and for other purposes.

The message also announced that the House has agreed to the following resolution:

H. Res. 422. Resolution expressing the profound sorrow of the House of Representatives on the death of the Honorable William H. Rehnquist, Chief Justice of the United States.

The message further announced that the House has passed the following

joint resolution without amendment and with an amendment to the preamble:

S. J. Res. 19. Joint resolution calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act.

The message also announced that the House has agreed to the following concurrent resolution, without amendment:

S. Con. Res. 52. Concurrent resolution providing for the use of the catafalque situated in the crypt beneath the Rotunda of the Capitol in connection with memorial services to be conducted in the Supreme Court Building for the late honorable William H. Rehnquist, Chief Justice of the United States.

At 5: 18 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3668. An act to provide the Secretary of Education with waiver authority for students who are eligible for Federal student grant assistance who are adversely affected by a major disaster.

H.R. 3669. An act to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program.

H.R. 3672. An act to provide assistance to families affected by Hurricane Katrina, through the program of block grants to states for temporary assistance for needy families.

H.R. 3673. An act making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.

ENROLLED BILL SIGNED

The message further announced that the Speaker has signed the following enrolled bill:

H.R. 3650. An act to allow United States courts to conduct business during emergency conditions, and for other purposes.

The enrolled bill was signed subsequently by the Acting President pro tempore (Mr. SUNUNU).

At 8: 12 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3673. An act making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, and for other purposes.

Under authority of the order of September 8, 2005, the enrolled bill was signed on today, September 8, 2005, by the Majority Leader (Mr. FRIST).

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3600. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (331)" ((RIN2120-AA65)(2005-0021)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3601. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (81)" ((RIN2120-AA65)(2005-0020)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3602. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments (117)" ((RIN2120-AA65)(2005-0022)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3603. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "IFR Altitudes; Miscellaneous Amendments (16)" ((RIN2120-AA63)(2005-0004)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3604. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "IFR Altitudes; Miscellaneous Amendments (62)" ((RIN2120-AA63)(2005-0005)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3605. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Change of Controlling Agency for Restricted Area R-2531; Tracy, CA" ((RIN2120-AA66)(2005-0180)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3606. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Compulsory Reporting Point; MT" ((RIN2120-AA66)(2005-0187)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3607. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification and Revocation of Federal Airways; AK; CORRECTION" ((RIN2120-AA66)(2005-0188)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3608. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Stage 4 Aircraft Noise Standards; Docket No. FAA-2003-16523; CORRECTION" ((RIN2120-AH99)(2005-0002)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3609. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Harmonization of Noise Certification Standards for Propeller-Driven Small Airplanes" (RIN2120-AI25) received on Au-

gust 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3610. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Second-in-Command Pilot Type Rating" (RIN2120-AI38) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3611. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Legal Description of the Class E Airspace; Columbia Regional Airport, MO" ((RIN2120-AA66)(2005-0166)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3612. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class D and Class E Airspace; Topeka, Forbes Field, KS" ((RIN2120-AA66)(2005-0177)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3613. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class D and Class E Airspace; Salina Municipal Airport, KS" ((RIN2120-AA66)(2005-0185)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3614. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification and Revocation of Federal Airways; AK; CORRECTION" ((RIN2120-AA66)(2005-0178)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3615. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Legal Description of Class C and Class E Airspace; Lincoln, NE" ((RIN2120-AA66)(2005-0186)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3616. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Area Navigation Routes; AK; CORRECTION" ((RIN2120-AA66)(2005-0174)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3617. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E2 Airspace; and Modification of Class E5 Airspace; Storm Lake, IA" ((RIN2120-AA66)(2005-0181)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3618. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace; Pascagoula, MS" ((RIN2120-AA66)(2005-0191)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3619. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class D Airspace;

Front Range Airport, Denver, CO" ((RIN2120-AA66)(2005-0189)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3620. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Aspen, CO" ((RIN2120-AA66)(2005-0170)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3621. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Mariposa, CA" ((RIN2120-AA66)(2005-0169)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3622. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment of Class E Airspace; Chalkyitsik, AK; CORRECTION" ((RIN2120-AA66)(2005-0173)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3623. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revocation of Restricted Area R-7104; Vieques Island, PR" ((RIN2120-AA66)(2005-0190)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3624. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of VOR Federal Airway V-537" ((RIN2120-AA66)(2005-0176)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3625. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of VOR Federal Airways V-9, V-50, V-67, V-69, V-129, V-173, and V-233; and Jet Routes J-35, J-80, J-101, and J-137; Springfield, IL" ((RIN2120-AA66)(2005-0192)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3626. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Revision of Class E Airspace; Emmonak, AK" ((RIN2120-AA66)(2005-0172)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3627. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Blairstown, NJ" ((RIN2120-AA66)(2005-0168)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3628. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Brunswick, ME; CORRECTION" ((RIN2120-AA66)(2005-0179)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3629. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, trans-

mitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Mead Municipal Airport, KS" ((RIN2120-AA66)(2005-0171)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3630. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Newton City-County Airport, KS" ((RIN2120-AA66)(2005-0167)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3631. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Washington, MO" ((RIN2120-AA66)(2005-0175)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3632. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Dodge City Regional Airport, KS" ((RIN2120-AA66)(2005-0184)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3633. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Norfolk, NE" ((RIN2120-AA66)(2005-0183)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3634. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Modification of Class E Airspace; Abilene Municipal Airport, KS" ((RIN2120-AA66)(2005-0182)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3635. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Bombardier Model CL-600-1A11 (CL-600), Model CL-600-2A12 (CL-601), and Model CL-600-2B16 (CL-601-3A, CL-601-3R, and CL-604) Airplanes" ((RIN2120-AA64)(2005-0375)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3636. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Rolls Royce plc RB211-524 Series Turbofan Engines" ((RIN2120-AA64)(2005-0374)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3637. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model DC-10-10, DC-10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A and KDC-10), DC-10-40, DC-10-40F, MD-10-10F, MD-10-30F, MD-11 and MD-11F Airplanes" ((RIN2120-AA64)(2005-0373)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3638. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A320-111 Airplanes and Model A320-200

Series Airplanes" ((RIN2120-AA64)(2005-0372)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3639. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Empresa Brasileira de Aeronautica S.A. (EMBRAER) Model EMB-135 Airplanes, and Model EMB-145, -145ER, -145MR, -145LR, -145XR, -145MP, -145EP Airplanes" ((RIN2120-AA64)(2005-0371)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3640. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Lockheed Model L-1011-385 Series Airplanes" ((RIN2120-AA64)(2005-0370)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3641. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Airbus Model A300 B4-600, B4-600R, and F4-600R Series Airplanes, and Model A300 C4-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes)" ((RIN2120-AA64)(2005-0369)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3642. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 747-200C and 747-200F Series Airplanes" ((RIN2120-AA64)(2005-0368)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3643. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Boeing Model 727, 727C, 727-100, 727-100C, 727-200, and 727-200F Series Airplanes" ((RIN2120-AA64)(2005-0382)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

EC-3644. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: McDonnell Douglas Model DC-8-11, DC-8-12, DC-8-21, DC-8-31, DC-8-32, DC-8-33, DC-8-41, DC-8-42, DC-8-43, DC-8F-54, and DC-8F-55 Airplanes; and DC-8-50, DC-8-60, DC-8-60F, DC-8-70 and DC-8-70F Series Airplanes" ((RIN2120-AA64)(2005-0383)) received on August 17, 2005; to the Committee on Commerce, Science, and Transportation.

REPORT ON THE SUSPENSION OF SUBCHAPTER IV OF CHAPTER 31 OF TITLE 40, UNITED STATES CODE, WITHIN A LIMITED GEOGRAPHIC AREA IN RESPONSE TO THE NATIONAL EMERGENCY CAUSED BY HURRICANE KATRINA—PM 20

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Health, Education, Labor, and Pensions:

To the Congress of the United States:

I hereby report that I have exercised my statutory authority under section 3147 of title 40, United States Code, to suspend the provisions of 40 U.S.C. 3141–3148 in the event of a national emergency. I have found that the conditions caused by Hurricane Katrina constitute a “national emergency” within the meaning of section 3147. I have, therefore, suspended the provisions of 40 U.S.C. 3141–3148 in designated areas in the States of Alabama, Florida, Louisiana, and Mississippi.

This action is more fully set out in the enclosed proclamation that I have issued today.

GEORGE W. BUSH.

THE WHITE HOUSE, September 8, 2005.

REPORT ON THE CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO CERTAIN TERRORIST ATTACKS—PM 21

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Banking, Housing, and Urban Affairs:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act, 50 U.S.C. 1622(d), provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. Consistent with this provision, I have sent to the *Federal Register* the enclosed notice, stating that the emergency declared with respect to the terrorist attacks on the United States of September 11, 2001, is to continue in effect for an additional year.

The terrorist threat that led to the declaration on September 14, 2001, of a national emergency continues. For this reason, I have determined that it is necessary to continue in effect after September 14, 2005, the national emergency with respect to the terrorist threat.

GEORGE W. BUSH.

THE WHITE HOUSE, September 8, 2005.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. LOTT, from the Committee on Rules and Administration:

Special Report entitled “Review of Legislative Activity During the 108th Congress” (Rept. No. 109–135).

The following reports are for nominees discharged from the Committee on Foreign Relations and confirmed on Friday, July 29, 2005:

William Robert Timken, Jr., of Ohio, to be Ambassador to the Federal Republic of Germany.

Nominee: William R. Timken, Jr.

Post: Ambassador to Germany.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributor: Self (William R. Timken, Jr.)—

Contributions to non-federal “exempt from limits” committees: Amount, date, donee: \$900, 1/24/01, RNC—Republican Nat. State Elections Committee; \$4,122, 1/24/01, RNC—Republican Nat. State Elections Committee; \$30,000, 4/26/01, RNC—Republican Nat. State Elections Committee; \$40,000, 10/10/02, RNC—Republican Nat. State Elections Committee; \$5,000, 4/25/01, Nat. Republican Congressional Comm.—Non-Fed. #2.

Contributions to Federal political committees: Amount, date, donee: \$1,000, 11/6/01, Elizabeth Dole Committee, Inc.; \$1,000, 10/11/02, Elizabeth Dole Committee, Inc.; \$2,499, 6/30/01, Timken Company Good Government Fund; \$3,745, Year 2002, Timken Company Good Government Fund; \$5,000, 4/10/01, Ohio's 17 Star PAC; \$5,000, 4/22/02, Ohio's 17 Star PAC; \$5,000, 8/18/03, Ohio's 17 Star PAC; \$1,000, 3/11/03, Mike DeWine for U.S. Senate; \$1,000, 3/4/04, Mike DeWine for U.S. Senate; \$2,000, 3/4/04, Mike DeWine for U.S. Senate; \$1,000, 8/16/01, Voinovich for Senate Committee; \$1,000, 8/16/01, Voinovich for Senate Committee; \$1,000, 6/21/03, Voinovich for Senate Committee; \$1,000, 6/21/03, Voinovich for Senate Committee; \$1,000, 11/9/01, Collins for Senate; \$1,000, 9/6/02, Turner for Congress; \$8,500, 6/9/03, National Republican Senatorial Committee; \$8,500, 6/20/03, National Republican Congressional Committee; \$1,000, 8/27/03, Bill McCollum for U.S. Senate; \$2,000, 6/2/03, Bush-Cheney '04 (primary); \$5,000, 12/31/03, Care Political Action Committee; \$1,500, 1/25/01, Stark County Republican Party; \$1,500, 2/21/02, Stark County Republican Party; \$2,000, 2/20/03, Stark County Republican Party; \$1,500, 10/24/03, Stark County Republican Party; \$20,000, 12/19/01, Republican National Committee; \$20,000, 12/22/03, Republican National Committee; \$1,000, 2/22/02, Rely on Your Belief Fund; \$1,000, 6/12/02, Ohio's Republican Salute.

Contributor: Spouse (Sue S. Timken)—

Contributions to Federal political committees: Amount, date, donee: \$1,000, 12/28/01, Elizabeth Dole Committee; \$1,000, 12/27/01, Voinovich for Senate Committee; \$1,000, 12/27/01, Voinovich for Senate Committee; \$1,000, 6/21/03, Voinovich for Senate Committee; \$1,000, 6/21/03, Voinovich for Senate Committee; \$2,000, 6/2/03, Bush-Cheney '04 (primary); \$5,000, 12/31/03, Care Political Action Committee; \$1500, 1/26/01, Stark County Republican Party; \$20,000, 12/22/03, Republican National Committee; \$1,000, 3/11/03, Mike DeWine for U.S. Senate; \$1,000, 3/4/04, Mike DeWine for U.S. Senate; \$25,000, 7/26/04, Northern Ohio Victory Committee; \$30,000, 7/28/04, 2004 Joint Candidate Committee; \$7,000, 7/28/04, 2004 Joint State Victory Committee; \$2,000, 9/17/04, Bush-Cheney '04 Compliance Committee.

Children and Spouses: Kristen C. Timken—none.

Contributor: H.H. Timken, II (son)—

Contributions to Federal political committees: Amount, date, donee: \$1,000, 11/1/01, Elizabeth Dole Committee; \$5,000, 3/18/04, Care Political Action Committee; \$2,000, 6/30/03, Bush-Cheney '04 (primary).

Contributor: William R. Timken, III (son)—

Contributions to Federal political committees: Amount, date, donee: \$500, 8/16/04, Republican National Committee; \$2,000, 9/30/04, Voinovich for Senate Committee.

Contributor: Mark P. Timken (son)—

Contributions to Federal political committees: Amount, date, donee: \$500, 6/30/04, John Kerry for President.

Spouses: Lydia Timken—none; Heather Timken—none.

Contributor: Brice W. Karsh (stepson)—

Contributions to Federal political committees: Amount, date, donee: \$2,000, 6/23/03, Bush-Cheney '04 (primary).

Contributor: Frances M. Karsh (step-daughter)—

Contributions to Federal political committees: Amount, date, donee: \$2,000, 10/29/03, Bush-Cheney '04 (primary).

Contributor: Catherine Boisvert (step-daughter-in-law)—

Contributions to Federal political committees: Amount, date, donee: \$2,000, 5/12/04, Bush-Cheney '04 (primary).

Parents: William R. Timken—deceased 1995—none.

Contributor: Mary J. Timken (mother)—deceased 2004—

Contributions to non-Federal “exempt from limits” committees: Amount, date, donee: \$10,000, 4/25/01, Nat. Republican Congressional Comm.—Non-Fed. #2; \$20,000, 12/19/01, RNC—Republican Nat. State Elections Committee; \$40,000, 10/10/02, RNC—Republican Nat. State Elections Committee.

Contributions to Federal political committees: Amount, date, donee: \$1000, 11/6/01, Elizabeth Dole Committee; \$1000, 10/11/02, Elizabeth Dole Committee; \$2000, 3/4/04, Mike DeWine for U.S. Senate; \$2000, 3/4/04, Mike DeWine for U.S. Senate; \$1000, 11/9/01, Collins for Senate; \$1000, 8/16/01, Voinovich for Senate Committee; \$1000, 8/16/01, Voinovich for Senate Committee; \$1000, 6/21/03, Voinovich for Senate Committee; \$2000, 6/2/03, Bush-Cheney '04 (primary); \$9000, 6/9/03, National Republican Senatorial Committee; \$9000, 6/20/03, National Republican Congressional Committee; \$5000, 9/30/03, Care Political Action Committee; \$5000, 4/30/04, Care Political Action Committee; \$2000, 1/25/01, Stark County Republican Party; \$2000, 2/21/02, Stark County Republican Party; \$2000, 2/20/03, Stark County Republican Party; \$1500, 10/24/03, Stark County Republican Party; \$20,000, 4/27/01, Republican National Committee; \$10,000, 12/22/03, Republican National Committee; \$10,000, 9/24/03, Ohio State Central & Executive Committee.

Grandparents: H.H. Timken—(deceased 1940)—none; Edith K. Timken—(deceased 1948)—none; Ward B. Jackson—(deceased 1930)—none; Maude B. Jackson—(deceased 1943)—none.

Contributor: Ward J. Timken (brother)—

Contributions to Federal political committees: Amount, date, donee: \$5,000, 12/31/03, Care Political Action Committee; \$1,000, 10/22/01, Elizabeth Dole Committee; \$1,000, 10/11/02, Elizabeth Dole Committee; \$2,000, 2/19/04, Mike DeWine for U.S. Senate; \$1,000, 8/16/01, Voinovich for Senate Committee; \$1,000, 6/25/03, Voinovich for Senate Committee; \$1,000, 6/25/03, Voinovich for Senate Committee; \$250, 12/10/02, Regula for Congress; \$1,000, 11/9/01, Collins for Senator; \$2,000, 6/6/03, Bush-Cheney '04 (primary); \$1,500, 3/9/01, Stark County Republican Party; \$1,000, 9/17/03, Stark County Republican Party; \$1,500, 10/24/03, Stark County Republican Party; \$1,800, 6/30/01, Timken Company Good Government Fund; \$2,700, Year 2002, Timken Company Good Government Fund; \$1,800, 12/31/03, Timken Company Good Government Fund; \$25,000, 7/26/04, Northern Ohio Victory Committee; \$23,000, 8/2/04, 2004 Joint State Victory Committee; \$24,000, 8/2/04, 2004 Joint State Candidate Committee.

Contributor: Joy A. Timken (sister-in-law)—

Contributions to Federal political committees: Amount, date, donee: \$1,000, 12/28/01,

Elizabeth Dole Committee; \$250, 9/30/04, Care Political Action Committee; \$1,000, 12/27/01, Voinovich for Senate Committee; \$1,000, 12/27/01, Voinovich for Senate Committee; \$1,000, 9/30/04, Voinovich for Senate Committee; \$2,000, 6/6/03, Bush-Cheney '04 (primary); \$1,500, 4/6/01, Stark County Republican Party; \$4,500, 10/11/04, Stark County Republican Party; \$25,000, 7/29/04, Northern Ohio Victory Committee.

Sister and Spouse: Edith M. Timken (Wilkins)—none; Anthony Wilkins—none.

William J. Burns, of the District of Columbia, to be Ambassador to the Russian Federation.

Nominee: William J. Burns.

Post: Ambassador to Russia.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, donee:

1. Self: William J. Burns—none.
2. Spouse: Lisa A. Carty—none.
3. Children and Spouses: Elizabeth Burns—none; Sarah Burns—none.
4. Parents: William F. Burns—none; Margaret C. Burns—none.
5. Grandparents: William H. Burns (deceased); Eleanor Burns (deceased); John Cassidy (deceased); Mary Cassidy (deceased).
6. Brothers and Spouses: John R. Burns—none; Ann Davis Burns—none; Mark E. Burns—none; Jennifer Burns—none; Robert P. Burns—none; Vicki Burns—none.

Richard Henry Jones, of Nebraska, to be Ambassador to Israel.

Nominee: Richard Henry Jones.

Post: Ambassador to Israel.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, donee:

1. Self: none.
2. Spouse: none.
3. Children and Spouses: Joseph A.W. Jones—none; Vera E.W. Jones—none; R. Benjamin W. Jones—none; M. Hope W. Jones—none.
4. Parents: Dailey M. Jones (deceased); Sara N. Jones (deceased).
5. Grandparents: Mr. and Mrs. B.O. Jones (both deceased); Mr. and Mrs. J.A. Nall (both deceased).
6. Sisters and Spouses: Dailey M. Jones II—\$100, August 2004 George W. Bush; (spouse) Irene Jones—none; Joseph N. Jones—(deceased).

Francis Joseph Ricciardone, Jr., of New Hampshire, to be Ambassador to the Arab Republic of Egypt.

Nominee: Francis Joseph Ricciardone, Jr.

Post: U.S. Embassy, Cairo.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, amount, date, donee:

1. Self: 0.
2. Spouse: 0.
3. Children and Spouses: Marie Dunn Ricciardone, Francesca Mara Ricciardone, Chiara Teresa Ricciardone—0.
4. Parents: Francis J. Ricciardone (mother, deceased)—0.

5. Grandparents: (deceased)—0.

6. Brothers and Spouses: Michael and Elizabeth Ricciardone; James and Lisa Ricciardone; David and Beverly Ricciardone—0.

7. Sisters and Spouses: Dr. Marguerite Ricciardone Stone and Dr. David R. Stone; Theresa Ricciardone Thayer and Peter Thayer—0.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of committee was submitted:

By Mr. SPECTER for the Committee on the Judiciary.

Kenneth L. Wainstein, of Virginia, to be United States Attorney for the District of Columbia for the term of four years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. SMITH:

S. 1632. A bill to amend the Internal Revenue Code of 1986 to provide a special depreciation allowance for certain property acquired during the 3-year period beginning August 29, 2005; to the Committee on Finance.

By Mr. TALENT (for himself and Mr. BOND):

S. 1633. A bill to allow law enforcement officers to represent themselves as minors on the Internet to better protect America's children from sexual predators; to the Committee on the Judiciary.

By Mr. FRIST (for Mr. VITTER (for himself, Ms. LANDRIEU, Mr. SPECTER, Mr. LEAHY, Mr. COCHRAN, Mr. CORNYN, Mr. HATCH, Mr. LOTT, Mr. SESSIONS, Mr. GRASSLEY, and Mr. KYL)):

S. 1634. A bill to allow United States courts to conduct business during emergency conditions, and for other purposes; considered and passed.

By Mr. LAUTENBERG (for himself, Mr. MARTINEZ, and Mr. LIEBERMAN):

S. 1635. A bill to establish ocean bottom trawl areas in which trawling is permitted, to protect deep sea corals and sponges, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. DURBIN (for himself, Mr. TALENT, Mr. OBAMA, and Mr. BOND):

S. 1636. A bill to provide agricultural disaster assistance to producers on a farm that incurred qualifying crop or quality losses for the 2005 crop due to damaging weather or related condition, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. REID (for himself, Ms. LANDRIEU, Mr. OBAMA, Ms. MIKULSKI, Mr. KENNEDY, Mr. LIEBERMAN, Mr. ROCKEFELLER, Ms. STABENOW, Mr. LAUTENBERG, Ms. CANTWELL, Mr. LEVIN, Mr. DURBIN, Mr. JOHNSON, Mr. REED, Mr. CORZINE, Mr. BAUCUS, Mr. SALAZAR, Mrs. FEINSTEIN, Mrs. BOXER, Mr. DORGAN, and Mr. BIDEN):

S. 1637. A bill to provide emergency relief to meet the immediate needs of survivors of Hurricane Katrina for health care, housing, education, and financial relief, and for other purposes; to the Committee on Finance.

By Mr. OBAMA:

S. 1638. A bill to provide for the establishment of programs and activities to assist in mobilizing an appropriate healthcare workforce in the event of a health emergency or natural disaster; to the Committee on Health, Education, Labor, and Pensions.

By Mr. STEVENS (for himself, Mr. BAUCUS, Mr. INOUE, Mr. GRASSLEY, Mr. THOMAS, Ms. MURKOWSKI, Ms. MIKULSKI, Mr. DOMENICI, Mr. COCHRAN, and Mrs. FEINSTEIN):

S. 1639. A bill to require the Secretary of the Treasury to mint coins in commemoration of the founding of America's National Parks, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. NELSON of Florida:

S. 1640. A bill to prohibit price gouging relating to certain goods and services in areas affected by major disasters; to the Committee on Commerce, Science, and Transportation.

By Ms. SNOWE (for herself and Ms. COLLINS):

S. 1641. A bill to authorize the Secretary of the Army to carry out a project for the mitigation of shore damage attributable to the project for navigation, Saco River, Maine; to the Committee on Environment and Public Works.

By Mr. CORNYN:

S. 1642. A bill to prohibit narco-terrorists from aiding and supporting terrorists and terrorist organizations; to the Committee on the Judiciary.

By Mr. HARKIN (for himself and Mr. LEAHY):

S. 1643. A bill to provide the Secretary of Agriculture with additional authority and funding to provide emergency relief, in coordination with the Secretary of Homeland Security, to victims of Hurricane Katrina and related conditions; to the Committee on Agriculture, Nutrition, and Forestry.

By Mrs. BOXER:

S. 1644. A bill to promote the employment of workers displaced by Hurricane Katrina in connection with Hurricane Katrina reconstruction efforts; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. BOXER:

S. 1645. A bill to establish a first responder interoperable communications grant program; to the Committee on Homeland Security and Governmental Affairs.

By Mr. AKAKA (for himself, Mr. REID, and Mrs. MURRAY):

S. 1646. A bill to provide for the care of veterans affected by Hurricane Katrina; to the Committee on Veterans' Affairs.

By Mr. FEINGOLD (for himself, Ms. LANDRIEU, Mr. LEAHY, Mr. DURBIN, Mr. LIEBERMAN, Mr. BAYH, Mrs. CLINTON, Ms. CANTWELL, Mr. AKAKA, Mr. OBAMA, Mr. KENNEDY, Mr. HARKIN, Mrs. BOXER, Mr. SALAZAR, Mr. CORZINE, and Mrs. FEINSTEIN):

S. 1647. A bill to amend title 11, United States Code, to provide relief to victims of Hurricane Katrina and other natural disasters; to the Committee on the Judiciary.

ADDITIONAL COSPONSORS

S. 37

At the request of Mrs. FEINSTEIN, the name of the Senator from Wyoming (Mr. ENZI) was added as a cosponsor of S. 37, a bill to extend the special postage stamp for breast cancer research for 2 years.

S. 183

At the request of Mr. GRASSLEY, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 183, a bill to amend title XIX of the Social Security Act to provide families of disabled children with the opportunity to purchase coverage under the medicaid program for such children, and for other purposes.

S. 211

At the request of Mrs. CLINTON, the name of the Senator from Colorado (Mr. SALAZAR) was added as a cosponsor of S. 211, a bill to facilitate nationwide availability of 2-1-1 telephone service for information and referral on human services, volunteer services, and for other purposes.

S. 604

At the request of Mr. CRAIG, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 604, a bill to amend title XVIII of the Social Security Act to authorize expansion of medicare coverage of medical nutrition therapy services.

S. 647

At the request of Mrs. LINCOLN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 647, a bill to amend title XVIII of the Social Security Act to authorize physical therapists to evaluate and treat medicare beneficiaries without a requirement for a physician referral, and for other purposes.

S. 649

At the request of Mr. ALLARD, the name of the Senator from Iowa (Mr. HARKIN) was added as a cosponsor of S. 649, a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to make volunteer members of the Civil Air Patrol eligible for Public Safety Officer death benefits.

S. 769

At the request of Ms. SNOWE, the name of the Senator from Missouri (Mr. BOND) was added as a cosponsor of S. 769, a bill to enhance compliance assistance for small businesses.

S. 842

At the request of Mr. KENNEDY, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. 842, a bill to amend the National Labor Relations Act to establish an efficient system to enable employees to form, join, or assist labor organizations, to provide for mandatory injunctions for unfair labor practices during organizing efforts, and for other purposes.

S. 863

At the request of Mr. CONRAD, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 863, a bill to require the Secretary of the Treasury to mint coins in commemoration of the centenary of the bestowal of the Nobel Peace Prize on President Theodore Roosevelt, and for other purposes.

S. 911

At the request of Mr. CONRAD, the name of the Senator from Idaho (Mr.

CRAPO) was added as a cosponsor of S. 911, a bill to amend title XVIII of the Social Security Act to provide for reimbursement of certified midwife services and to provide for more equitable reimbursement rates for certified nurse-midwife services.

S. 927

At the request of Mr. CORZINE, the name of the Senator from California (Mrs. BOXER) was added as a cosponsor of S. 927, a bill to amend title XVIII of the Social Security Act to expand and improve coverage of mental health services under the medicare program.

S. 967

At the request of Mr. LAUTENBERG, the name of the Senator from New Jersey (Mr. CORZINE) was added as a cosponsor of S. 967, a bill to amend the Communications Act of 1934 to ensure that prepackaged news stories contain announcements that inform viewers that the information within was provided by the United States Government, and for other purposes.

S. 1002

At the request of Mr. GRASSLEY, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1002, a bill to amend title XVIII of the Social Security Act to make improvements in payments to hospitals under the medicare program, and for other purposes.

S. 1014

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. 1014, a bill to provide additional relief for small business owners ordered to active duty as members of reserve components of the Armed Forces, and for other purposes.

S. 1112

At the request of Mr. GRASSLEY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1112, a bill to make permanent the enhanced educational savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

S. 1120

At the request of Mr. DURBIN, the names of the Senator from New York (Mrs. CLINTON) and the Senator from Hawaii (Mr. AKAKA) were added as cosponsors of S. 1120, a bill to reduce hunger in the United States by half by 2010, and for other purposes.

S. 1137

At the request of Mr. GRASSLEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1137, a bill to include dehydroepiandrosterone as an anabolic steroid.

S. 1313

At the request of Mr. CORNYN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1313, a bill to protect homes, small businesses, and other private property rights, by limiting the power of eminent domain.

S. 1339

At the request of Mr. MARTINEZ, his name was added as a cosponsor of S.

1339, a bill to reauthorize the Junior Duck Stamp Conservation and Design Program Act of 1994.

S. 1367

At the request of Mrs. CLINTON, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 1367, a bill to provide for recruiting, selecting, training, and supporting a national teacher corps in underserved communities.

S. 1388

At the request of Ms. SNOWE, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1388, a bill to amend chapter 6 of title 5, United States Code (commonly known as the Regulatory Flexibility Act), to ensure complete analysis of potential impacts on small entities of rules, and for other purposes.

S. 1440

At the request of Mr. CRAPO, the names of the Senator from North Dakota (Mr. DORGAN) and the Senator from Minnesota (Mr. DAYTON) were added as cosponsors of S. 1440, a bill to amend title XVIII of the Social Security Act to provide coverage for cardiac rehabilitation and pulmonary rehabilitation services.

S. 1488

At the request of Mr. VITTER, the name of the Senator from Georgia (Mr. CHAMBLISS) was added as a cosponsor of S. 1488, a bill to withhold funding from the United Nations if the United Nations abridges the rights provided by the Second Amendment to the Constitution, and for other purposes.

S. 1496

At the request of Mr. CRAPO, the names of the Senator from Alaska (Ms. MURKOWSKI) and the Senator from Rhode Island (Mr. CHAFEE) were added as cosponsors of S. 1496, a bill to direct the Secretary of the Interior to conduct a pilot program under which up to 15 States may issue electronic Federal migratory bird hunting stamps.

S. 1508

At the request of Mr. FEINGOLD, the name of the Senator from Colorado (Mr. ALLARD) was added as a cosponsor of S. 1508, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

S. 1523

At the request of Ms. SNOWE, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1523, a bill to amend the Internal Revenue Code of 1986 to make permanent increased expensing for small businesses.

S. 1622

At the request of Mrs. CLINTON, the names of the Senator from Michigan (Ms. STABENOW), the Senator from New Jersey (Mr. CORZINE) and the Senator from New York (Mr. SCHUMER) were added as cosponsors of S. 1622, a bill to establish a congressional commission to examine the Federal, State, and local response to the devastation wrought by Hurricane Katrina in the

Gulf Region of the United States especially in the States of Louisiana, Mississippi, Alabama, and other areas impacted in the aftermath and make immediate corrective measures to improve such responses in the future.

S. 1628

At the request of Mr. MARTINEZ, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1628, a bill to provide the Secretary of Education with waiver authority for students who are eligible for Federal Pell Grants and are adversely affected by a natural disaster.

S. 1630

At the request of Mr. OBAMA, the names of the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Indiana (Mr. BAYH) were added as cosponsors of S. 1630, a bill to direct the Secretary of Homeland Security to establish the National Emergency Family Locator System.

S. RES. 184

At the request of Mr. SANTORUM, the names of the Senator from Florida (Mr. NELSON), the Senator from Nebraska (Mr. NELSON) and the Senator from Florida (Mr. MARTINEZ) were added as cosponsors of S. Res. 184, a resolution expressing the sense of the Senate regarding manifestations of anti-Semitism by United Nations member states and urging action against anti-Semitism by United Nations officials, United Nations member states, and the Government of the United States, and for other purposes.

S. RES. 225

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. Res. 225, a resolution designating the month of November 2005 as the "Month of Global Health".

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LAUTENBERG (for himself, Mr. MARTINEZ, and Mr. LIEBERMAN):

S. 1635. A bill to establish ocean bottom trawl areas in which trawling is permitted, to protect deep sea corals and sponges, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. LAUTENBERG. President, I rise today to introduce, with my colleague Senator MARTINEZ, a bill that will balance the needs of fishermen with the needs of some of our most precious and vulnerable ocean resources: deep sea corals and sponges. Fishing and fishing communities are an important part of our culture, our history, and our economy. Deep sea corals and sponges are an important suite of species with wide economic potential extreme valuable ecologically. It is imperative that we protect the needs of both.

Deep sea corals are similar to tropical shallow-water corals, but are found in the deep cold waters near seamounts, ridges, undersea canyons, and the margins of the continental

shelf. Like shallow-water corals, deep sea corals and sponges can form deepreefs and gardens that are essential to numerous marine species. For example, more than 1,300 species live among the *Lophelia* coral reefs in the northeastern Atlantic Ocean. These animals rely on complex coral and sponge habitats for spawning, food, and shelter from predation.

Deep sea corals and sponges are also important to humans. They provide habitat that commercially and recreationally important fish can use, and many are under study as sources of new biomedical compounds to fight various diseases.

Scientists around the world believe that these newly discovered deep sea corals and sponges are as important as, if not more important than, their tropical cousins. The U.S. Commission on Ocean Policy suggested that the biodiversity of deep sea coral communities may rival that of shallow-water coral reefs. The National Oceanic and Atmospheric Administration stated in 2002 that deep sea coral ecosystems are "much more extensive and of more widespread economic importance than tropical coral reefs."

Unfortunately, some types of fishing gear are detrimental to deep sea coral and sponge habitat. Today there is a serious risk that these precious deep sea corals, sponges, and their complex habitats will be inadvertently destroyed before they can be properly assessed by the scientific community. A single pass with a bottom trawl can wipe out a swath of this habitat that, because these species are extremely slow-growing, can remain bare for decades if not centuries. The U.S. Commission on Ocean Policy's 2004 report emphasizes that deep sea corals need action for protection. Five of the eight Regional Fisheries Management Councils agree, and have recently set aside many of their coral habitat areas as no-bottom-trawling zones.

The Bottom Trawl and Deep Sea Coral Habitat Act builds on actions of these Councils, providing protection for deep sea corals and sponges while also preserving fishermen's access to areas that have traditionally been trawled. The bill establishes three types of zones. Areas that are known to contain deep sea corals and sponges are set aside as Coral Habitat Zones, granting these species immediate protection. Areas that have been trawled at any time in the past seven years are established as Bottom Trawling Zones, where bottom trawling is permitted. Areas that fit neither category are defined Undesignated Zones, available at any time to be assigned as either Coral Habitat or Bottom Trawling Zones with results of research activities. Fishermen play a large role, through the Regional Councils, in defining how large these zones will be, and other types of fishing that do not use bottom gear are not impacted.

The process of zone designation is designed not to shrink the area of exist-

ing bottom trawling but to limit the opening of new grounds to bottom trawling until after scientists discover the extent of deep sea corals and sponges. The intent is to preserve access to all areas that do not contain deep sea coral and sponge and that have been part of the fishing community's traditional grounds. These are not small areas. Traditional bottom trawl grounds include a large proportion of the U.S. Exclusive Economic Zone: 10 percent according to National Research Council data. In some regions, 75 percent of the shelf within 50 miles of shore is trawled with bottom gear.

We must act quickly, and our legislation provides a balanced approach to protection of fishing and protection of the environment. I call on my colleagues on the Commerce Committee, and the Senate leadership to take up, consider, and pass this bill as soon as possible.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1635

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 "Bottom Trawl and Deep Sea Coral Habitat Act".

SEC. 2. FINDINGS.

Congress makes the following findings:

- (1) Ocean resources are a vital component of the United States economy, as noted by the United States Commission on Ocean Policy.
- (2) A proper balance of use and protection of ocean resources is necessary to ensure the sustainability of such resources.
- (3) Deep ocean habitats provide fishery resources and sites for deep sea corals and deep sea sponges.
- (4) Many fishermen of the United States derive their livelihoods from fishing in deep ocean areas.
- (5) It is important that fishermen continue to be permitted to use areas that have traditionally been fished, as long as conservation considerations allow.
- (6) According to the National Research Council, approximately 10 percent of the United States Exclusive Economic Zone, an area of a total of 3,400,000 square nautical miles, is used each year by fishermen who employ bottom trawls and, in the area that is 50 miles or less from shore, this percentage is higher than 75 percent in some regions.
- (7) Vessel monitoring systems are increasingly used in the fishing industry. For example, coverage of such systems for bottom trawl vessels in the Pacific and North Pacific is 100 percent.
- (8) Deep sea corals and deep sea sponges host biological diversity that, according to the United States Commission on Ocean Policy, "may rival that of coral communities in warmer, shallower waters". For example, more than 1,300 species live among *Lophelia* coral reefs in the northeastern Atlantic Ocean.
- (9) Complex seafloor habitats created by structure-forming organisms, such as deep sea corals and deep sea sponges, provide spawning habitat, food, and shelter to numerous fishes and other associated species,

including commercially and recreationally targeted species.

(10) Deep sea corals and deep sea sponges typically exhibit slow growth, extreme longevity, and highly patchy distribution, predominately along continental margins, seamounts, undersea canyons, and ridges.

(11) Deep sea corals and deep sea sponges have not been fully studied for their benefit to society or for their ecological importance to other associated species.

(12) Deep sea corals, deep sea sponges, and their associated invertebrates are a potential source of compounds with biomedical properties, some of which are currently in clinical trials to study their anti-cancer, anti-tumor, and anti-inflammatory properties.

(13) The United States Commission on Ocean Policy found that deep sea corals, along with their shallow-water counterparts, are declining at a "disturbing pace," and that certain types of fishing gear damage deep sea coral ecosystems.

(14) The National Research Council, in a 2002 report to Congress on the effects of trawling and dredging on seafloor habitats, found that deep sea corals warrant protection, based on evidence of the destruction of structured habitats caused by bottom trawls and dredges.

(15) The President's Ocean Action Plan of 2004 "encourages all regional fishery management councils to take action, where appropriate, to protect deep-sea corals when developing and implementing regional fishery management plans" and includes provisions to "research, survey, and protect deep-sea coral communities".

(16) In 2005, the North Pacific Fishery Management Council proposed measures that will be adopted pending approval by the Secretary of Commerce to confine use of bottom trawls in the Aleutian Islands exclusive economic zone to specified historically productive fishing areas, to disallow use of bottom trawls in historically unfished areas of Aleutian Islands waters where deep sea corals have been undisturbed, to designate as no-trawling zones those areas where coral ecosystems are known to exist, and to develop a comprehensive plan for research and monitoring.

SEC. 3. PURPOSES.

(a) IN GENERAL.—The purposes of this Act are—

(1) to permit fishermen to use bottom trawls in areas that, traditionally, have been fished using bottom trawls and that do not contain deep sea coral and sponge ecosystems;

(2) to provide long-term protection for deep sea coral and sponge ecosystems, particularly in areas that have not traditionally been fished with bottom trawls; and

(3) to identify, map, and assess deep sea coral and sponge ecosystems to create a balanced policy for maintenance of fishing and protection of deep sea ecosystems.

(b) PROCESS.—The Secretary shall use a process that achieves an outcome similar to the outcome achieved by the North Pacific Regional Fishery Management Council—

(1) to protect the habitat of deep sea corals or deep sea sponges to carry out the purposes of this Act; and

(2) to identify areas that are open to the use of bottom trawls and areas closed to such use where deep sea coral and sponge ecosystems are present and protected.

SEC. 4. DEFINITIONS.

In this Act:

(1) **BOTTOM TRAWL.**—The term "bottom trawl" means any trawl or dredge fishing gear that contacts the seafloor while in use, including pelagic trawls that contact the seafloor while in use, otter trawls, and scallop dredges.

(2) **BOTTOM TRAWL ZONE.**—The term "Bottom Trawl Zone" means any area designated under section 7 or section 10 as a Bottom Trawl Zone.

(3) **CORAL HABITAT CONSERVATION ZONE.**—The term "Coral Habitat Conservation Zone" means any area designated under section 8 or section 11 as a Coral Habitat Conservation Zone.

(4) **COUNCIL.**—The term "Council" means any Regional Fishery Management Council established by section 302 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1852).

(5) **DEEP SEA CORAL AND SPONGE ECOSYSTEM.**—The term "deep sea coral and sponge ecosystem" means an ecosystem that meets the criteria established by the Secretary pursuant to section 5(d) of this Act composed of living deep sea corals or deep sea sponges, the benthic and demersal species associated with them, and the biological, physical, chemical, and geologic components that constitute habitat for corals or sponges.

(6) **DEEP SEA CORALS.**—The term "deep sea corals" means the species that—

(A) occur at a depth of greater than 50 meters;

(B) do not contain symbiotic algae; and

(C) are in the phylum Cnidaria, in the order—

(i) Antipatharia (black corals);

(ii) Scleractinia (stony corals);

(iii) Gorgonacea (horny corals);

(iv) Alcyonacea (soft corals);

(v) Pennatulacea (sea pens), in the class Anthozoa; or

(vi) Hydrocorallina (hydrocorals), in the class Hydrozoa.

(7) **DEEP SEA SPONGES.**—The term "deep sea sponges" means species of the phylum Porifera that occur at a depth of greater than 50 meters.

(8) **EXCLUSIVE ECONOMIC ZONE.**—The term "exclusive economic zone" has the meaning given that term in section 3 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1802).

(9) **SECRETARY.**—The term "Secretary" means the Secretary of Commerce or the Secretary's designee.

(10) **VESSEL MONITORING SYSTEM.**—The term "Vessel Monitoring System" means a type of mobile transceiver unit that—

(A) is approved by the Office of Law Enforcement of the National Marine Fisheries Service; and

(B) automatically determines the vessel's position and transmits that information to a communications service provider that is approved by such Office for transmission and relay to such Office.

SEC. 5. MAPPING AND RESEARCH.

(a) **REQUIREMENT FOR MAPPING AND RESEARCH.**—The Secretary shall direct the Under Secretary for Oceans and Atmosphere to prepare and carry out a comprehensive program to explore, identify, research, and map the locations of deep sea corals and deep sea sponges.

(b) **DESCRIPTION OF MAPPING AND RESEARCH.**—The program described in subsection (a) shall include—

(1) creating maps of the locations of deep sea coral and sponge ecosystems; and

(2) conducting research related to deep sea corals and deep sea sponges, including research related to—

(A) the natural history of such species;

(B) the taxonomic classification of such species;

(C) the ecological roles of such species;

(D) the growth rates of such species;

(E) the anthropogenic, ecological, and other benefits of such species and the habitats of such species; and

(F) the correlation of deep sea corals and deep sea sponges with various types of geologic formations, physical features, and other predictors of presence.

(c) **COOPERATIVE RESEARCH PROGRAM.**—The Secretary, in consultation with the Councils, shall develop a cooperative research program to identify—

(1) the ideal areas for the use of bottom trawls; and

(2) the locations of deep sea corals and deep sea sponges.

(d) **THRESHOLDS OF DEEP SEA CORAL AND SPONGE PRESENCE.**—

(1) IN GENERAL.—The Secretary, in consultation with the Councils and expert scientists, shall determine the thresholds above which the abundances of various deep sea corals or deep sea sponges shall be considered to constitute an ecosystem. In determining such thresholds, the Secretary shall consider the life histories and growth rates of deep sea corals and deep sea sponges and the criteria set out in paragraph (2).

(2) **CRITERIA.**—In determining the thresholds under paragraph (1), the Secretary shall consider the following criteria:

(A) Bycatch per unit effort of deep sea corals or deep sea sponges in fishery trawls.

(B) Presence of deep sea corals or deep sea sponges in research surveys.

(C) Predictions of the presence of deep sea corals or deep sea sponges based on correlations with geologic or physical features.

(D) Other methods indicating ecologically meaningful presence of these species in an area.

SEC. 6. USE OF BEST AVAILABLE DATA.

(a) **REQUIREMENT.**—The Secretary shall use the best available data to determine if an area shall be designated as a Bottom Trawl Zone or as a Coral Habitat Conservation Zone.

(b) **CONSIDERATIONS.**—In delineating the boundary and determining the size of an area to be designated as a Bottom Trawl Zone or a Coral Habitat Conservation Zone, the relevant council and the Secretary shall consider—

(1) the precision and accuracy of the available trawl location data considered in making such determination;

(2) the precision and accuracy of deep sea coral and deep sea sponge presence data considered in making such determination;

(3) the economic cost of such designation to industry and the ecological costs and benefits of such designation to deep sea corals and deep sea sponges in the area; and

(4) the ease of enforcement of such designation.

(c) **CORAL HABITAT CONSERVATION ZONES.**—Notwithstanding the considerations in subsection (b), in delineating the boundary and determining the size of an area to be designated as a Coral Habitat Conservation Zone, the relevant Council and the Secretary—

(1) shall ensure that each area that is determined to contain a deep sea coral and sponge ecosystem is designated as a Coral Habitat Conservation Zone; and

(2) may include a buffer area around deep sea corals or deep sea sponges present in such Zone to ensure the complete protection of potential deep sea corals or deep sea sponges in the area or to facilitate the enforcement of any appropriate prohibitions, rules, or regulations within such Zone.

SEC. 7. INITIAL DESIGNATION OF BOTTOM TRAWL ZONES.

(a) **RECOMMENDATION BY A COUNCIL.**—Not later than 24 months after the date of enactment of this Act, each Council, after notice and an opportunity for public comment, shall submit to the Secretary and the Secretary shall publish in the Federal Register—

(1) a list of all areas for which the Council has responsibilities that were fished using bottom trawls during the 7-year period ending on December 31, 2004; and

(2) recommendations on which portions of the areas identified in paragraph (1) should be designated as Bottom Trawl Zones.

(b) **STANDARDS FOR INITIAL DESIGNATION.**—An area may not be designated as a Bottom Trawl Zone if there is evidence that a deep sea coral and sponge ecosystem is present in such area.

(c) **DESIGNATION PROCESS.**—

(1) **PROPOSED RULE.**—Not later than 9 months after the date of the publication of a Council's recommendations in the Federal Register pursuant to subsection (a)(2), the Secretary shall publish in the Federal Register a proposed rule to designate each area or the portion of such area that does not contain a deep sea coral and sponge ecosystem as a Bottom Trawl Zone.

(2) **FAILURE TO RECOMMEND.**—If a Council fails to submit recommendations to the Secretary under subsection (a), not later than 33 months after the date of enactment of this Act, the Secretary shall publish in the Federal Register a list of areas located in the area for which such Council has responsibility that the Secretary proposes to designate as Bottom Trawl Zones.

(3) **COMMENT PERIOD.**—The Secretary shall accept comments on a proposal published under paragraph (1) or (2) for 60 days after the date of such publication.

(4) **FINAL DETERMINATION.**—

(A) **IN GENERAL.**—Not later than 30 days after the date of the end of the comment period described in paragraph (3), the Secretary shall designate an area included in a proposal published under paragraph (1) or (2) as a Bottom Trawl Zone if such area meets the standards for such designation set out in subsection (b).

(B) **PUBLICATION.**—The Secretary shall publish in the Federal Register each designation made under subparagraph (A).

(d) **ACTIVITIES WITHIN BOTTOM TRAWL ZONES.**—After the date that is 30 days after the date of the end of the comment period described in subsection (c)(3), bottom trawls may not be used in an area that is not designated as a Bottom Trawl Zone.

SEC. 8. INITIAL DESIGNATION OF CORAL HABITAT CONSERVATION ZONES.

(a) **DESIGNATION BY THE SECRETARY.**—

(1) **IN GENERAL.**—Not later than 60 days after the date of enactment of this Act, the Secretary shall designate as a Coral Habitat Conservation Zone each area—

(A) that a Council, prior to the date of enactment of this Act, has designated as an area in which the use of bottom trawls is prohibited for the protection of seafloor habitat; or

(B) for which a map of the presence of deep sea corals or deep sea sponges has been developed and for which the best available data confirm the presence of deep sea corals or deep sea sponges.

(2) **PUBLICATION AND EFFECTIVE DATE.**—Not later than 60 days after the date of enactment of this Act, the Secretary shall publish in the Federal Register each area designated as a Coral Habitat Conservation Zone under paragraph (1) and such designation shall become effective on the date of such publication.

(b) **RECOMMENDATION BY A COUNCIL.**—

(1) **SUBMISSION TO THE SECRETARY.**—Not later than 24 months after the date of enactment of this Act, each Council, after notice and an opportunity for public comment, shall submit to the Secretary a list of all areas known to contain deep sea corals or deep sea sponges.

(2) **INCLUDED AREAS.**—A list submitted by a Council under paragraph (1) shall include

each area that was considered for designation as a Bottom Trawl Zone under section 7(a) if such area that was determined by the Council or the Secretary to contain a deep sea coral and sponge ecosystem.

(3) **PUBLICATION.**—The Secretary shall publish in the Federal Register a list submitted by a Council under paragraph (1).

(c) **DESIGNATION PROCESS.**—

(1) **PROPOSED RULE.**—Not later than 9 months after the date of the publication of a Council's recommendations pursuant to subsection (b)(3), the Secretary shall publish in the Federal Register a proposed rule to designate each area identified in such publication as a Coral Habitat Conservation Zone.

(2) **FAILURE TO RECOMMEND.**—If a Council fails to submit recommendations to the Secretary under subsection (b)(1), not later than 33 months after the date of enactment of this Act, the Secretary shall publish in the Federal Register a list of areas located in the area for which such Council has responsibility that the Secretary proposes to designate as Coral Habitat Conservation Zones.

(3) **COMMENT PERIOD.**—The Secretary shall accept comments on any proposed rule published under paragraph (1) or (2) for 60 days after the date of such publication.

(4) **FINAL DETERMINATION.**—

(A) **IN GENERAL.**—Not later than 30 days after the date of the end of the comment period described in paragraph (3), the Secretary shall—

(i) designate each area, or portion of such area, included in a proposed rule published under paragraph (1) as a Coral Habitat Conservation Zone, if there is rational basis for such designation; or

(ii) if the Secretary fails to make a designation under clause (i) for an area, provide a justification for such failure.

(B) **PUBLICATION.**—The Secretary shall publish in the Federal Register each designation made under subparagraph (A)(i) or justification required under subparagraph (A)(ii).

(C) **INACTION.**—If the Secretary does not publish the designation of an area under subparagraph (A)(i) or the justification required under paragraph (A)(ii) for such area within 30 days of the date of the end of the comment period described in paragraph (3), such area shall be deemed to be a Coral Habitat Conservation Zone as if so designated by the Secretary.

SEC. 9. UNDESIGNATED AREAS.

An area not initially designated as a Bottom Trawl Zone under section 7 or as a Coral Habitat Conservation Zone under section 8 shall be available for subsequent designation as a Bottom Trawl Zone under section 10 or as a Coral Habitat Conservation Zone under section 11.

SEC. 10. SUBSEQUENT DESIGNATION OF BOTTOM TRAWL ZONES.

(a) **STANDARDS FOR SUBSEQUENT DESIGNATION.**—After the initial designations of Bottom Trawl Zones made under section 7, the Secretary, in consultation with the relevant Council, shall designate an area as a Bottom Trawl Zone if—

(1) the area has been surveyed for the presence of deep sea corals and deep sea sponges; and

(2) there is no deep sea coral and sponge ecosystem present in the area.

(b) **RECOMMENDATION BY A COUNCIL.**—Upon the recommendation of the appropriate Council, the Secretary may consider any previously undesignated area for designation as a Bottom Trawl Zone. The Secretary may designate such area as a Bottom Trawl Zone under this section only if such area meets the designation standards set out in paragraphs (1) and (2) of subsection (a).

(c) **DESIGNATION PROCESS.**—

(1) **PROPOSED RULE.**—The Secretary shall publish in the Federal Register a proposed

rule to designate an area that is not a Bottom Trawl Zone or a Coral Habitat Conservation Zone and that meets the standards set out in paragraphs (1) and (2) of subsection (a) as a Bottom Trawl Zone whether identified by the Secretary or by a Council pursuant to subsection (b).

(2) **COMMENT PERIOD.**—The Secretary shall accept comments on any proposed rule published under paragraph (1) for 60 days after the date of the publication of such proposed rule.

(3) **FINAL DETERMINATION.**—

(A) **IN GENERAL.**—Not later than 30 days after the date of the end of the comment period described in paragraph (2), the Secretary shall designate as a Bottom Trawl Area each area, or part of such area, included in a proposed rule published under paragraph (1) if the area meets the requirements of paragraphs (1) and (2) of subsection (a).

(B) **PUBLICATION.**—The Secretary shall publish in the Federal Register each designation made under subparagraph (A).

SEC. 11. SUBSEQUENT DESIGNATION OF CORAL HABITAT CONSERVATION ZONES.

(a) **STANDARDS FOR SUBSEQUENT DESIGNATION.**—The Secretary, in consultation with the Councils, shall designate an area as a Coral Habitat Conservation Zone if the best available data indicate the presence of a deep sea coral and sponge ecosystem in such area.

(b) **SUBSEQUENT DESIGNATION THROUGH BYCATCH RECORDS, RESEARCH, OR MAPPING.**—

(1) **REVIEW OF DATA.**—The Secretary shall continually collect and review, for the purpose of making a determination on the presence of deep sea coral and sponge ecosystems in an area, the following data:

(A) Bycatch records.

(B) Data and analysis that results from the mapping and research conducted pursuant to section 5.

(C) Any other research, mapping, or survey data that the Secretary determines is appropriate.

(2) **DESIGNATIONS BASED ON THE REVIEW OF DATA.**—If the Secretary, in consultation with the relevant Council, determines that data reviewed under paragraph (1) indicates the presence of a deep sea coral and sponge ecosystem, the Secretary, in consultation with the Council, shall designate the area as a Coral Habitat Conservation Zone and, if appropriate, terminate the designation of the area as a Bottom Trawl Zone.

(c) **RECOMMENDATION BY A COUNCIL.**—Upon the recommendation of the appropriate Council, the Secretary may consider any area for designation as a Coral Habitat Conservation Zone.

(d) **DESIGNATION PROCESS.**—

(1) **PROPOSED RULE.**—The Secretary shall publish in the Federal Register a proposed rule to designate an area identified by the Secretary, in consultation with the appropriate Councils, under subsection (a) or (b) or by a Council under subsection (c) as a Coral Habitat Conservation Zone if data indicate the presence of a deep sea coral and sponge ecosystem in such area.

(2) **COMMENT PERIOD.**—The Secretary shall accept comments on any proposed rule published under paragraph (1) for 60 days after the date of the publication of such proposed rule.

(3) **FINAL DETERMINATION.**—

(A) **IN GENERAL.**—Not later than 30 days after the date of the end of the comment period described in paragraph (2), the Secretary shall—

(i) designate as a Coral Habitat Conservation Zone each area, or part of such area, included in a proposed rule published under paragraph (1) if data indicate the presence of a deep sea coral and sponge ecosystem in such area; or

(ii) if the Secretary fails to make a designation under clause (i) for an area, provide a justification that explains the reasons that the best available data do not indicate the presence of a deep sea coral and sponge ecosystem in such area.

(B) PUBLICATION.—The Secretary shall publish in the Federal Register each designation made under subparagraph (A)(i) or justification required under subparagraph (A)(ii).

(C) INACTION.—If the Secretary does not publish the designation of an area under subparagraph (A)(i) or the justification required under subparagraph (A)(ii) for such area within 30 days of the date of the end of the comment period described in paragraph (2), such area shall be deemed to be a Coral Habitat Conservation Zone as if so designated by the Secretary.

SEC. 12. STRICTER REGULATION PERMITTED AND SAVINGS CLAUSE.

(a) IN GENERAL.—Nothing in this Act shall restrict the authority provided to the Secretary by any other provision of law to promulgate, with or without the advice of the appropriate Council, fishery or habitat protection measures for any purpose that are more restrictive than the measures set out in this Act.

(b) SAVINGS CLAUSE.—All rules and regulations issued by the Secretary under the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801 et seq.) pertaining to the conservation, management, or protection of deep sea corals or deep sea sponges shall continue in full force and effect after the date of enactment of this Act until modified or rescinded by the Secretary, in exercise of the authority provided to the Secretary under any provision of law.

SEC. 13. USE OF VESSEL MONITORING SYSTEMS.

Not later than 24 months after the date of enactment of this Act, a vessel that uses a bottom trawl in waters deeper than 50 meters shall use a Vessel Monitoring System capable of accurately detecting and reporting the position of the vessel whenever the vessel leaves port with a bottom trawl on board.

SEC. 14. PENALTIES AND ENFORCEMENT.

(a) CIVIL PENALTIES.—Any person who is found by the Secretary, after notice and an opportunity for a hearing in accordance with section 554 of title 5, United States Code, to have violated the prohibition set out in section 7(d) is liable to the United States for a civil penalty under section 308 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1858) as if such person had committed an act prohibited by section 307 of such Act (16 U.S.C. 1857).

(b) CRIMINAL OFFENSES.—

(1) OFFENSES.—A person is guilty of an offense if the person commits an act prohibited by subparagraph (D), (E), (F), (H), (I), or (L) of section 307(1) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1857(1)) in an area designated as a Coral Habitat Conservation Zone.

(2) PUNISHMENT.—An offense referred to in paragraph (1) is punishable by the punishments set out in section 309(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1859(b)).

(c) CIVIL FORFEITURES.—Any fishing vessel (including its fishing gear, furniture, appurtenances, stores, and cargo) used, and fish (or the fair market value thereof) taken or retained, in any manner, in connection with or as a result of the commission of a violation of the prohibition set out in section 7(d) (other than such a violation for which the issuance of a citation is sufficient sanction) shall be subject to the civil forfeiture provisions set out in section 310 of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1860).

(d) ENFORCEMENT.—The provisions of this Act shall be enforced by the officers responsible for the enforcement of the Magnuson-Stevens Fishery Conservation and Management Act as provided for in subsection (a) of section 311 of such Act (16 U.S.C. 1861). Such officers shall have the powers and authorities to enforce this Act as are provided in such section.

SEC. 15. INTERNATIONAL PROTECTIONS FOR DEEP SEA CORALS AND DEEP SEA SPONGES.

The President is authorized to permit the Secretary, in consultation with the Secretary of State, to work with appropriate international organizations and foreign nations to develop the data necessary to identify areas located in international waters that contain deep sea corals or deep sea sponges and to protect such deep sea corals or deep sea sponges.

SEC. 16. REPORTS TO CONGRESS.

(a) IN GENERAL.—Not more than 3 years after the date of enactment of this Act, and every 3 years thereafter, the Secretary shall publish and submit to Congress a report on the activities undertaken to carry out the provisions of this Act.

(b) CONTENT.—Each report required by subsection (a) shall include—

(1) a description of the activities carried out to protect and define areas in which the use of bottom trawls has traditionally been permitted;

(2) a description of the activities carried out to protect and monitor deep sea corals or deep sea sponges;

(3) a description of any area designated either as a Bottom Trawl Zone or a Coral Habitat Conservation Zone;

(4) a summary of the research strategy created pursuant to section 5;

(5) a summary of any bycatch or other data that indicates the presence of a deep sea coral and sponge ecosystem in an area; and

(6) a summary of geologic structures that indicate the presence of deep sea coral and sponge ecosystems in an area, as determined by research activities described in section 5.

(c) PUBLICATION.—Notice of the availability of each report required by this section shall be published in the Federal Register.

SEC. 17. AUTHORIZATION OF APPROPRIATIONS.

There is authorized to be appropriated \$15,000,000 to carry out this Act.

By Mr. REID (for himself, Ms. LANDRIEU, Mr. OBAMA, Ms. MIKULSKI, Mr. KENNEDY, Mr. LIEBERMAN, Mr. ROCKEFELLER, Ms. STABENOW, Mr. LAUTENBERG, Ms. CANTWELL, Mr. LEVIN, Mr. DURBIN, Mr. JOHNSON, Mr. REED, Mr. CORZINE, Mr. BAUCUS, Mr. SALAZAR, Mrs. FEINSTEIN, Mrs. BOXER, Mr. DORGAN, and Mr. BIDEN):

S. 1637. A bill to provide emergency relief to meet the immediate needs of survivors of Hurricane Katrina for health care, housing, education, and financial relief, and for other purposes; to the Committee on Finance.

Mr. REID. Mr. President, I ask unanimous consent that the text of S. 1637, the Katrina Emergency Relief Act of 2005, be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1637

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

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the “Katrina Emergency Relief Act of 2005”.

(b) TABLE OF CONTENTS.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—TEMPORARY MEDICAID DISASTER RELIEF

Sec. 101. Short title; purpose.

Sec. 102. Disaster relief period.

Sec. 103. Temporary Medicaid coverage for Katrina Survivors.

Sec. 104. Temporary disaster relief for States under Medicaid.

Sec. 105. Accommodation of special needs of Katrina Survivors under Medicare program.

TITLE II—EDUCATION

Subtitle A—Support for Elementary and Secondary Schools

Sec. 201. Support for elementary and secondary schools.

Subtitle B—Fund for Early Childhood Care and Education

Sec. 211. Fund for early childhood care and education.

Subtitle C—Support for Students in Higher Education

Sec. 221. Support for students in higher education.

TITLE III—EMERGENCY HOUSING ASSISTANCE

Sec. 301. Short title.

Sec. 302. Hurricane Katrina Emergency Assistance Vouchers.

Sec. 303. Report on inventory of availability of temporary housing.

Sec. 304. Appropriation of funding.

TITLE IV—FINANCIAL RELIEF

Subtitle A—Limitation on Payments

Sec. 401. Short title.

Sec. 402. Definitions.

Sec. 403. Moratorium on payments.

Subtitle B—Individual and Household Assistance

Sec. 411. Individual and household assistance.

Subtitle C—Unemployment Assistance

Sec. 421. Unemployment assistance.

Subtitle D—Tax Relief

Sec. 431. Required exercise of authority under section 7508A for tax relief for victims of Hurricane Katrina.

Sec. 432. Penalty free withdrawals from retirement plans for victims of Hurricane Katrina.

Subtitle E—Hurricane Katrina Food Assistance Relief

Sec. 441. Short title.

Sec. 442. Definition of Secretary.

Sec. 443. Food Stamp Program disaster authority.

Sec. 444. Emergency Food Assistance Program and Section 32 Assistance.

Sec. 445. WIC Funding.

Sec. 446. Report.

Sec. 447. Regulations.

Subtitle F—Bankruptcy Relief

Sec. 451. Bankruptcy Relief for Victims of Hurricane Katrina.

TITLE V—ADMINISTRATIVE MATTERS

Sec. 501. Period of availability of benefits.

Sec. 502. Nondiscrimination.

TITLE I—TEMPORARY MEDICAID DISASTER RELIEF

SEC. 101. SHORT TITLE; PURPOSE.

(a) SHORT TITLE.—This title may be cited as the “Temporary Medicaid Disaster Relief Act of 2005”.

(b) PURPOSE.—The purpose of this title is to ensure all those affected by Hurricane Katrina have access to health coverage and medical care through the medicaid program and to authorize temporary changes in such program to guarantee and expedite that coverage and access to care.

SEC. 102. DISASTER RELIEF PERIOD.

(a) IN GENERAL.—For purposes of this title, the term “disaster relief period” means the period beginning on August 29, 2005, and, subject to subsection (b), ending on February 28, 2006.

(b) PRESIDENTIAL AUTHORITY TO EXTEND DISASTER RELIEF PERIOD.—

(1) IN GENERAL.—The President shall extend the application of section 103 and paragraphs (1) and (2) of section 104(a) until September 30, 2006, unless the President determines that all Katrina Survivors would have sufficient access to health care without such an extension. In the case of such an extension, the reference to “February 28, 2006” in subsection (a) shall be considered to be a reference to “September 30, 2006”.

(2) NOTICE TO CONGRESS.—The President shall notify the Majority and Minority Leaders of the Senate, the Speaker of the House of Representatives, the Minority Leader of the House of Representatives, and the Chairs and Ranking Members of the Committee on Finance of the Senate and the Committees on Energy and Commerce and Ways and Means of the House of Representatives at least 30 days prior to—

(A) extending the application of such sections; or

(B) if the President determines not to extend the application of such sections, February 28, 2006.

SEC. 103. TEMPORARY MEDICAID COVERAGE FOR KATRINA SURVIVORS.

(a) DEFINITIONS.—In this title:

(1) KATRINA SURVIVOR.—

(A) IN GENERAL.—The term “Katrina Survivor” means an individual who is described in subparagraph (B) or (C).

(B) RESIDENTS OF DISASTER LOCALITIES.—

(i) IN GENERAL.—An individual who, on any day during the week preceding the declaration of a public health emergency on August 29, 2005, had a residence in—

(I) a parish in the State of Louisiana that is among the parishes that the Federal Emergency Management Agency of the Emergency Preparedness and Response Directorate of the Department of Homeland Security declared on September 4, 2005, to be Federal Disaster Parishes; or

(II) a county in the State of Alabama or Mississippi that is among the counties such Agency declared Federal Disaster Counties on September 4, 2005.

(ii) AUTHORITY TO RELY ON WEBSITE POSTED DESIGNATIONS.—The Secretary of Health and Human Services shall post on the Internet website for the Centers for Medicare & Medicaid Services a list of parishes and counties identified as Federal Disaster Parishes or Counties. Any State which provides medical assistance to Katrina Survivors on the basis of such posting and in accordance with this title shall be held harmless if it is subsequently determined that the provision of such assistance was in error.

(C) INDIVIDUALS WHO LOST EMPLOYMENT.—An individual who, on any day during the week preceding the declaration of a public health emergency on August 29, 2005, had a residence in a direct impact State and lost their employment since Hurricane Katrina.

(D) CONSTRUCTION.—A Katrina Survivor shall be treated as being “from” the State of residence described in subparagraph (B)(i) or (C), as the case may be.

(E) TREATMENT OF CURRENT MEDICAID BENEFICIARIES.—Nothing in this title shall be con-

strued as preventing an individual who is otherwise entitled to medical assistance under title XIX of the Social Security Act from being treated as a Katrina Survivor under this title.

(F) TREATMENT OF HOMELESS PERSONS.—For purposes of this title, in the case of an individual who was homeless on any day during the week described in subparagraph (B)(i), the individual’s “residence” shall be deemed to be the place of residence as otherwise determined for such an individual under title XIX of the Social Security Act.

(2) DIRECT IMPACT STATE.—The term “direct impact State” means the State of Louisiana, Alabama, and Mississippi.

(b) RULES FOR PROVIDING TEMPORARY MEDICAL ASSISTANCE TO KATRINA SURVIVORS.—During the disaster relief period, any State may provide medical assistance to Katrina Survivors under a State medicaid plan established under title XIX of the Social Security Act in accordance with the following:

(1) UNIFORM ELIGIBILITY RULES.—

(A) NO INCOME, RESOURCES, RESIDENCY, OR CATEGORICAL ELIGIBILITY REQUIREMENTS.—Such assistance shall be provided without application of any income or resources test, State residency, or categorical eligibility requirements.

(B) STREAMLINED ELIGIBILITY PROCEDURES.—The State shall use the following streamlined procedures in processing applications and determining eligibility for medical assistance for Katrina Survivors:

(i) A common 1-page application form developed by the Secretary of Health and Human Services in consultation with the National Association of State Medicaid Directors. Such form shall include notice regarding the penalties for making a fraudulent application under paragraph (4) and shall require the applicant to assign to the State any rights of the applicant (or any other person who is a Katrina Survivor and on whose behalf the applicant has the legal authority to execute an assignment of such rights) under any group health plan or other third-party coverage for health care.

(ii) Self-attestation by the applicant that the applicant is a Katrina Survivor.

(iii) No requirement for documentation evidencing the basis on which the applicant qualifies to be a Katrina Survivor.

(iv) Issuance of a Medicaid eligibility card to an applicant who completes such application, including the self-attestation required under clause (ii). Such card shall be valid during the disaster relief period.

(v) If an applicant completes the application and presents it to a provider or facility participating in the State medicaid plan that is qualified to make presumptive eligibility determinations under such plan (which at a minimum shall consist of facilities identified in section 1902(a)(55) of the Social Security Act (42 U.S.C. 1396a(a)(55)) and it appears to the provider that the applicant is a Katrina Survivor based on the information in the application, the applicant will be deemed to be a Katrina Survivor eligible for medical assistance in accordance with this section, subject to paragraph (3).

(vi) Continuous eligibility, without the need for any redetermination of eligibility, for the duration of the disaster relief period.

(C) DETERMINATION OF ELIGIBILITY FOR COVERAGE AFTER THE TERMINATION OF THE DISASTER RELIEF PERIOD.—In the case of a Katrina Survivor who is receiving medical assistance from a State, prior to the termination of the disaster relief period, the State providing such assistance shall determine whether the Katrina Survivor is eligible for continued medical assistance under the State’s eligibility rules otherwise applicable under the State medicaid plan. If a State determines that the individual is so eligible,

the State shall provide the individual with written notice of the determination and provide the individual with continued coverage for such medical assistance for so long as the individual remains eligible under such otherwise applicable eligibility rules. If a State determines that the individual is not so eligible, the State shall provide the individual with written notice of the determination, including the reasons for such determination.

(2) SCOPE OF COVERAGE SAME AS CATEGORICALLY NEEDED.—The State shall treat Katrina Survivors as individuals eligible for medical assistance under the State plan under title XIX of the Social Security Act on the basis of section 1902(a)(10)(A)(i) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)), with coverage for such assistance retroactive to August 29, 2005.

(3) VERIFICATION OF STATUS AS A KATRINA SURVIVOR.—

(A) IN GENERAL.—The State shall make a good faith effort to verify the status of a Katrina Survivor enrolled in the State Medicaid plan under the provisions of this section after the determination of the eligibility of the Survivor for medical assistance under such plan.

(B) EVIDENCE OF VERIFICATION.—A State may satisfy the verification requirement under subparagraph (A) with respect to a Katrina Survivor by showing that the State providing medical assistance obtained information from the Social Security Administration, the Internal Revenue Service, or the State Medicaid Agency for the direct impact State.

(C) DISALLOWANCE OF PAYMENTS FOR FAILURE TO MAKE GOOD FAITH EFFORT.—If, with respect to the status of a Katrina Survivor enrolled in a State Medicaid plan, the State fails to make the good faith effort required under subparagraph (A), and the Secretary determines that the individual so enrolled is not a Katrina Survivor, the Secretary shall disallow all Federal payments made to the State that are directly attributable to medical assistance provided or administrative costs incurred with respect to the individual during the disaster relief period.

(4) PENALTY FOR FRAUDULENT APPLICATIONS.—

(A) INDIVIDUAL LIABLE FOR COSTS.—If a State, as the result of verification activities conducted under paragraph (3), determines after a fair hearing that an individual has knowingly made a false self-attestation described in paragraph (1)(B)(ii), the State may, subject to subparagraph (B), seek recovery from the individual for the full amount of the cost of medical assistance provided to the individual under this section.

(B) EXCEPTION.—The Secretary shall exempt a State from seeking recovery under subparagraph (A) if the Secretary determines that it would not be cost-effective for the State to do so.

(C) REIMBURSEMENT TO THE FEDERAL GOVERNMENT.—Any amounts recovered by a State in accordance with this paragraph shall be returned to the Federal government, except that a State’s administrative costs attributable to obtaining such recovery shall be reimbursed by the Federal government in accordance with section 104(a)(2).

(5) EXEMPTION FROM ERROR RATE PENALTIES.—All payments attributable to providing medical assistance to Katrina Survivors in accordance with this section shall be disregarded for purposes of section 1903(u) of the Social Security Act.

SEC. 104. TEMPORARY DISASTER RELIEF FOR STATES UNDER MEDICAID.

(a) INCREASE IN FEDERAL MATCHING RATE.—

(1) 100 PERCENT FMAP FOR MEDICAL ASSISTANCE.—Notwithstanding section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)), the Federal medical assistance percentage

for providing medical assistance under a State medicaid plan under title XIX of such Act to Katrina Survivors or, in the case of a direct impact State, to any individual who is provided medical assistance under the State medicaid plan during the disaster relief period, shall be 100 percent.

(2) 100 PERCENT FEDERAL MATCH FOR CERTAIN ADMINISTRATIVE COSTS.—Notwithstanding paragraph (7) of section 1903(a) of such Act (42 U.S.C. 1396b(a)), or any other paragraph of such section, the Federal matching rate for costs directly attributable to all administrative activities that relate to the enrollment of Katrina Survivors under section 103 in a State medicaid plan, verification of the status of such Survivors, processing of claims for payment for medical assistance provided to such Survivors under such section, and recovery costs under section 103(b)(4)(C), shall be 100 percent. The Secretary shall issue guidance not later 30 days after the date of enactment of this Act on the implementation of this paragraph.

(b) LIMITATION ON REDUCTION OF FMAP FOR FISCAL YEAR 2006 FOR ANY STATE.—If the Federal medical assistance percentage (as defined in section 1905(b) of the Social Security Act) determined for a State for fiscal year 2006 is less than the Federal medical assistance percentage determined for the State for fiscal year 2005, the Federal medical assistance percentage for the State for fiscal year 2005 shall apply to the State for fiscal year 2006 only for purposes of title XIX of the Social Security Act.

(c) TEMPORARY SUSPENSION OF MEDICARE “CLAWBACK” AND POSTPONEMENT OF CUT-OFF OF MEDICAID PRESCRIPTION DRUG FUNDING IN AFFECTED STATES.—

(1) SUSPENSION IN APPLICATION OF “CLAWBACK”.—Section 1935(c) of the Social Security Act (42 U.S.C. 1396u-5(c)) shall not apply, subject to paragraph (3), before January 2007 to a direct impact State or to a State that experiences a significant influx of Katrina Survivors.

(2) CONTINUATION OF MEDICAID DRUG COVERAGE FOR DUAL ELIGIBLES.—Section 1935(d)(1) of such Act shall also not apply, subject to paragraph (3), before January 2007 to a part D eligible individual who is a Katrina Survivor.

(3) TERMINATION OF APPLICATION OF SUBSECTION.—Paragraphs (1) and (2) shall no longer apply to a State or a Katrina Survivor, respectively, if the Secretary determines, after consultation with the State, that enrollment of all part D eligible individuals in the State under part D of title XVIII of the Social Security Act who are described in section 1935(c)(6)(A)(ii) of such Act can be achieved without a discontinuation in prescription drug coverage for any such individual.

(4) DEFINITION.—For purposes of this subsection, the term “State that experiences a significant influx of Katrina Survivors” means those States, including Arkansas, Florida, Oklahoma, and Texas, that the Secretary of Health and Human Services identifies as having a significant in-migration of Katrina Survivors.

SEC. 105. ACCOMMODATION OF SPECIAL NEEDS OF KATRINA SURVIVORS UNDER MEDICARE PROGRAM.

(a) EXCLUSION OF DISASTER RELIEF PERIOD IN COMPUTING PART B LATE ENROLLMENT PENALTY.—In applying the first sentence of section 1839(b) of the Social Security Act (42 U.S.C. 1395r(b)) in the case of a Katrina Survivor, there shall not be taken into account any month any part of which is within the disaster relief period or within the 2-month period following the end of such disaster relief period.

(b) PART D.—

(1) EXTENSION OF INITIAL ENROLLMENT PERIOD.—In the case of a Katrina Survivor, the

initial enrollment period under section 1860D-1(b)(2) of the Social Security Act (42 U.S.C. 1395w-101(b)(2)) shall in no case end before May 15, 2007.

(2) FLEXIBILITY IN DOCUMENTATION FOR LOW-INCOME SUBSIDIES.—For purposes of carrying out section 1860D-14 of the Social Security Act (42 U.S.C. 1395w-114), with respect to Katrina Survivors, the Secretary of Health and Human Services shall establish documentation rules for Katrina Survivors which take into account the loss and unavailability of documents due to Hurricane Katrina.

TITLE II—EDUCATION

Subtitle A—Support for Elementary and Secondary Schools

SEC. 201. SUPPORT FOR ELEMENTARY AND SECONDARY SCHOOLS.

(a) PURPOSE.—It is the purpose of this section—

(1) to provide assistance to eligible local educational agencies experiencing large increases in student enrollment due to Hurricane Katrina;

(2) to facilitate the enrollment of students impacted by Hurricane Katrina into elementary schools and secondary schools served by such agencies; and

(3) to provide high quality instruction to such students.

(b) GRANTS AUTHORIZED.—

(1) IN GENERAL.—The Secretary of Education shall award grants to eligible local educational agencies.

(2) ELIGIBLE LOCAL EDUCATIONAL AGENCIES.—

(A) CHILD COUNT.—Each State that has a large influx of displaced students due to Hurricane Katrina, as determined by the Secretary of Education, shall set a child count date for local educational agencies in the State that have a large influx of such students, as determined by the State, for the purpose of determining the total number of such students in each such agency.

(B) DEFINITION.—In this section, the term “eligible local educational agency” means a local educational agency—

(i) that serves, as determined in accordance with the child count described in subparagraph (A), not less than 50 displaced students due to Hurricane Katrina; or

(ii) that serves an elementary school or secondary school in which not less than 3 percent of the students enrolled at the school are displaced students due to Hurricane Katrina, as determined in accordance with the child count described in subparagraph (A).

(3) GRANT AMOUNT.—An eligible local educational agency that receives a grant under this section shall receive a grant amount that is equal to \$2,500 multiplied by the number of students who enroll in elementary schools and secondary schools served by such agency because the students are displaced due to Hurricane Katrina.

(c) APPLICATION.—Each eligible local educational agency desiring a grant under this section shall prepare and submit an application to the Secretary of Education that contains—

(1) an assurance that the educational programs, services, and activities proposed under this section will be administered by or under the supervision of the agency;

(2) an assurance that the agency will coordinate the use of funds received under this section with other funds received by the agency under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.) and with programs described under such Act;

(3) an assurance that funds will be used—

(A) to improve instruction to students who enroll in elementary schools and secondary schools served by such agency because the students are displaced due to Hurricane Katrina; and

(B) to facilitate such students’ transition into schools served by the agency; and

(4) such other information and assurances as the Secretary may reasonably require.

(d) USE OF FUNDS.—Each eligible local educational agency that receives a grant under this section shall use the grant funds to enhance instructional opportunities for students who enroll in elementary schools and secondary schools served by such agency because the students are displaced due to Hurricane Katrina, which may include—

(1) basic instructional services for such students, including tutoring, mentoring, or academic counseling;

(2) salaries of personnel, including teacher aides, to provide instructional services to such students;

(3) identification and acquisition of curricular material, including the costs of providing additional classroom supplies, overhead costs, costs of construction, acquisition or rental of space, costs of transportation, or such other costs as are directly attributable to such instructional services for such students;

(4) health services (including mental health services), meals, and clothing; and

(5) such other activities, related to the purpose of this section, as the Secretary of Education may authorize.

Subtitle B—Fund for Early Childhood Care and Education

SEC. 211. FUND FOR EARLY CHILDHOOD CARE AND EDUCATION.

(a) PURPOSE.—It is the purpose of this section—

(1) to provide assistance to local communities experiencing large influxes of preschool-aged children displaced by Hurricane Katrina; and

(2) to facilitate placement of such children in early childhood education programs.

(b) EARLY CHILDHOOD EDUCATION PROGRAMS.—In this section, the term “early childhood education program” means a Head Start program or an Early Head Start program carried out under the Head Start Act (42 U.S.C. 9831 et seq.), a State licensed or regulated child care program or school, or a State prekindergarten program that serves children from birth through kindergarten.

(c) GRANTS AND SUBGRANTS AUTHORIZED.—

(1) GRANTS.—The Secretary of Health and Human Services shall award grants to States demonstrating large influxes of children and families displaced due to Hurricane Katrina.

(2) SUBGRANTS.—

(A) IN GENERAL.—A State receiving a grant under paragraph (1) shall award subgrants to affected local communities in the State to facilitate placement of displaced children in existing early childhood education programs.

(B) AFFECTED LOCAL COMMUNITIES.—In this paragraph, the term “affected local community” means a local community in a State described in subparagraph (A) in which—

(i) there are not less than 200 preschool-aged children who are displaced due to Hurricane Katrina; or

(ii) there is a significant percentage of the total number of children participating in early childhood education programs in the community who are children who are in the community because the children are displaced due to Hurricane Katrina, as determined by the Secretary of Health and Human Services.

(d) APPLICATIONS.—Each State that desires to receive a grant under this section shall prepare and submit an application to the Secretary of Health and Human Services that contains—

(1) a description of the collaborative planning process between the State agency responsible for pre-kindergarten, State child care administrator, and Head Start Collaboration Director to facilitate the placement

of children who are displaced due to Hurricane Katrina in early childhood education programs;

(2) assurances that funds received under this section will be used for the purpose described in subsection (a);

(3) a plan to coordinate funds received under this section with existing resources available to the early childhood education programs for similar purposes; and

(4) such other information and assurances as the Secretary of Health and Human Services may reasonably require.

(e) USE OF SUBGRANT FUNDS.—

(1) IN GENERAL.—Each affected local community receiving a subgrant under this section shall use the subgrant funds only for—

(A) costs associated with accommodating the influx of displaced children, including acquisition or rental of space;

(B) costs associated with providing services to displaced children, including related services such as nutrition and acquisition of related materials; and

(C) costs associated with hiring additional personnel, including teacher aides or personnel working with families of children.

(2) INCOME AND DOCUMENTATION WAIVER.—The Secretary of Health and Human Services shall waive requirements of income eligibility and documentation for children displaced by Hurricane Katrina who participate in Head Start programs and Early Head Start programs funded by subgrants awarded pursuant to this section.

Subtitle C—Support for Students in Higher Education

SEC. 221. SUPPORT FOR STUDENTS IN HIGHER EDUCATION.

(a) STUDENTS IN SCHOOL.—

(1) NO QUESTIONS ASKED POLICY.—The Secretary of Education shall authorize an institution of higher education to waive Federal financial aid requirements, as determined appropriate by the Secretary of Education, with respect to a student at such institution who enrolls in such institution because such student was impacted by Hurricane Katrina.

(2) CAMPUS-BASED AID.—

(A) SEOG.—

(I) IN GENERAL.—

(1) AUTHORIZATION.—From funds appropriated pursuant to subclause (II), the Secretary of Education shall carry out a program of making payments to institutions of higher education to enable such institutions to award Federal supplemental educational opportunity grants under subpart 3 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070b et seq.) to students enrolled at such institutions who are eligible to receive a grant under such subpart and who enrolled at such institutions because the students are displaced due to Hurricane Katrina, as determined by the Secretary.

(II) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out subclause (I) such sums as may be necessary.

(i) WAIVER OF NONFEDERAL SHARE.—Notwithstanding subpart 3 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070b et seq.), the Federal share of awards made pursuant to this subparagraph shall be equal to 100 percent.

(B) WORK-STUDY PROGRAMS.—

(i) IN GENERAL.—

(1) AUTHORIZATION.—From funds appropriated pursuant to subclause (II), the Secretary of Education shall carry out a program of awarding grants to institutions of higher education to enable such institutions to carry out work-study programs under part C of title IV of the Higher Education Act of 1965 (20 U.S.C. 2751 et seq.) for students enrolled at such institutions who are eligible to participate in work-study programs under

such part and who enrolled at such institutions because the students are displaced due to Hurricane Katrina, as determined by the Secretary.

(II) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out subclause (I) such sums as may be necessary.

(i) WAIVER OF NONFEDERAL SHARE.—Notwithstanding part C of title IV of the Higher Education Act of 1965 (20 U.S.C. 2751 et seq.), the Federal share of the compensation of students made pursuant to this subparagraph shall be equal to 100 percent.

(b) HELP FOR INDIVIDUALS WITH STUDENT LOANS.—

(1) DEFINITIONS.—In this subsection:

(A) ELIGIBLE BORROWER.—The term “eligible borrower” means an individual who has lost the individual’s job due to the impact of Hurricane Katrina, as determined by the Secretary of Education.

(B) ELIGIBLE LOAN.—In this subsection, the term “eligible loan” means a student loan of an eligible borrower made, insured, or guaranteed under title IV of the Higher Education Act of 1965 (20 U.S.C. 1070 et seq.).

(2) GRACE PERIOD.—The Secretary of Education shall carry out a program in which the Secretary enters into an agreement with the holder of an eligible loan in which, for a 6 month period, periodic installments of principal are not paid but interest shall accrue and be paid by the Secretary on such loan.

(3) PERIOD NOT TO COUNT AGAINST ECONOMIC HARDSHIP PERIODS PROVIDED IN HIGHER EDUCATION ACT OF 1965.—Notwithstanding any provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.), the 6-month grace period provided in paragraph (2) for an eligible borrower shall not count as part of the 3-year economic hardship periods provided in sections 427(a)(2)(C)(iii), 428(b)(1)(M)(iii), 455(f)(2)(C), and 464(c)(2)(A)(iii) of the Higher Education Act of 1965 (20 U.S.C. 1077(a)(2)(C)(iii), 1078(b)(1)(M)(iii), 1087e(f)(2)(C), and 1087dd(c)(2)(A)(iii)).

TITLE III—EMERGENCY HOUSING ASSISTANCE

SEC. 301. SHORT TITLE.

This title may be cited as the “Helping to House the Victims of Hurricane Katrina Act of 2005”.

SEC. 302. HURRICANE KATRINA EMERGENCY ASSISTANCE VOUCHERS.

Section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) is amended by adding at the end the following:

“(20) HURRICANE KATRINA EMERGENCY ASSISTANCE VOUCHERS.—

“(A) IN GENERAL.—Subject to section 501 of the Katrina Emergency Relief Act of 2005, during the 6-month period beginning on the date of enactment of the Katrina Emergency Relief Act of 2005, the Secretary shall provide temporary rental assistance to any individual or family, if—

“(i) the individual or family resides, or resided on August 29, 2005, in any area that is subject to a declaration by the President of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina; and

“(ii) the residence of the individual or family became uninhabitable or inaccessible as result of that major disaster or emergency.

“(B) REGULATIONS.—Not later than 30 days after the date of enactment of the Katrina Emergency Relief Act of 2005, the Secretary shall issue final rules to establish the procedures applicable to the issuance of assistance under subparagraph (A).

“(C) NOTICE.—The Secretary, in consultation with the Director of the Federal Emergency Management Agency and such other

agencies as the Secretary determines appropriate, shall establish procedures for providing notice of the availability of assistance under this paragraph to individuals or families that may be eligible for such assistance.

“(D) AUTHORITY TO CONTRACT WITH PHA’S AND OTHERS.—The Secretary may contract with any State or local government agency or public housing agency, or in consultation with any State or local government agency, with any other entity, to ensure that assistance payments under this paragraph are provided in an efficient and expeditious manner.

“(E) WAIVER OF ELIGIBILITY REQUIREMENTS.—In providing assistance under this paragraph, the Secretary shall waive the requirements under—

“(i) paragraph (2), relating to tenant contributions towards rent, except that any such waiver shall expire on an individual’s return to work;

“(ii) paragraph (4), relating to the eligibility of individuals to receive assistance;

“(iii) subsection (k) and paragraph (5) of this subsection, relating to verification of income;

“(iv) paragraph (7)(A), relating to the requirement that leases shall be for a term of 1 year;

“(v) paragraph (8), relating to initial inspection of housing units by a public housing agency; and

“(vi) subsection (r)(1)(B), relating to restrictions on portability.

“(F) USE OF FUNDS.—Notwithstanding any other provision of law, funds available for assistance under this paragraph—

“(i) shall be made available by the Secretary to individuals to cover the cost of —

“(I) rent;

“(II) security and utility deposits;

“(III) relocation expenses, including expenses incurred in relocating back to the major disaster area when such relocation is permitted; and

“(IV) such additional expenses as the Secretary determines necessary; and

“(ii) shall be used by the Secretary—

“(I) for payments to public housing agencies, State or local government agencies, or other voucher administrators for vouchers used to assist individuals or families affected by the major disaster or emergency described in this paragraph up to their authorized level of vouchers, if any such vouchers are not otherwise funded; and

“(II) to provide operating subsidies to public housing agencies for public housing units provided to individuals or families affected by the major disaster or emergency described in this paragraph, if such a subsidy was not previously provided for those units.

“(G) PAYMENT STANDARD.—For purposes of this paragraph, the payment standard for each size of dwelling unit in a market area may not exceed 150 percent, or higher if the Secretary approves of such increase, of the fair market rental established under subsection (c) for the same size dwelling unit in the same market area, and shall be not less than 90 percent of that fair market rental.

“(H) NONDISCRIMINATION.—In selecting individuals or families for tenancy, a landlord or owner may not exclude or penalize an individual or family solely because any portion of the rental payment of that individual or family is provided under this paragraph.

“(21) ASSISTANCE FOR CURRENT VOUCHER RECIPIENTS AFFECTED BY HURRICANE KATRINA.—

“(A) IN GENERAL.—The Secretary shall waive any of the requirements described in clauses (i) through (vi) of paragraph (20)(E) for any individual or family receiving assistance under this section on August 29, 2005, if—

“(i) the individual or family resides, or resided on August 29, 2005, in any area that is subject to a declaration by the President of

a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina; and

“(ii) the residence of the individual or family became uninhabitable or inaccessible as result of that major disaster or emergency.

“(B) ADDITIONAL USES OF FUNDS.—Notwithstanding any other provision of law, the Secretary shall provide, as the Secretary determines appropriate, supplemental assistance to an individual or family receiving assistance under this section on August 29, 2005, and meeting the requirements described in subparagraph (A), to assist the individual or family with the additional costs of relocating to new housing, including to cover—

“(i) the additional cost of rent and utilities;

“(ii) security and utility deposits;

“(iii) relocation expenses, including expenses incurred in relocating back to the major disaster area when such relocation is permitted; and

“(iv) such additional expenses as the Secretary determines necessary.

“(C) PAYMENT STANDARD.—For purposes of this paragraph, the payment standard for each size of dwelling unit in a market area may not exceed 150 percent, or higher if the Secretary approves of such increase, of the fair market rental established under subsection (c) for the same size dwelling unit in the same market area, and shall be not less than 90 percent of that fair market rental.

“(D) NONDISCRIMINATION.—A landlord or owner may not exclude or penalize an individual or family solely because that individual or family is eligible for any waivers or benefits provided under this paragraph.

“(22) AUTHORITY OF THE SECRETARY TO DIRECTLY ADMINISTER VOUCHERS WHEN PHA'S ARE UNABLE TO DO SO.—If the Secretary determines that a public housing agency is unable to implement the provisions of this subsection due to the effects of Hurricane Katrina, the Secretary may—

“(A) directly administer any voucher program described in paragraphs (1) through (20); and

“(B) perform the functions assigned to a public housing agency by this subsection.”.

SEC. 303. REPORT ON INVENTORY OF AVAILABILITY OF TEMPORARY HOUSING.

Not later than 10 days after the date of enactment of this Act, the Secretary of Defense, the Administrator of the General Services Administration, the Secretary of Agriculture, and such other agency heads as the Secretary determines appropriate, shall compile and report to the Secretary an inventory of Federal civilian and defense facilities that can be used—

(1) to provide emergency housing; or

(2) as locations for the construction or deployment of temporary housing units.

SEC. 304. APPROPRIATION OF FUNDING.

(a) IN GENERAL.—There are authorized to be appropriated and are appropriated \$3,500,000,000 to provide assistance under this title.

(b) EMERGENCY DESIGNATION.—The amount appropriated under subsection (a) is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

TITLE IV—FINANCIAL RELIEF

Subtitle A—Limitation on Payments

SEC. 401. SHORT TITLE.

This subtitle may be cited as the “Hurricane Emergency Limitation on Payments (HELP) Act of 2005”.

SEC. 402. DEFINITIONS.

In this subtitle:

(1) DISASTER.—The term “Disaster” means the major disasters declared by the Presi-

dent on August 29, 2005, relating to damage caused by Hurricane Katrina.

(2) INJURED PERSON.—The term “injured person” means any individual or entity that suffers harm resulting from the Disaster that makes the individual or entity eligible to receive, and the individual or entity submits an application in good faith to receive—

(A) housing assistance under section 408(b) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(b));

(B) financial assistance to address other needs under section 408(e) of that Act (42 U.S.C. 5174(e));

(C) unemployment assistance under section 410 of that Act (42 U.S.C. 5177) (as amended by subtitle C);

(D) a disaster loan under section 7(b) of the Small Business Act (15 U.S.C. 636(b)); or

(E) an emergency loan made under subtitle C of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961 et seq.).

SEC. 403. MORATORIUM ON PAYMENTS.

(a) IN GENERAL.—Except as otherwise provided in this subtitle, no injured person shall be subject to a penalty or a requirement to pay interest for a failure of the injured person, as a result of the Disaster, to make timely payment of a financial obligation for any loan made, subsidized, or guaranteed by the United States.

(b) APPLICABILITY TO LOANS.—The moratorium under subsection (a) shall not apply to any loan made to or assumed by an injured person on or after August 29, 2005.

(c) PERIOD OF EFFECTIVENESS.—The moratorium under subsection (a) shall apply in accordance with section 501 to the failure of an injured person to make timely payments.

(d) ELIGIBILITY.—If a Federal agency responsible for administering a benefit program referred to in section 402(b) determines that an individual or entity that has applied to receive a benefit under the program is not eligible to receive the benefit, the individual or entity, for purposes of the moratorium under subsection (a), shall cease to be considered an injured person as of the date on which the individual or entity receives notice of the determination of the Federal agency.

(e) FEDERAL RESPONSIBILITY.—In the case of a moratorium on payments on a loan subsidized or guaranteed by the United States, nothing in this section excuses the United States from any liability of the United States to the lender under the terms of the agreement between the United States and the lender.

(f) EFFECT OF OTHER LAW.—The moratorium under subsection (a) shall apply to an injured person only if, and to the extent that, the injured person is not excused from, or eligible to be excused from, the obligation under other applicable law.

Subtitle B—Individual and Household Assistance

SEC. 411. INDIVIDUAL AND HOUSEHOLD ASSISTANCE.

(a) MAXIMUM AMOUNTS.—Notwithstanding section 408 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174), in providing assistance to individuals and households affected by Hurricane Katrina, the President may waive the limitation on total assistance under subsection (h) of that section.

(b) MORTGAGE AND RENTAL ASSISTANCE.—

(1) IN GENERAL.—During the 18-month period beginning on the date of enactment of this Act, the President may provide assistance in the form of mortgage or rental payments for persons described in paragraph (2).

(2) ELIGIBLE PERSONS.—Assistance under paragraph (1) may be provided to any individual or household that—

(A) resided on August 29, 2005, in an area that is subject to a declaration by the Presi-

dent of a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina; and

(B) as a result of financial hardship caused by a major disaster described in subparagraph (A), is subject to dispossession or eviction from a residence due to foreclosure of a mortgage or lien or termination of a lease entered into before the date on which the major disaster is declared.

(c) TYPES OF HOUSING ASSISTANCE.—No limitation relating to the maximum amount of assistance under paragraph (2) or (3) of section 408(c) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(c)) shall apply with respect to major disaster FEMA-1603-DR-Louisiana, FEMA-1604-DR-Mississippi, or FEMA-1605-DR-Alabama.

(d) FINANCIAL ASSISTANCE TO ADDRESS OTHER NEEDS.—Notwithstanding section 408(g)(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5174(g)(2)), in the case of financial assistance provided under subsection (e) of that section to any individual or household in response to a major disaster referred to in subsection (c), the Federal share shall be 100 percent.

Subtitle C—Unemployment Assistance

SEC. 421. UNEMPLOYMENT ASSISTANCE.

Section 410 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5177) is amended by striking the section heading and all that follows through the end of subsection (a) and inserting the following:

“SEC. 410. UNEMPLOYMENT ASSISTANCE.

“(a) PROVISION OF UNEMPLOYMENT ASSISTANCE.—

“(1) ASSISTANCE.—

“(A) IN GENERAL.—The President shall provide to any individual unemployed as a result of a major disaster such benefit assistance as the President determines to be appropriate.

“(B) LOCATION OF EMPLOYMENT.—An individual that is unemployed as a result of a major disaster as determined under subparagraph (A) may receive assistance under this subsection regardless of whether the individual was employed at a location within the declared disaster area.

“(C) REASON FOR UNEMPLOYMENT.—For purposes of this subsection, an individual who is unemployed because a loss of business resulting from a major disaster contributed importantly to the employer's decision to reduce or terminate employment shall be considered to be an individual unemployed as a result of a major disaster.

“(D) ELIGIBILITY.—An individual shall be eligible to receive assistance under this subsection regardless of whether the individual is eligible to receive, or has exhausted eligibility for, State unemployment compensation.

“(2) AVAILABILITY.—Assistance provided to an unemployed individual under paragraph (1) shall be available as long as the unemployment of the individual caused by the major disaster continues, or until the individual is reemployed in at least a comparable position, but not longer than 52 weeks after the date on which the unemployed individual first receives assistance.

“(3) MAXIMUM AND MINIMUM WEEKLY AMOUNTS.—The amount of assistance provided to an unemployed individual under this subsection for each week of unemployment shall be—

“(A) unless the amount is less than the amount described in subparagraph (B), not more than the maximum weekly amount authorized under the unemployment compensation law of the State in which the disaster occurred; and

“(B) not less than the national average weekly unemployment benefit provided to an individual as of the date of the major disaster for which unemployment assistance is provided.

“(4) PERIOD FOR APPLICATION.—The President shall accept applications for assistance under this subsection for—

“(A) the 90-day period beginning on the date on which the applicable major disaster is declared; or

“(B) such longer period as may be established by the President.

“(5) COOPERATION WITH STATES.—The President shall provide assistance under this subsection through agreements with States that, in the judgment of the President, have an adequate system for administering the assistance through existing State agencies.”.

Subtitle D—Tax Relief

SEC. 431. REQUIRED EXERCISE OF AUTHORITY UNDER SECTION 7508A FOR TAX RELIEF FOR VICTIMS OF HURRICANE KATRINA.

In the case of any taxpayer determined by the Secretary of the Treasury to be affected by the Presidentially declared disaster relating to Hurricane Katrina, the Secretary of the Treasury shall specify a period under section 7508A of the Internal Revenue Code of 1986 of not less than 6 months beginning on August 29, 2005, that may be disregarded with respect to all of the acts described in section 7508(a)(1) of such Code.

SEC. 432. PENALTY FREE WITHDRAWALS FROM RETIREMENT PLANS FOR VICTIMS OF HURRICANE KATRINA.

(a) EXCLUSION FROM INCOME OF CERTAIN DISTRIBUTIONS WHICH ARE REPAID.—Section 72 of the Internal Revenue Code of 1986 (relating to individual retirement accounts) is amended by redesignating subsection (x) as subsection (y) and by inserting after subsection (w) the following new subsection:

“(x) REPAYABLE DISTRIBUTIONS FROM QUALIFIED RETIREMENT PLANS FOR VICTIMS OF HURRICANE KATRINA.—

“(1) IN GENERAL.—Notwithstanding any other provision of this section, gross income shall not include any qualified distribution.

“(2) REPAYMENT REQUIREMENT.—

“(A) ADDITION TO TAX.—If the required recontributions made by the taxpayer during the repayment period are less than the qualified distribution, the tax imposed by this chapter for the last taxable year in the repayment period shall be increased by the amount determined under subparagraph (B).

“(B) DETERMINATION OF AMOUNT.—The amount determined under this subparagraph shall be an amount which bears the same ratio to the tax benefit amount as—

“(i) the excess (if any) of the qualified distribution over required recontributions made during the repayment period, bears to

“(ii) the qualified distribution.

“(C) REPAYMENT PERIOD.—For purposes of this subsection, the term ‘repayment period’ means, with respect to any qualified distribution, the 5-taxable year period beginning after the taxable year in which such distribution is received.

“(D) TAX BENEFIT AMOUNT.—For purposes of this subsection, the term ‘tax benefit amount’ means, with respect to any qualified distribution, the aggregate reduction in the tax imposed by this chapter for the taxable year in which such distribution is received by reason of the exclusion under paragraph (1).

“(3) QUALIFIED DISTRIBUTION.—For purposes of this subsection, the term ‘qualified distribution’ means any distribution to an individual who has a principal place of abode within the area designated as a disaster area by the President under the Robert T. Stafford Disaster Relief and Emergency Assist-

ance Act in connection with Hurricane Katrina—

“(A) if such distribution is made during the 6-month period beginning on the date such declaration is made, and

“(B) to the extent such distribution does not exceed the excess of—

“(i) the amount of expenses incurred as a result of such disaster, over

“(ii) the amount of such expenses which are compensated for by insurance or otherwise.

“(4) RECONTRIBUTION OF QUALIFIED DISTRIBUTIONS.—

“(A) IN GENERAL.—If an individual received a qualified distribution, such individual shall make required recontributions in the manner provided in this paragraph to an individual retirement plan maintained for the benefit of such individual.

“(B) METHOD OF MAKING RECONTRIBUTION.—Any required recontribution—

“(i) shall be made during the repayment period for the qualified distribution,

“(ii) shall not exceed the qualified distribution reduced by any prior recontribution under this paragraph with respect to such distribution, and

“(iii) shall be made by making a payment in cash to the qualified retirement plan from which the qualified distribution was made.

An individual making a required recontribution under this paragraph shall designate (in the manner prescribed by the Secretary) such contribution as a required recontribution under this paragraph and shall specify the qualified distribution with respect to which such recontribution is being made.

“(C) TREATMENT OF CONTRIBUTION.—For purposes of this title, any required recontribution under this paragraph shall not be taken into account for purposes of any limitation on contributions to a qualified retirement plan (as so defined).

“(5) OTHER SPECIAL RULES.—

“(A) BASIS RULES NOT AFFECTED.—The tax treatment under this chapter of any distribution (other than a qualified distribution) shall be determined as if this subsection had not been enacted.

“(B) AGGREGATION RULE.—For purposes of this subsection, all qualified distributions received by an individual during a taxable year shall be treated as a single distribution.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to distributions received after the date of the enactment of this Act, in taxable years ending after such date.

Subtitle E—Hurricane Katrina Food Assistance Relief

SEC. 441. SHORT TITLE.

This subtitle may be cited as the “Hurricane Katrina Food Assistance Relief Act of 2005”.

SEC. 442. DEFINITION OF SECRETARY.

In this subtitle, the term “Secretary” means the Secretary of Agriculture.

SEC. 443. FOOD STAMP PROGRAM DISASTER AUTHORITY.

(a) IN GENERAL.—Section 5(h) of the Food Stamp Act of 1977 (7 U.S.C. 2014(h)) is amended by adding at the end the following:

“(4) RESPONSE TO HURRICANE KATRINA.—

“(A) DEFINITIONS.—In this paragraph:

“(i) AFFECTED AREA.—

“(I) IN GENERAL.—The term ‘affected area’ means an area of a State that the Secretary determines was affected by Hurricane Katrina or a related condition.

“(II) INCLUSION.—The term ‘affected area’ includes any area that, as a result of Hurricane Katrina or a related condition, was covered by—

“(aa) a natural disaster declaration under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)); or

“(bb) a major disaster or emergency designation under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

“(ii) AFFECTED HOUSEHOLD.—

“(I) IN GENERAL.—The term ‘affected household’ means a household—

“(aa) in an affected area;

“(bb) in which a member worked immediately prior to August 29, 2005, in an affected area; or

“(cc) that was displaced as a result of Hurricane Katrina or a related condition to other areas of the same or another State.

“(II) INCLUSION.—The term ‘affected household’ includes a household containing 1 or more individuals that were displaced as a result of Hurricane Katrina or a related condition, as determined by the Secretary.

“(iii) DISASTER RECOVERY PERIOD.—

“(I) IN GENERAL.—The term ‘disaster recovery period’ means the period of 180 days beginning on the date of enactment of this paragraph.

“(II) EXTENSION.—The disaster recovery period shall be extended for another 180 days unless the President determines that the extension is not necessary to fully meet the needs of affected households.

“(B) DISASTER RECOVERY PERIOD.—During the disaster recovery period—

“(i) clauses (iv) and (v) of subsection (g)(2)(B), subsections (d) and (o) of section 6, and section 8(c)(1) shall not apply to affected households;

“(ii) the application of an affected household shall be processed under the procedures established under section 11(e)(9);

“(iii) at the option of the State agency, the State agency may increase the value to the affected household of the thrifty food plan determined under section 3(o) by 6 percent when calculating the value of the allotment for an affected household under section 8(a), in lieu of making the adjustment otherwise required by clause (iv);

“(iv) except in the case of a household to which clause (iii) applies, the State agency shall calculate the income of an affected household using a standard deduction of \$323 in lieu of the deduction provided under subsection (e)(1);

“(v) the Secretary shall pay each State agency an amount equal to 100 percent of administrative costs allowable under section 16(a) related to serving affected households in lieu of the payments section 16(a) would otherwise require for those costs;

“(vi) an affected household shall be considered to meet the requirements of subsection (c)(2) if the income of the affected household, as calculated under subsection (c)(2), does not exceed the level permitted under subsection (c)(1) by more than 50 percent;

“(vii) any funds designated for rebuilding or relocation (including payments from Federal, State, or local governments, charitable organizations, employers, or insurance companies) shall be excluded from consideration under subsection (g) in determining the eligibility of an affected household; and

“(viii) an affected household may not be considered to customarily purchase food and prepare meals together with other individuals if the affected household did not customarily purchase food and prepare meals for home consumption with those individuals immediately prior to August 29, 2005.

“(C) DUPLICATE PARTICIPATION.—

“(i) IN GENERAL.—The Secretary shall take such actions as are prudent and reasonable under the circumstances to identify affected households that are participating in more than 1 State and to terminate the duplicate participation of those households.

“(ii) NO ACTION TAKEN.—Except in the case of deliberate falsehoods, no action may be taken against any affected household relating to any duplicate participation during the disaster recovery period that takes place prior to termination under clause (i).

“(D) CLAIMS RELATING TO BENEFITS.—Except in the case of intentional program violations as determined under section 6(b), no claim may be established under section 13(b) relating to benefits issued under this subsection.

“(E) PAYMENT ERROR RATE.—For purposes of determining the payment error rate of a State agency under section 16(c), the Secretary shall disregard any errors resulting from the application of this paragraph to an affected household during the disaster recovery period.

“(F) SAVINGS CLAUSE.—This paragraph shall not apply in any area of a State to the extent that there is in effect in the area an emergency food stamp plan approved by the Secretary that is more generous than the assistance provided under this paragraph.”.

(b) PROGRAM INFORMATION ACTIVITIES.—

(1) IN GENERAL.—From funds otherwise appropriated for the food stamp program established under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the Secretary may use not more than \$5,000,000 for the period of fiscal year 2005 through 2006 to enter into contracts with nonprofit organizations to provide affected households (as defined in section 5(h)(4)(A)(i) of the Food Stamp Act of 1977 (as added by subsection (a)) with information about and assistance in completing the application process for any food assistance programs for which the Secretary provides funds or commodities.

(2) EXPEDITING PROVISIONS.—Notwithstanding any other provision of law, the Secretary shall not be required—

(A) to provide public notice of the availability of funds described in paragraph (1); or

(B) to accept competitive bids for contracts under this subsection.

SEC. 444. EMERGENCY FOOD ASSISTANCE PROGRAM AND SECTION 32 ASSISTANCE.

(a) DEFINITION OF ELIGIBLE RECIPIENT.—In this section, the term “eligible recipient” means an individual or household that, as determined by the Secretary in consultation with the Secretary of Homeland Security—

(1) is a victim of Hurricane Katrina or a related condition;

(2) has been displaced by Hurricane Katrina or a related condition; or

(3) is temporarily housing 1 or more individuals displaced by Hurricane Katrina or a related condition.

(b) ASSISTANCE.—

(1) IN GENERAL.—In addition to funds already obligated to carry out the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.), the Secretary, in consultation with the Secretary of Homeland Security, shall use not more than \$200,000,000 of funds made available under that Act to provide a variety of food to eligible recipient agencies for providing food assistance to eligible recipients, including—

(A) special supplemental foods for pregnant women and infants or for other individuals with special needs;

(B) infant formula;

(C) bottled water; and

(D) fruit juices.

(2) USE OF FUNDS.—Funds made available under paragraph (1) may be used to provide commodities in accordance with—

(A) section 27 of the Food Stamp Act of 1977 (7 U.S.C. 2036);

(B) section 203A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7504); and

(C) section 204 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508).

(c) SECTION 32 FUNDING.—In addition to funds obligated for fiscal years 2005 and 2006 under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), the Secretary shall use not more than \$200,000,000 of funds made available under that section to provide food assistance to eligible recipients, including food described in subparagraphs (A) through (D) of subsection (b)(1).

SEC. 445. WIC FUNDING.

(a) IN GENERAL.—In addition to other funds made available to the Secretary for fiscal year 2005 or 2006 to carry out the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), there is authorized to be appropriated \$200,000,000, to remain available until September 30, 2007.

(b) EMERGENCY DESIGNATION.—The amounts made available by the transfer of funds in or pursuant to subsection (a) are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

(c) ALLOCATION OF FUNDS.—Notwithstanding section 17(i) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(i)), the Secretary may allocate funds made available under subsection (a) as the Secretary determines to be necessary to provide assistance to women, infants, and children who, as determined by the Secretary in consultation with the Secretary of Homeland Security—

(1) are victims of Hurricane Katrina or a related condition; or

(2) have been displaced by Hurricane Katrina or a related condition.

SEC. 446. REPORT.

Not later than 180 days after the date of enactment of this Act, the Secretary, in consultation with the Secretary of Homeland Security, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

(1) describes whether additional funding or authority is needed to continue to address the food needs of eligible recipients; and

(2) includes any determination by the President under section 5(h)(4)(A)(iii)(II) of the Food Stamp Act of 1977 (as added by section 03(a)) that an extension of the disaster recovery period is not necessary to fully meet the needs of affected households.

SEC. 447. REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this subtitle.

(b) PROCEDURE.—The promulgation of the regulations and administration of this subtitle shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

Subtitle F—Bankruptcy Relief

SEC. 451. BANKRUPTCY RELIEF FOR VICTIMS OF HURRICANE KATRINA.

(a) IN GENERAL.—Notwithstanding any other provision of law, the provisions of title 11, United States Code, as in effect on August 29, 2005, shall apply to any case described in subsection (b).

(b) ELIGIBILITY.—A case described in this subsection is a case commenced during the 180-day period beginning on the effective date of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, under title 11, United States Code (other than under chapter 12 of that title 11), or during an extension of a period for the availability of benefits or assistance in accordance with section 501(b), by or on behalf of a debtor who resides, or who resided on August 29, 2005, in any area that is subject to a declaration by the President of a major disaster under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina.

TITLE V—ADMINISTRATIVE MATTERS

SEC. 501. PERIOD OF AVAILABILITY OF BENEFITS.

(a) IN GENERAL.—Except as otherwise provided by this Act or an amendment made by this Act, a benefit or assistance provided by any provision of this Act or an amendment made by this Act shall be available through the date that is 180 days after the date of enactment of this Act.

(b) AUTOMATIC EXTENSION.—The period during which a benefit or assistance described in subsection (a) is available shall be automatically extended for an additional 180 days, beginning on the date that is 181 days after the date of enactment of this Act (or any earlier date on which such period expires under a provision of this Act or an amendment made by this Act), unless the President determines that the extension of the availability of the benefit or assistance is not necessary to fully meet the needs of individuals and households affected by Hurricane Katrina or a related condition.

(c) REPORT.—If the President determines that an extension is not necessary under subsection (b), the President shall submit to Congress a report describing the determination.

SEC. 502. NONDISCRIMINATION.

Each recipient of Federal funds made available pursuant to this Act or an amendment made by this Act, in carrying out programs and activities with those funds, shall comply with all Federal laws (including regulations) prohibiting discrimination on the basis of race, color, religion, sex, national origin, age, or disability, including title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.). Each recipient of Federal funds made available pursuant to this Act or an amendment made by this Act, in carrying out programs and activities with those funds, shall comply with all Federal laws (including regulations) prohibiting discrimination on the basis of race, color, religion, sex, national origin, age, or disability, including title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

By Mr. OBAMA:

S. 1638. A bill to provide for the establishment of programs and activities to assist in mobilizing an appropriate healthcare workforce in the event of a health emergency or natural disaster; to the Committee on Health, Education, Labor, and Pensions.

Mr. OBAMA. Mr. President, earlier this week I traveled with former Presidents Bush and Clinton to Houston and met countless hurricane survivors who shared heart-wrenching stories about their experiences. Too many of the hurricane survivors have lost their jobs, their homes, and for some, beloved friends and family members.

Hurricane Katrina served as another important reminder of man's inability

to control the wrath of Mother Nature. Yet, our response to such calamitous events is completely within our control. Hurricane Katrina was the first disaster, the Nation's emergency response to Hurricane Katrina was the second disaster.

We have all watched TV reports of residents stranded, abandoned really, without food or water and medical care, while those charged with emergency response delayed and fumbled their duties. Many of the sick and elderly were left behind at the makeshift hospital inside the New Orleans airport, and others faced uncertainties regarding their own medical care while staying at temporary shelters in Houston.

The Nation's generous outpouring of support for the survivors of Hurricane Katrina is heart-warming. Yet, many of those who would volunteer their services have been thwarted by bureaucratic red tape from antiquated laws and regulations. My own office has received numerous complaints from constituents whose offers of service were refused. In particular, medical professionals, which are still so desperately needed in affected areas, were turned away from FEMA and not informed about alternative mechanisms for volunteering. These doctors also expressed concerns relating to licensure, liability, and their ability to take leaves of absence from their jobs.

The Federal Government should be doing everything possible to streamline the process by which trained medical personnel around the country can volunteer their services in Louisiana, Mississippi, Alabama, and any of the States where evacuees have been relocated. I have introduced legislation today, entitled the Hurricane Katrina Emergency Health Workforce Act of 2005, that will start this process.

There are five components to this bill. It would create a national emergency health professional volunteer corps, so that we will have a ready pool of volunteer doctors and nurses who are willing, trained, and certified to serve in times of disaster. My bill would provide liability protections to qualified health professionals and provide the same job protections that many Federal employees and members of the National Guard already have. Requirements for State licensure would be lifted for licensed doctors who travel to disaster stricken areas outside of their home States. In addition, the CDC would establish a national and easily accessible database with the names and contact information of doctors and nurses, as well as their specialties and licensures, around the Nation. Finally, recognizing that emergencies are often unpredictable, this legislation would grant the Secretary broad authority to suspend rules and regulations in order to get health professionals where they are needed and when they are needed.

Although we live in a changing and uncertain world, one constant re-

mains—whether it be earthquakes, hurricanes, tornadoes, or sadly even terrorist attacks, the nation will surely face future devastating and cataclysmic events. We know now that the Nation's preparedness for such events in no way matches our ability to respond and mitigate human suffering and economic collapse. We must do better. I urge each of my colleagues to join me in passing this legislation.

By Mr. NELSON of Florida:

S. 1640. A bill to prohibit price gouging relating to certain goods and services in areas affected by major disasters; to the Committee on Commerce, Science, and Transportation.

Mr. NELSON of Florida. Mr. President, I rise today to introduce the "Protection from Price Gouging Against Disaster Victims Act of 2005" and ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1640

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 "Protection From Price Gouging Against Disaster Victims Act of 2005".

SEC. 2. FINDINGS AND GOALS.

(a) FINDINGS.—Congress finds that—

(1) the United States experiences tremendous generosity and goodwill in the wake of natural disasters;

(2) unfortunately, some unscrupulous individuals take advantage of those disasters in an attempt to gain financially;

(3) the Federal Trade Commission is charged with preventing unfair methods of competition and unfair and deceptive acts or practices under section 5 of the Federal Trade Commission Act (15 U.S.C. 45);

(4) the Federal Trade Commission has extensive experience analyzing markets and competitive issues in order to determine whether market participants are engaging in actions that may have anticompetitive effects; and

(5) the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives are charged by their respective Houses with consumer protection.

(b) GOALS.—The goals of this Act are—

(1) to decrease the occurrence of persons charging unconscionably excessive prices for consumer goods and services following natural disasters;

(2) to require the Federal Trade Commission to conduct ongoing investigations of actions intended to disadvantage consumers following natural disasters; and

(3) to ensure that sufficient enforcement authority is available to the Commission to carry out the responsibilities of the Commission under this Act and the amendments made by this Act.

SEC. 3. PRICE GOUGING PROHIBITION FOLLOWING MAJOR DISASTERS.

The Federal Trade Commission Act (15 U.S.C. 41 et seq.) is amended—

(1) by redesignating sections 25 and 26 as sections 26 and 27, respectively; and

(2) by inserting after section 24 the following:

"SEC. 25. PROTECTION FROM PRICE GOUGING FOLLOWING MAJOR DISASTERS.

"(a) DEFINITIONS.—In this section:

"(1) AFFECTED AREA.—The term 'affected area' means an area affected by a major disaster declared by the President under Federal law in existence on the date of enactment of the Protection From Price Gouging Against Disaster Victims Act of 2005.

"(2) CONSUMER GOOD OR SERVICE.—

"(A) IN GENERAL.—The term 'consumer good or service' means a good, piece of equipment, or service provided primarily for personal, family, or household purposes, including food, water, ice, a chemical, a building supply, a tool, a petroleum product, a residential construction, reconstruction, or repair service, or a service for the removal of debris (including a damaged tree) or garbage.

"(B) INCLUSION.—The term 'consumer good or service' includes a property or a facility rented to a consumer for use as a residence or storage facility.

"(3) PRICE GOUGING.—The term 'price gouging' means the charging of an unconscionably excessive price by a supplier in an affected area.

"(4) SUPPLIER.—The term 'supplier' includes a seller, reseller, wholesaler, distributor, retailer, lessor, provider, or licensed or unlicensed contractor, subcontractor, or laborer engaged in the provision or distribution of a consumer good or service.

"(5) UNCONSCIONABLY EXCESSIVE PRICE.—The term 'unconscionably excessive price' means a price charged in an affected area for a consumer good or service that—

"(A) represents a gross disparity, as determined by the Commission in accordance with subsection (e), between the price charged for the good or service and the average price of the good or service charged by suppliers in the affected area during the 30-day period immediately before the President declares the existence of a major disaster; and

"(B) is not attributable to increased wholesale or operational costs incurred by the supplier in connection with the provision of the consumer good or service.

"(b) DETERMINATION OF THE COMMISSION.—Following the declaration of a major disaster by the President, the Commission shall—

"(1) consult with the Attorney General of the United States, the United States Attorney for the district in which the disaster occurred, and State and local law enforcement officials to determine whether any supplier in the affected area is charging or has charged an unconscionably excessive price for any consumer good or service provided in the affected area; and

"(2) establish within the Commission—

"(A) a toll-free hotline that a consumer may call to report an incidence of price gouging in the affected area; and

"(B) a program to develop and distribute to the public informational materials in English and Spanish to assist residents of the affected area in detecting and avoiding price gouging.

"(c) PRICE GOUGING INVOLVING DISASTER VICTIMS.—

"(1) OFFENSE.—During the 180-day period after the date on which a major disaster is declared by the President, no supplier shall provide, or offer to provide, any consumer good or service in an affected area at an unconscionably excessive price.

"(2) ACTION BY COMMISSION.—

"(A) IN GENERAL.—During the period described in paragraph (1), the Commission shall conduct investigations to determine whether any supplier in an affected area is in violation of paragraph (1).

"(B) POSITIVE DETERMINATION.—If the Commission determines under subparagraph (A) that a supplier is in violation of paragraph

(1), the Commission shall take any action the Commission determines to be appropriate to remedy the violation.

“(3) CIVIL PENALTIES.—A supplier that commits an offense described in paragraph (1) may, in a civil action brought in a court of competent jurisdiction, be subject to—

“(A) a civil penalty not more than \$500,000;

“(B) an order to pay special and punitive damages;

“(C) an order to pay reasonable attorney’s fees;

“(D) an order to pay costs of litigation relating to the offense;

“(E) an order for disgorgement of profits earned as a result of a violation of paragraph (1); and

“(F) any other relief determined by the court to be appropriate.

“(4) CRIMINAL PENALTY.—A supplier that knowingly commits an offense described in paragraph (1) shall be imprisoned not more than 1 year.

“(5) ACTION BY VICTIMS.—A person, Federal agency, State, or local government that suffers loss or damage as a result of a violation of paragraph (1) may bring a civil action against a supplier in any court of competent jurisdiction for disgorgement, special or punitive damages, injunctive relief, reasonable attorney’s fees, costs of the litigation, and any other appropriate legal or equitable relief.

“(6) ACTION BY STATE ATTORNEYS GENERAL.—An attorney general of a State, or other authorized State official, may bring a civil action in the name of the State, on behalf of persons residing in the State, in any court of competent jurisdiction for disgorgement, special or punitive damages, reasonable attorney’s fees, costs of litigation, and any other appropriate legal or equitable relief.

“(7) NO PREEMPTION.—Nothing in this section preempts any State law.

“(d) REPORT.—Not later than 1 year after the date of enactment of the Protection From Price Gouging Against Disaster Victims Act of 2005, and annually thereafter, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report describing—

“(1) the number of price gouging complaints received by the Commission for each major disaster declared by the President during the preceding year;

“(2) the number of price gouging investigations of the Commission initiated, in progress, and completed as of the date on which the report is prepared;

“(3) the number of enforcement actions of the Commission initiated, in progress, and completed as of the date on which the report is prepared;

“(4) an evaluation of the effectiveness of the toll-free hotline and program established under subsection (b)(2); and

“(5) recommendations for any additional action with respect to the implementation or effectiveness of this section.

“(e) DEFINITION OF GROSS DISPARITY.—Not later than 180 days after the date of enactment of the Protection From Price Gouging Against Disaster Victims Act of 2005, the Commission shall promulgate regulations to define the term ‘gross disparity’ for purposes of this section.”

SEC. 4. EFFECT OF ACT.

Nothing in this Act, or an amendment made by this Act, affects any authority of the Federal Trade Commission in existence on the date of enactment of this Act with respect to price gouging actions.

By Ms. SNOWE (for herself and Ms. COLLINS):

S. 1641. A bill to authorize the Secretary of the Army to carry out a project for the mitigation of shore damage attributable to the project for navigation, Saco River, Maine; to the Committee on Environment and Public Works.

Ms. SNOWE. Mr. President, I rise today to introduce a bill for the City of Saco, ME that concerns the town’s ability to allow the mooring of boats on the Saco River. The bill changes the turning basin into an anchorage while managing a 50-foot channel within the anchorage. The town was not aware that it was in violation because of 21 moorings located in the Saco River Federal Navigational Project. In an effort to eliminate this encroachment, city officials have requested a modification or deauthorization of the Federal Navigational Project to resolve the issue.

The U.S. Army Corps of Engineers has suggested language that re-designates the maneuvering basin into an anchorage area that will meet the needs of the community. The language, which I hope will be included in the Water Resources Development Act in this Congress, will allow for the legal moorage of boats, the fairway for which would be maintained by the City of Saco as is customary for towns with Federal anchorages. It is my understanding that the two mayors of the cities involved along with the Saco Yacht Club have agreed to the Corps’ language.

By Mr. CORNYN:

S. 1642. A bill to prohibit narco-terrorists from aiding and supporting terrorists and terrorist organizations; to the Committee on the Judiciary.

Mr. CORNYN. Mr. President, I rise today to introduce the Narco-Terrorism Prevention Act of 2005. This bill confronts the new reality and very real danger of the deadly mix of drug trafficking and terrorism.

Many of the State Department’s designated Foreign Terrorist Organizations are involved in the trafficking of illegal drugs—that is, illegal drugs that end up on the streets of cities throughout our country and other countries and poison the fabric of our society, our children, our families, and our neighbors. Terrorists, like the old organized crime syndicates from the past, have recognized that illegal drug trafficking is a valuable source of financing and another way to threaten our country.

The evidence linking these two criminal activities is overwhelming: terrorists in Afghanistan have been infiltrating and controlling the cultivation of poppies, and ultimately heroin; media reports indicate that the deadly Spain bombings were financed by drug money; the Hezbollah has been linked to drug trafficking; and of course, the Revolutionary Armed Forces of Colombia, or the FARC, has long-standing drug trafficking operations which fund their deadly activities.

Narco-terrorism takes many forms, all of which are deadly. Before September 11, the term called to mind Pablo Escobar, the classic cocaine trafficker who used terrorist tactics against citizens and officials to protect his drug trade. Post 9/11, governments now find themselves combating classic terrorist groups that participate in, or otherwise receive funds from, drug trafficking in order to further their agenda. But whether narco-terrorists are actual drug traffickers who use terrorism against civilians to advance their agenda, or are principally terrorists who out of convenience or necessity use drug money to further their cause, the label of narco-terrorist may be equally applicable to both groups, and the full force of U.S. law should be brought to bear on these organizations.

My State is experiencing the collateral effects of a drug war being carried out by modern day narco-terrorists in Nuevo Laredo, Mexico. News reports have described an ongoing battle between rival drug cartels over drug smuggling routes from Mexico into the United States. These organizations assassinate police officers and other government officials in a clear attempt to force the local government in Nuevo Laredo to allow these organizations to carry on their illegal activity, unimpeded. Our government needs every available tool at its disposal to combat this activity.

The legislation I introduce today creates a new Federal crime designed to punish the trafficking of controlled substances which are intended to benefit a foreign terrorist organization or any one else planning a terrorist attack. It also carries a stiff, mandatory-minimum penalty of 20 years for anyone convicted. Importantly, the Narco-Terrorism Prevention Act provides for extraterritorial jurisdiction which allows law enforcement to reach beyond our borders to arrest and deter those who intend to carry out a crime of this nature.

This bill says that whether you are a member of or assisting a drug cartel along the border that employs terrorist tactics to protect its drug trade, or you are assisting international terrorists with the proceeds from drug transactions, this bill targets you. This bill puts you on notice that our government has the authority to arrest you and, when apprehended, you will face a lengthy, and perhaps permanent, stay in prison.

By Mr. HARKIN (for himself and Mr. LEAHY):

S. 1643. A bill to provide the Secretary of Agriculture with additional authority and funding to provide emergency relief, in coordination with the Secretary of Homeland Security, to victims of Hurricane Katrina and related conditions; to the Committee on Agriculture, Nutrition, and Forestry.

HURRICANE KATRINA FOOD

Mr. HARKIN. Mr. President, for millions of people in the Gulf Coast, Hurricane Katrina has shredded the very fabric of everyday life. As my colleagues from Louisiana, Mississippi, and Alabama have already described, the needs are immeasurable. For many people, it will be years before their lives return to normal. And untold others have paid with their lives. We hold the citizens of Louisiana, Mississippi, and Alabama in our thoughts and in our prayers.

This storm calls on each of us to respond in the best way that we can. And people around the United States are opening their homes and their hearts to the victims of Hurricane Katrina.

Among the most immediate and pressing needs of many who have been hit by hurricane Katrina is a fundamental one—food. Displaced individuals with no ready source of income must, among all of their daily worries, still struggle with the basic task of feeding their families. This situation is exacerbated by the simple fact that retail food outlets have ceased to operate throughout the Gulf Coast. The Department of Agriculture has estimated that food stamp program caseloads alone are likely to increase by 1.4 million people because of Katrina. Furthermore, the Department says that this is a “very conservative” estimate and that the real need may be considerably greater than this.

In Louisiana alone, over 400,000 people are already receiving food stamps through the Emergency Food Stamp Program. In Texas, over 100,000 people have received emergency food stamps. These numbers are rising rapidly with every passing day and are certain to continue to do so.

No American should live in the shadow of hunger and food insecurity, least of all those displaced and devastated by natural disasters. Fortunately, the Federal Government has long provided food assistance to help individuals and families in need. The Department of Agriculture is already working hard to get commodities and emergency food stamps to the victims of Hurricane Katrina. And while there has been much criticism of the disaster efforts generally, I have yet to hear of complaints about the response from the Department of Agriculture. Even so, we can and must do more.

That is why today, with my colleague Senator LEAHY, I am introducing the Hurricane Katrina Food Assistance Relief Act of 2005. I am hopeful that my colleagues will join us in working to pass this legislation expeditiously to enhance our Federal response to the needs of hungry Americans devastated by Hurricane Katrina.

This proposal would provide USDA with additional funding and authorities to provide a strong and continuous response to the food needs of thousands of families adversely affected by Hurricane Katrina. The legislation builds upon the capacities of several Federal

programs to assist our citizens in need. The legislation targets three groups of households: Those living in areas hit by Katrina, those who have lost jobs in the disaster areas, and those who have relocated from the disaster area to other parts of the country.

This bill provides additional funds to allow for unanticipated caseload increases in the Special Supplemental Nutrition Program for Women, Infants, and Children.

It also gives the Department of Agriculture additional funds to purchase bulk commodities and to provide emergency food through food banks and local food pantries.

The legislation especially strengthens the ability of the Food Stamp Program to respond to this tremendous disaster by increasing benefit amounts, expanding eligibility, and streamlining the application process and the delivery of benefits. It also provides additional Federal funds to State food stamp agencies that are likely to be overwhelmed by the workload associated with helping all those who seek aid.

I ask that my colleagues on both sides of the aisle join with Senator LEAHY and me in continuing to shape an appropriate response to the food needs of the victims of Hurricane Katrina. The legislation that we are introducing today is a good faith effort and is, I believe, a generous and appropriate starting point. But I have no doubt that it may be improved. I welcome the advice and suggestions of my colleagues on both sides of the aisle and look forward to doing all that we can with all necessary haste to bring relief to the victims of Hurricane Katrina.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1643

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 “Hurricane Katrina Food Assistance Relief Act of 2005”.

SEC. 2. DEFINITION OF SECRETARY.

In this Act, the term “Secretary” means the Secretary of Agriculture.

SEC. 3. FOOD STAMP PROGRAM DISASTER AUTHORITY.

(a) IN GENERAL.—Section 5(h) of the Food Stamp Act of 1977 (7 U.S.C. 1014(h)) is amended by adding at the end the following:

“(4) RESPONSE TO HURRICANE KATRINA.—

“(A) DEFINITIONS.—In this paragraph:

“(i) AFFECTED AREA.—

“(I) IN GENERAL.—The term ‘affected area’ means an area of a State that the Secretary determines was affected by Hurricane Katrina or a related condition.

“(II) INCLUSION.—The term ‘affected area’ includes any area that, as a result of Hurricane Katrina or a related condition, was covered by—

“(aa) a natural disaster declaration under section 321(a) of the Consolidated Farm and Rural Development Act (7 U.S.C. 1961(a)); or

“(bb) a major disaster or emergency designation under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.).

“(ii) AFFECTED HOUSEHOLD.—

“(I) IN GENERAL.—The term ‘affected household’ means a household—

“(aa) in an affected area;

“(bb) in which a member worked immediately prior to August 29, 2005, in an affected area;

“(cc) that was displaced as a result of Hurricane Katrina or a related condition to other areas of the same or another State; or

“(dd) that the Secretary determines should receive relief under this paragraph as a result of Hurricane Katrina or a related condition.

“(II) INCLUSION.—The term ‘affected household’ includes a household containing 1 or more individuals that were displaced as a result of Hurricane Katrina or a related condition, as determined by the Secretary.

“(iii) DISASTER RECOVERY PERIOD.—

“(I) IN GENERAL.—The term ‘disaster recovery period’ means the period of 180 days beginning on the date of enactment of this paragraph.

“(II) EXTENSION.—The disaster recovery period shall be extended for another 180 days unless the President determines that the extension is not necessary to fully meet the needs of affected households.

“(B) DISASTER RECOVERY PERIOD.—During the disaster recovery period—

“(i) clauses (iv) and (v) of subsection (g)(2)(B), subsections (d) and (o) of section 6, and section 8(c)(1) shall not apply to affected households;

“(ii) the application of an affected household shall be processed under the procedures established under section 11(e)(9);

“(iii) the State agency shall increase the value to the affected household of the thrifty food plan determined under section 3(o) by 10 percent when calculating the value of the allotment for an affected household under section 8(a);

“(iv) the Secretary shall pay each State agency an amount equal to 100 percent of administrative costs allowable under section 16(a) related to serving affected households in lieu of the payments section 16(a) would otherwise require for those costs;

“(v) an affected household shall be considered to meet the requirements of subsection (c)(2) if the income of the affected household, as calculated under subsection (c)(2), does not exceed the level permitted under subsection (c)(1) by more than 50 percent;

“(vi) any resource to which the household lost access because of Hurricane Katrina or a related condition shall not be considered a financial resource under subsection (g);

“(vii) any funds designated for rebuilding or relocation (including payments from Federal, State, or local governments, charitable organizations, employers, or insurance companies) shall be excluded from consideration under subsection (g) in determining the eligibility of an affected household; and

“(viii) an affected household may not be considered to customarily purchase food and prepare meals together with other individuals if the affected household did not customarily purchase food and prepare meals for home consumption with those individuals immediately prior to August 29, 2005.

“(C) DUPLICATE PARTICIPATION.—

“(i) IN GENERAL.—The Secretary shall take such actions as are prudent and reasonable under the circumstances to identify affected households that are participating in more than 1 State and to terminate the duplicate participation of those households.

“(ii) NO ACTION TAKEN.—Except in the case of deliberate falsehoods, no action may be

taken against any affected household relating to any duplicate participation during the disaster recovery period that takes place prior to termination under clause (i).

“(D) CLAIMS RELATING TO BENEFITS.—Except in the case of intentional program violations as determined under section 6(b), no claim may be established under section 13(b) relating to benefits issued under this subsection.

“(E) PAYMENT ERROR RATE.—For purposes of determining the payment error rate of a State agency under section 16(c), the Secretary shall disregard any errors resulting from the application of this paragraph to an affected household during the disaster recovery period.

“(F) EFFECT OF MORE GENEROUS DISASTER PLANS.—This paragraph shall not supersede any provision of a plan approved under paragraph (1) that—

“(i) provides more complete or expeditious relief to affected households; or

“(ii) provides assistance to more individuals.”.

(b) PROGRAM INFORMATION ACTIVITIES.—

(1) IN GENERAL.—From funds otherwise appropriated for the food stamp program established under the Food Stamp Act of 1977 (7 U.S.C. 2011 et seq.), the Secretary may use not more than \$5,000,000 for the period of fiscal year 2005 through 2006 to enter into contracts with nonprofit organizations to support household and community efforts to address the food assistance and related needs resulting from Hurricane Katrina or a related condition.

(2) EXPEDITING PROVISIONS.—Notwithstanding any other provision of law, the Secretary shall not be required—

(A) to provide public notice of the availability of funds described in paragraph (1); or

(B) to accept competitive bids for contracts under this subsection.

SEC. 4. EMERGENCY FOOD ASSISTANCE PROGRAM AND SECTION 32 ASSISTANCE.

(a) DEFINITION OF ELIGIBLE RECIPIENT.—In this section, the term “eligible recipient” means an individual or household that, as determined by the Secretary in consultation with the Secretary of Homeland Security—

(1) is a victim of Hurricane Katrina or a related condition;

(2) has been displaced by Hurricane Katrina or a related condition; or

(3) is temporarily housing 1 or more individuals displaced by Hurricane Katrina or a related condition.

(b) ASSISTANCE.—

(1) IN GENERAL.—In addition to funds otherwise made available for fiscal year 2005 or 2006 to carry out the emergency food assistance program established under the Emergency Food Assistance Act of 1983 (7 U.S.C. 7501 et seq.), out of any funds in the Treasury not otherwise appropriated, the Secretary of the Treasury shall transfer to the Secretary of Agriculture \$200,000,000 to remain available until expended to provide a variety of food to eligible recipient agencies for providing food assistance to eligible recipients, including—

(A) special supplemental foods for pregnant women and infants or for other individuals with special needs;

(B) infant formula;

(C) bottled water; and

(D) fruit juices.

(2) USE OF FUNDS.—Funds made available under paragraph (1) may be used to provide commodities in accordance with—

(A) section 27 of the Food Stamp Act of 1977 (7 U.S.C. 2036);

(B) section 203A of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7504); and

(C) section 204 of the Emergency Food Assistance Act of 1983 (7 U.S.C. 7508).

(3) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under paragraph (1), without further appropriation.

(c) SECTION 32 FUNDING.—In addition to funds otherwise made available under section 32 of the Act of August 24, 1935 (7 U.S.C. 612c), the Secretary shall use not less than \$200,000,000 of funds made available under that section to provide food assistance to eligible recipients, including food described in subparagraphs (A) through (D) of subsection (b)(1).

SEC. 5. WIC FUNDING.

(a) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, in addition to other funds otherwise made available to the Secretary for fiscal year 2005 or 2006 to carry out the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786), the Secretary of the Treasury shall transfer to the Secretary of Agriculture to carry out that program \$200,000,000, to remain available until September 30, 2007.

(b) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subsection (a), without further appropriation.

(c) EMERGENCY DESIGNATION.—The amounts made available by the transfer of funds in or pursuant to subsection (a) are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

(d) ALLOCATION OF FUNDS.—Notwithstanding section 17(i) of the Child Nutrition Act of 1966 (42 U.S.C. 1786(i)), the Secretary may allocate funds made available under subsection (a) as the Secretary determines to be necessary to provide assistance to women, infants, and children who, as determined by the Secretary in consultation with the Secretary of Homeland Security—

(1) are victims of Hurricane Katrina or a related condition; or

(2) have been displaced by Hurricane Katrina or a related condition.

SEC. 6. COMMODITY SUPPLEMENTAL FOOD PROGRAM FUNDING.

(a) IN GENERAL.—Out of any funds in the Treasury not otherwise appropriated, in addition to other funds otherwise made available to the Secretary for fiscal year 2005 or 2006 to carry out the commodity supplemental food program established under section 5 of the Agriculture and Consumer Protection Act of 1973 (7 U.S.C. 612c note; Public Law 93-86), the Secretary of the Treasury shall transfer to the Secretary of Agriculture \$20,000,000 to carry out that program.

(b) RECEIPT AND ACCEPTANCE.—The Secretary shall be entitled to receive, shall accept, and shall use to carry out this section the funds transferred under subsection (a), without further appropriation.

(c) EMERGENCY DESIGNATION.—The amounts made available by the transfer of funds in or pursuant to subsection (a) are designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

(d) ALLOCATION OF FUNDS.—The Secretary shall use funds made available under subsection (a) as the Secretary determines to be necessary to provide assistance to individuals who, as determined by the Secretary in consultation with the Secretary of Homeland Security—

(1) are victims of Hurricane Katrina or a related condition; or

(2) have been displaced by Hurricane Katrina or a related condition.

SEC. 7. REPORT.

Not later than 180 days after the date of enactment of this Act, the Secretary, in con-

sultation with the Secretary of Homeland Security, shall submit to the Committee on Agriculture of the House of Representatives and the Committee on Agriculture, Nutrition, and Forestry of the Senate a report that—

(1) describes whether additional funding or authority is needed to continue to address the food needs of eligible recipients; and

(2) includes any determination by the President under section 5(h)(4)(A)(iii)(II) of the Food Stamp Act of 1977 (as added by section 3(a)) that an extension of the disaster recovery period is not necessary to fully meet the needs of affected households.

SEC. 8. REGULATIONS.

(a) IN GENERAL.—The Secretary may promulgate such regulations as are necessary to implement this Act.

(b) PROCEDURE.—The promulgation of the regulations and administration of this Act shall be made without regard to—

(1) the notice and comment provisions of section 553 of title 5, United States Code;

(2) the Statement of Policy of the Secretary of Agriculture effective July 24, 1971 (36 Fed. Reg. 13804), relating to notices of proposed rulemaking and public participation in rulemaking; and

(3) chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”).

(c) CONGRESSIONAL REVIEW OF AGENCY RULEMAKING.—In carrying out this section, the Secretary shall use the authority provided under section 808 of title 5, United States Code.

By Mrs. BOXER:

S. 1644. A bill to promote the employment of workers displaced by Hurricane Katrina in connection with Hurricane Katrina reconstruction efforts; to the Committee on Homeland Security and Governmental Affairs.

Mrs. BOXER. Mr. President, we have all watched in horror as the Gulf Coast has been struck by what could be the worst natural disaster in U.S. history, leaving unimaginable suffering in its wake. It is difficult to put into words how heartbroken we are for the Americans affected by Hurricane Katrina.

Brave souls everywhere are still searching for some family members, while trying to keep others alive and hopeful. We have seen the inspiring courage of the survivors and dedicated men and women working around the clock to help them.

Thousands of people have lost their lives. Far more have lost life as they know it—their families, their homes, their communities, and their jobs.

There has already been an increase in people filing for unemployment benefits due to Hurricane Katrina. And, the jobs that have been lost will be gone for a long time.

To help people who have lost their jobs because of this crisis, I am introducing the “Hurricane Katrina Reconstruction and Displaced Worker Assistance Act of 2005.”

This legislation would give priority in awarding Federal contracts for the rebuilding efforts to those companies where workers displaced by Hurricane Katrina comprise at least 25 percent of the workforce fulfilling the contract. This will help provide jobs to those who have been severely affected by the hurricane.

We must show those who have suffered so much that their government will help them rebuild their lives. I urge my colleagues to support the bill.

By Mrs. BOXER:

S. 1645. A bill to establish a first responder interoperable communications grant program; to the Committee on Homeland Security and Governmental Affairs.

Mrs. BOXER. Mr. President, today I am reintroducing a bill to provide help to State and local first responders in purchasing interoperable communications systems—so that everyone can talk to one another during an emergency.

This need has been glaringly apparent for over a decade now, but especially since the 2001 terrorist attacks. It was all the more evident in the aftermath of Hurricane Katrina.

The 9/11 Commission described the inability to communicate as “a critical element” at the World Trade Center and at the crash sites, where multiple agencies and multiple jurisdictions responded in September 2001. And yet four years after that attack, our first responders still cannot talk to each other.

Let me mention just one example from the areas affected by Hurricane Katrina.

National Guard members have compared communications capabilities in New Orleans unfavorably with those in Iraq. Ground commanders for New Orleans have been functioning without the ability to track the location of some units reporting to them. This is unacceptable.

Almost every community I visit in California—from big to small—mentions the need for interoperable communications for first responders and the need for assistance from the federal government. California suffered from a lack of interoperable communications in the fall of 2003, when communities could not communicate with each other to convey what was happening with fires that were sweeping through the State, greatly complicating the response.

We need to provide funding so that State and local first responders can purchase the technology that makes interoperability possible. We need to do our job at the national level and provide our first responders with the resources to protect our communities in the case of a terrorist attack, natural disaster, or other emergency.

I have tried to get funds for interoperable communication systems as part of the Intelligence Bill, the Rail Security Bill, and the Homeland Security Appropriations Bill. The time to act is past. We need to get this done before the next disaster strikes, which is why I am reintroducing this bill.

My bill would authorize \$300 million for each of the next 5 years to help State and local agencies improve existing communications systems or purchase new systems. This funding would

help local agencies purchase equipment for real-time interoperable communication between first responders.

Guaranteeing that first responders will have the communications equipment necessary to respond to a future attack is exactly the kind of preemptive action we should have taken after 9/11 and should be taking now.

A report on the needs of first responders by Warren Rudman and Richard Clarke found that fixing this problem would cost \$6.8 billion. My bill does not fund this all, but we need to do something.

This bill is an important step in fulfilling our federal responsibility to protect our citizens during emergencies. I urge my colleagues to support it.

By Mr. AKAKA (for himself, Mr. REID, and Mrs. MURRAY):

S. 1646. A bill to provide for the care of veterans affected by Hurricane Katrina; to the Committee on Veterans' Affairs.

Mr. AKAKA. Mr. President, I rise today to introduce legislation that would provide continuous care to those veterans that have been affected by Hurricane Katrina, one of the worst natural disasters that our country has ever experienced. The Department of Veterans Affairs, VA has played an integral role in the disaster relief efforts of Hurricane Katrina, beginning with the successful evacuation of patients, staff and family members, and now in the recovery stage of the aftermath.

Earlier today, I attended a briefing given by VA Secretary Nicholson and other VA officials on VA's response to the hurricane. VA truly stepped up in the midst of this crisis, and successfully evacuated all of their patients and staff without any loss of life. I commend VA for their coordination and execution of their relief effort. The Department should serve as a model for other government agencies in dealing with disasters.

There is one area, however, where I believe even more can be done to help veterans in Louisiana and Mississippi who have been affected by this tragedy. The legislation I'm introducing will extend a humanitarian hand to those middle-income veterans in the region who do not have access to VA health care because of a decision made by this administration in 2003. The bill extends hospital care and medical services to the Priority 8 veterans affected by Hurricane Katrina, who have previously been denied access to the system.

Veterans residing in areas of New Orleans, LA; Biloxi, MS, or Gulfport, MS, during the hurricane—who have most likely lost everything in this disaster—will be able to find solace in knowing that VA will continue to be there for them even after the media attention fades. It would simply be wrong to exclude these men and women who have served our country from VA services, especially now in their time of need. This bill also serves to relieve some of the financial burden placed on the vet-

erans by waiving copayments for care and medications.

VA's mission is to take care of veterans and also to provide support to other Federal agencies during times of disaster. VA has upheld that mission by establishing a legacy of first rate health care for veterans and now through the response efforts to Hurricane Katrina. We can do more for these veterans by allowing VA to serve as a beacon of hope in their time of recovery.

I would like to thank the countless VA volunteers that have answered the call of duty to our Nation, just as our veterans once did. These volunteers have left their duty stations to support efforts at the surrounding VA hospitals that have taken on the evacuated patients, as well as manning the mobile clinics currently touring the affected areas to provide care. These men and women are true heroes.

I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1646

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

SECTION 1. HEALTH CARE AND SERVICES FOR VETERANS AFFECTED BY HURRICANE KATRINA.

(a) REQUIREMENT FOR HOSPITAL CARE AND MEDICAL SERVICES FOR PRIORITY 8 VETERANS AFFECTED BY HURRICANE KATRINA.—

(1) REQUIREMENT.—The Secretary of Veterans Affairs shall furnish hospital care and medical services which the Secretary determines to be needed to each priority 8 veteran affected by Hurricane Katrina as if such veteran were a veteran described by section 1710(a)(2) of title 38, United States Code.

(2) ENHANCED ENROLLMENT PRIORITY.—For purposes of furnishing hospital care and medical services under paragraph (1), the Secretary shall deem each priority 8 veteran affected by Hurricane Katrina, upon the date of presentation of such veteran to the Department of Veterans Affairs for such care and services, to have enrolled in the system of annual patient enrollment of the Department under section 1705(a) of title 38, United States Code, on the first day of the current year of such system in which such date falls.

(b) PROHIBITION ON COLLECTION OF COPAYMENTS FOR VETERANS AFFECTED BY HURRICANE KATRINA.—In furnishing hospital care and medical services to any veteran affected by Hurricane Katrina, the Secretary shall not collect from or with respect to such veteran any payment for such care and services otherwise required under any provision of law, including any copayment for medications otherwise required under section 1722A of title 38, United States Code.

(c) DEFINITIONS.—In this section:

(1) The term “veteran affected by Hurricane Katrina” means any veteran who, as of August 29, 2005, resided in the catchment region of the Department of Veterans Affairs medical center in New Orleans, Louisiana, Biloxi, Mississippi, or Gulfport, Mississippi.

(2) The term “priority 8 veteran affected by Hurricane Katrina” means any veteran affected by Hurricane Katrina who, as of August 29, 2005, would have been treated as a veteran covered by paragraph (8) of section 1705(a) of title 38, United States Code, for

purposes of enrollment in the system of annual patient enrollment of the Department of Veterans Affairs under such section.

By Mr. FEINGOLD (for himself, Ms. LANDRIEU, Mr. LEAHY, Mr. DURBIN, Mr. LIEBERMAN, Mr. BAYH, Mrs. CLINTON, Ms. CANTWELL, Mr. AKAKA, Mr. OBAMA, Mr. KENNEDY, Mr. HARKIN, Mrs. BOXER, Mr. SALAZAR, Mr. CORZINE, and Mrs. FEINSTEIN):

S. 1647. A bill to amend title 11, United States Code, to provide relief to victims of Hurricane Katrina and other natural disasters; to the Committee on the Judiciary.

Mr. FEINGOLD. Mr. President, in the wake of Hurricane Katrina, the Senate is faced with a daunting but absolutely crucial task. How can Congress best respond to the horrific damage caused by this disaster? I want to express my full support to the people from all of the affected regions in Louisiana, Mississippi, and Alabama and their congressional delegations. In this time of desperate need, we all must pull together and do everything we can to help.

We can see the devastating effects of the hurricane and flooding on our television screens every night. It will take years to rebuild the affected areas. In the meantime, the residents and small businesses in those areas have suffered catastrophic losses. Some will undoubtedly, through no fault of their own, have to file for bankruptcy sometime in the future. The bankruptcy system is an important safety net for people who suffer this kind of devastation. In this country, we do not sentence people who have been through a disaster of this type to a lifetime of financial servitude. Bankruptcy lets them get a fresh start. And a fresh start is what so many of the relief efforts going on are all about.

As my colleagues are aware, Congress earlier this year enacted major changes to the Bankruptcy Code. The Bankruptcy Abuse Prevention and Consumer Protection Act ("BAPCPA") was the first major overhaul of the bankruptcy system in more than 25 years. Most provisions of the new law will become effective on October 17, 2005, six months after enactment. Any bankruptcy case filed before that date is still subject to current law.

We do not yet know how many families affected by this disaster will end up filing for bankruptcy. A study just released a few days ago by Professor Bob Lawless, a law professor at the University of Nevada, indicates that bankruptcy filings increase significantly in areas where natural disasters occur. Professor Lawless looked at 18 hurricanes and tropical storms since 1980 and the rate of bankruptcy filings in the States where the storms made landfall compared to the surrounding States and the rest of the country. He looked at the effects in the first, second and third year after the event.

According to this study, bankruptcy filings climbed in landfall States at

more than 1½ times the pace of unaffected States and remained stuck at that rate even three years later. Given the enormous impact of this storm, we can expect a similar if not greater, increase in filings. And this new influx of filings will occur just as the new law is going into effect. Katrina victims will in essence be guinea pigs, testing the new provisions with the most desperate of circumstances.

The new bankruptcy law makes it significantly more difficult and complicated to file for bankruptcy. No one disputes that. It was intended to weed out abusers of the system. It contains new documentation requirements and the so-called "means test" which is a fairly rigid formula designed to identify debtors who really can continue to pay their debts and shouldn't get a discharge.

Everyone in the Senate knows that I strongly opposed the BAPCPA and tried very hard to amend it to make it less onerous for good faith debtors. But my goal now is not to try to undermine or reopen the new law, but simply to make sure that it doesn't compound the hardship faced by victims of Hurricane Katrina and other natural disasters. That is what the bill I will introduce today, the Hurricane Katrina Bankruptcy Relief and Community Protection Act of 2005, aims to do.

This bill first deals directly with the fact that the new law is scheduled to take effect only a month and a half from now, when the victims of Katrina will still be in the initial stages of putting their lives back together. I believe the best way to handle this extraordinary situation is to give Katrina victims a grace period during which the old bankruptcy law, which has essentially been in effect for 27 years, will still apply to their cases. The bill provides that cases filed within one year of the effective date of the new law by people who lived in the natural disaster area declared by the President will be handled under the law in effect on August 29, 2005, the date of the hurricane. This provision will mean that all the complicated work to apply and interpret the new law that will take place in the first year after it becomes effective will not affect the cases of the victims of Hurricane Katrina.

I understand that some may argue that the new law contains adequate safeguards and judicial discretion to deal with the concerns I have raised. But we can't know that for sure at this point. At the very least, there will be litigation and disagreement over how some provisions will be interpreted. Those issues will be settled by the courts all across the country, and that process will not be affected by this bill. But Katrina's victims should not be the test cases. Giving them a year to proceed under the old law seems entirely reasonable.

Providing this added grace period also addresses the fact that some of the hurricane victims might have filed their petitions before October 17 were

it not for the hurricane. These people have been deprived of that right, which Congress provided in the new law itself, by a natural disaster. Given all they are now going through, we should give them adequate time to take care of their most immediate needs before closing the door on their ability to file for bankruptcy under the old law. A one year grace period should be sufficient, and seems fair.

Professor Lawless's study indicates that the financial effects of a disaster like Katrina last for more than a year. And of course, there will be future disasters, perhaps some as grave as this one. I believe we need to take a close look at the new bankruptcy law and make sure that disaster victims are treated fairly. There is simply no justification for applying provisions designed to stop abuse of the system to people who have been through this kind of disaster. Therefore, the bill makes a number of other amendments to the new law that will apply not only to Katrina victims who file for bankruptcy after the one year grace period is over but to victims of other natural disasters. Let me describe some of those provisions.

First, the bill builds on an exemption to the means test that applies to disabled veterans and simply adds victims of natural disasters to that exemption. No person driven to bankruptcy by a natural disaster should have a case dismissed or converted to a Chapter 13 filing under the means test.

The bill also exempts from the definition of income any payments from FEMA, the Red Cross, or other disaster relief funds. Whatever money people receive to help them survive the aftermath of a disaster should not be included in the calculation of how much they have available to satisfy their creditors. Generous citizens around the country are making contributions to make sure disaster victims are fed and clothed and their homes rebuilt, not to give more money to the credit card companies.

The bill contains a provision to make clear that expenses incurred as a result of a disaster are considered reasonable expenses for purposes of the means test. The rigid IRS standards obviously don't include money to replace things that were lost in a hurricane, or pay for a hotel stay while a home is rebuilt.

Another provision of the new law that seems unfair to apply to victims of natural disasters requires that debtors seek credit counseling before they file for bankruptcy. The new law already includes a provision to exempt debtors who are on active duty military service overseas or who are incompetent or disabled if that status makes them unable to complete the requirement. Victims of natural disasters deserve a similar exemption. If they can't complete credit counseling because they live in a shelter with no access to the Internet or because they have no records for the credit counselor to evaluate, they shouldn't be prevented from filing for bankruptcy.

One of the most tragic effects of a natural disaster is homelessness. Millions of homes were destroyed by Katrina. People who lived in these homes will be in temporary shelters for months, but may eventually find apartments to live in in a new location. If they end up having to file for bankruptcy, that filing puts in place an automatic stay of any legal proceedings against them, including eviction proceedings for nonpayment of rent. The automatic stay allows debtors to get their affairs in order and catch up on their rent payments, but the new law makes it much easier for landlords to have the stay lifted. The prospect of a natural disaster victim being put out on the street during a bankruptcy proceeding should be chilling to all Americans. This bill will simply require landlords of natural disaster victims to seek a lifting of the stay without the expedited procedures and special treatment that the new law provides.

Another provision of the bill gives some extra relief to natural disaster victims from the fairly rigid deadlines that are established for filing certain paperwork in connection with a bankruptcy filing. This is a very reasonable step that simply recognizes that obtaining or filing the necessary tax returns, identity documents, documentation of income and other items may be significantly more difficult, or even impossible for a period of time, for natural disaster victims than it is for other debtors.

Finally, the bill also provides relief for small businesses that are put in dire financial condition by a natural disaster. The new law includes some very tight and unmovable deadlines for small businesses seeking to reorganize under Chapter 11. If we want to help as many businesses hit by disasters to survive as possible, we need to give the courts flexibility to extend those deadlines.

I know that many people in this body worked very hard over a period of many years to pass the BAPCPA. As much as we disagreed about the merits of that bill, I respect their hard work. But I truly hope that my colleagues will not let pride of authorship or the fact that they supported that bill stand in the way of providing desperately needed help to the victims of Hurricane Katrina and other natural disasters. The changes in this bill are modest and will apply to a relatively small number of people. I suppose some may argue that they are not absolutely necessary, but I believe, at the least, that a very good argument can be made that they are. Shouldn't we err on the side of helping people whose lives have been ripped apart? Shouldn't we take every precaution to make sure that the horror of a natural disaster is not compounded by a bankruptcy law that is too rigid or too harsh? I believe that is the least we can do in these circumstances.

I hope my colleagues will join me in supporting these modest but important

changes to the law. I ask that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 1647

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 "Hurricane Katrina Bankruptcy Relief and Community Protection Act of 2005".

SEC. 2. BANKRUPTCY RELIEF FOR VICTIMS OF HURRICANE KATRINA.

(a) IN GENERAL.—Notwithstanding any other provision of law, the provisions of title 11, United States Code, as in effect on August 29, 2005, shall apply to any case described in subsection (b).

(b) ELIGIBILITY.—A case described in this subsection is a case commenced during the 12-month period beginning on the effective date of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, under title 11, United States Code (other than under chapter 12 of that title 11), by or on behalf of a debtor—

(1) who resides, or who resided on August 29, 2005, in any area that is subject to a declaration by the President of a major disaster, as defined under section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122) in connection with Hurricane Katrina; and

(2) whose financial condition is materially adversely affected by the major disaster.

SEC. 3. DEFINITIONS; WHO MAY BE A DEBTOR.

(a) CURRENT MONTHLY INCOME.—Section 101(10A)(B) of title 11, United States Code, is amended—

(1) by striking "and payments" and inserting "payments"; and

(2) by inserting before the period at the end "and payments to victims of a natural disaster, on account of their status as victims of a natural disaster".

(b) NATURAL DISASTER; NATURAL DISASTER ZONE.—Section 101 of title 11, United States Code, is amended—

(1) by redesignating paragraphs (40A) and (40B) as paragraphs (40C) and (40D), respectively; and

(2) by inserting after paragraph (40) the following:

"(40A) The term 'natural disaster' means—
 "(A) a major disaster, as defined in section 102 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122); or
 "(B) a situation similar to such a major disaster (as so defined), with respect to which a determination is made in accordance with State law that such situation exists.

"(40B) The term 'natural disaster zone' means the geographical area included in the determination of a natural disaster."
 (c) VICTIM OF NATURAL DISASTER.—Section 101 of title 11, United States Code, is amended by adding at the end the following:

"(56) The term 'victim of a natural disaster' means a person—
 "(A) whose financial condition is materially adversely affected by a natural disaster; and
 "(B) whose domicile, residence, or principal place of business in the United States, or whose principal assets in the United States, were located in a natural disaster zone immediately preceding the event that caused the natural disaster."

(d) WHO MAY BE A DEBTOR.—Section 109(h)(4) of title 11, United States Code, is amended by inserting "natural disaster," after "disability,".

SEC. 4. AMENDMENTS TO CHAPTER 3.

Section 362(b)(22) of title 11, United States Code, is amended by inserting "(excluding a debtor who is a victim of a natural disaster)" after "debtor" the first place that term appears.

debtor who is a victim of a natural disaster)" after "debtor" the first place that term appears.

SEC. 5. AMENDMENTS TO CHAPTER 5.

Section 521 of title 11, United States Code, is amended by adding at the end the following:

"(k) The Court may extend any time period specified in this section as may be necessary if—

"(1) the debtor is a victim of a natural disaster; and

"(2) the debtor's status as a victim of a natural disaster necessitates such extension of time."

SEC. 6. AMENDMENTS TO CHAPTER 7.

(a) DEBTOR'S MONTHLY EXPENSES.—Section 707(b)(2)(A)(ii) of title 11, United States Code, is amended by adding at the end the following:

"(IV) In addition, the debtor's monthly expenses may include the actual reasonably necessary expenses incurred as a result of being a victim of a natural disaster."

(b) LIMITATION ON CONVERSION OF CASE.—Section 707(b)(2) of title 11, United States Code, is amended by adding at the end the following:

"(E) Subparagraphs (A), (B), and (C) shall not apply, and the court may not dismiss or convert a case under this subsection, if the debtor is a victim of a natural disaster."

SEC. 7. AMENDMENTS TO CHAPTER 11.

(a) CONVERSION OF CASE.—Section 1112(b) of title 11, United States Code, is amended—

(1) in paragraph (2)(B)(i), by inserting "including a natural disaster" before the semicolon; and

(2) in paragraph (3), by inserting "(including a natural disaster)" after "circumstances".

(b) WHO MAY FILE A PLAN.—Section 1121(e)(3) of title 11, United States Code, is amended—

(1) in subparagraph (A), by inserting "(i)" after "(A)";

(2) in subparagraph (C), by striking the period at the end and inserting "or";

(3) by redesignating subparagraphs (B) and (C) as clauses (ii) and (iii), respectively; and

(4) by adding at the end the following:

"(B) the debtor is unable to meet the deadline because of a natural disaster."

(c) EXTENSION OF TIME FOR SMALL BUSINESSES.—Chapter 11 of title 11, United States Code, is amended—

(1) in the table of sections, by adding at the end the following:

"§1117 Extension of time for small businesses"; and

(2) in subchapter I, by adding at the end the following:

"§1117. Extension of time for small businesses"

"Notwithstanding any other provision of this title, in a small business case, the court may extend any deadline specified in this chapter if the court finds that such extension is—

"(1) necessary to protect the best interests of the creditors and the estate; or

"(2) warranted by a natural disaster."

SEC. 8. AMENDMENTS TO CHAPTER 13.

(a) CONVERSION OR DISMISSAL.—Section 1307(e) of title 11, United States Code, is amended by adding at the end the following:

"The Court may extend any time period specified in this subsection as may be necessary if—

"(1) the debtor is a victim of a natural disaster; and

"(2) the debtor's status as a victim of a natural disaster necessitates such extension of time."

(b) FILING OF PREPETITION TAX RETURNS.—Section 1308 of title 11, United States Code,

is amended by adding at the end the following:

“(d) The Court may extend any time period specified in this subsection as may be necessary if—

“(1) the debtor is a victim of a natural disaster; and

“(2) the debtor’s status as a victim of a natural disaster necessitates such extension of time.”.

SEC. 9. AMENDMENTS TO TITLE 28, UNITED STATES CODE.

Section 1408 of title 28, United States Code, is amended—

(1) by inserting “(a)” before “Except”, and

(2) by adding at the end the following:

“(b) If a case under title 11 cannot be commenced in a district court described in subsection (a) because a person is the victim of a natural disaster (as defined in section 101 of title 11), then a case under title 11 may be commenced by such person in the district court for the district in which such person resides.”.

SEC. 10. EFFECTIVE DATE; APPLICATION OF AMENDMENTS.

(a) EFFECTIVE DATE.—This Act and the amendments made by this Act shall take effect on October 18, 2005.

(b) APPLICATION OF AMENDMENTS.—The amendments made by this Act shall apply only with respect to cases commenced under title 11 of the United States Code on and after October 17, 2005.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1648. Mr. COBURN (for himself and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table.

SA 1649. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1650. Mr. VOINOVICH (for himself, Mr. DEWINE, and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1651. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1652. Mrs. LINCOLN (for herself, Mr. REID, Mr. BINGAMAN, Mr. LAUTENBERG, and Mr. CORZINE) proposed an amendment to the bill H.R. 2862, supra.

SA 1653. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1654. Mr. DAYTON (for himself, Mr. CHAMBLISS, Mr. OBAMA, Mr. KERRY, Mr. HARKIN, Mr. HAGEL, Mrs. CLINTON, Ms. CANTWELL, Mr. SALAZAR, Mr. DURBIN, Mr. BAUCUS, Mr. BIDEN, and Mr. NELSON, of Nebraska) submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra.

SA 1655. Mr. SHELBY proposed an amendment to the bill H.R. 2862, supra.

SA 1656. Mr. SHELBY proposed an amendment to the bill H.R. 2862, supra.

SA 1657. Mr. SHELBY proposed an amendment to the bill H.R. 2862, supra.

SA 1658. Mr. SHELBY (for Mr. DORGAN) proposed an amendment to the bill H.R. 2862, supra.

SA 1659. Mr. HARKIN (for himself, Mr. SMITH, Mr. BINGAMAN, Mr. WYDEN, Mr. FEINGOLD, Mr. KENNEDY, Mr. OBAMA, Mr. CORZINE, and Mr. DURBIN) proposed an amendment to the bill H.R. 2862, supra.

SA 1660. Mrs. CLINTON (for herself, Ms. STABENOW, Mr. CORZINE, Mr. REED, Mr. SALAZAR, Mr. LAUTENBERG, Mr. JEFFORDS, Mr. SCHUMER, and Ms. MIKULSKI) submitted an amendment intended to be proposed by her to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1661. Mr. BIDEN (for himself, Mr. DURBIN, Mrs. CLINTON, Mr. KERRY, and Mr. REED) proposed an amendment to the bill H.R. 2862, supra.

SA 1662. Mr. SARBANES proposed an amendment to the bill H.R. 2862, supra.

SA 1663. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1664. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1665. Mr. DORGAN (for himself, Mr. GRAHAM, and Ms. STABENOW) proposed an amendment to the bill H.R. 2862, supra.

SA 1666. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1667. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1668. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1669. Mr. SUNUNU proposed an amendment to the bill H.R. 2862, supra.

SA 1670. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

SA 1671. Mr. DEWINE (for himself, Mr. VOINOVICH, Mr. ALLEN, Mr. WARNER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 2862, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 1648. Mr. COBURN (for himself and Mr. COLEMAN) submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304.(a) Notwithstanding the provisions in title III under the heading “NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY” and under the subheading “INDUSTRIAL TECHNOLOGY SERVICES”, none of the funds appropriated in this Act may be made available for the Advanced Technology Program of the National Institute of Standards and Technology.

(b) Notwithstanding any other provision of this Act, the amount made available in title III under the heading “NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION” and under the subheading “OPERATIONS, RESEARCH, AND FACILITIES” for the National Weather Service is increased by \$4,900,000 and, of the total amount made available for such purpose under such subheading, \$3,950,000 shall be made available for the Coastal and Inland Hurricane Monitoring and Prediction Program and \$3,950,000 shall be made available for the Hurricane and Tornado Broadcast Campaign.

(c) Notwithstanding any other provision of this Act, the amount made appropriated in

title I under the heading “OFFICE OF JUSTICE PROGRAMS” and under the subheading “COMMUNITY ORIENTED POLICING SERVICES” is increased by \$72,000,000 and, of the total amount made available under such subheading, not less than \$132,100,000 shall be made available for the Methamphetamine Hot Spots program.

(d) Notwithstanding any other provisions of this Act, the amount made appropriated in title I under the heading “OFFICE OF JUSTICE PROGRAMS” and under the subheading “STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE” is increased by \$48,000,000 and, of the total amount made available under such subheading, not less than \$578,000,000 shall be made available for the Justice Assistance Grants program.

SA 1649. Mr. SALAZAR submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 142, after line 3, insert the following:

SEC. ____ Within the funds provided for the Drug Enforcement Agency, the Attorney General shall establish a Methamphetamine Task Force within the Drug Enforcement Agency which shall be responsible for improving and targeting the Federal Government’s policies with respect to the production and trafficking of methamphetamine: *Provided*, That within 90 days of enactment of this Act, the Drug Enforcement Agency shall submit a plan that outlines the governance structure and membership of the task force: *Provided further*, That within 120 days the Drug Enforcement Agency shall establish the task force and submit to the Committee on Appropriations of the Senate and the Committee on Appropriations of the House of Representatives the membership of the task force and powers established for the task force.

SA 1650. Mr. VOINOVICH (for himself, Mr. DEWINE, and Mr. LEVIN) submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. Of the funds made available under this title for the National Oceanic and Atmospheric Administration, \$5,000,000 shall be made available to the Inter-Agency Task Force on Harmful Algal Blooms and Hypoxia for the development of the scientific assessment of hypoxia in United States coastal waters, including the Great Lakes, required by section 603(g) of the Harmful Algal Bloom and Hypoxia Research and Control Act of 1998 (16 U.S.C. 1451 note).

SA 1651. Mr. COBURN submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. (a) Notwithstanding the provisions in title III under the heading "NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY" and under the subheading "INDUSTRIAL TECHNOLOGY SERVICES", none of the funds appropriated in this Act may be made available for the Advanced Technology Program of the National Institute of Standards and Technology.

(b) Notwithstanding any other provision of this Act, the amount made available in title III under the heading "NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION" and under the subheading "OPERATIONS, RESEARCH, AND FACILITIES" for the National Weather Service is increased by \$4,900,000.

(c) Notwithstanding any other provision of this Act, the amount made appropriated in title I under the heading "OFFICE OF JUSTICE PROGRAMS" and under the subheading "COMMUNITY ORIENTED POLICING SERVICES" is increased by \$72,000,000 and, of the total amount made available under such subheading, not less than \$132,100,000 shall be made available for the Methamphetamine Hot Spots program.

(d) Notwithstanding any other provisions of this Act, the amount made appropriated in title I under the heading "OFFICE OF JUSTICE PROGRAMS" and under the subheading "STATE AND LOCAL LAW ENFORCEMENT ASSISTANCE" is increased by \$48,000,000 and, of the total amount made available under such subheading, not less than \$578,000,000 shall be made available for the Justice Assistance Grants program.

SA 1652. Mrs. LINCOLN (for herself, Mr. REID, Mr. BINGAMAN, Mr. LAUTENBERG, and Mr. CORZINE) proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the appropriate place, insert the following:

TITLE TEMPORARY MEDICAID DISASTER RELIEF

SEC. 01. SHORT TITLE OF TITLE; PURPOSE.

(a) **SHORT TITLE OF TITLE.**—This title may be cited as the "Temporary Medicaid Disaster Relief Act of 2005".

(b) **PURPOSE.**—The purpose of this title is to ensure all those affected by Hurricane Katrina have access to health coverage and medical care through the medicaid program and to authorize temporary changes in such program to guarantee and expedite that coverage and access to care.

SEC. 02. DISASTER RELIEF PERIOD.

(a) **IN GENERAL.**—For purposes of this title, the term "disaster relief period" means the period beginning on August 29, 2005, and, subject to subsection (b), ending on February 28, 2006.

(b) **PRESIDENTIAL AUTHORITY TO EXTEND DISASTER RELIEF PERIOD.**—

(1) **IN GENERAL.**—The President shall extend the application of section 03 and paragraphs (1) and (2) of section 04(a) until September 30, 2006, unless the President determines that all Katrina Survivors would have sufficient access to health care without such an extension. In the case of such an extension, the reference to "February 28, 2006" in subsection (a) shall be considered to be a reference to "September 30, 2006".

(2) **NOTICE TO CONGRESS.**—The President shall notify the Majority and Minority Leaders of the Senate, the Speaker of the House of Representatives, the Minority Leader of

the House of Representatives, and the Chairs and Ranking Members of the Committee on Finance of the Senate and the Committees on Energy and Commerce and Ways and Means of the House of Representatives at least 30 days prior to—

(A) extending the application of such sections; or

(B) if the President determines not to extend the application of such sections, February 28, 2006.

SEC. 03. TEMPORARY MEDICAID COVERAGE FOR KATRINA SURVIVORS.

(a) **DEFINITIONS.**—In this title:

(1) **KATRINA SURVIVOR.**—

(A) **IN GENERAL.**—The term "Katrina Survivor" means an individual who is described in subparagraph (B) or (C).

(B) **RESIDENTS OF DISASTER LOCALITIES.**—

(i) **IN GENERAL.**—An individual who, on any day during the week preceding the declaration of a public health emergency on August 29, 2005, had a residence in—

(I) a parish in the State of Louisiana that is among the parishes that the Federal Emergency Management Agency of the Emergency Preparedness and Response Directorate of the Department of Homeland Security declared on September 4, 2005, to be Federal Disaster Parishes; or

(II) a county in the State of Alabama or Mississippi that is among the counties such Agency declared Federal Disaster Counties on September 4, 2005.

(ii) **AUTHORITY TO RELY ON WEBSITE POSTED DESIGNATIONS.**—The Secretary of Health and Human Services shall post on the Internet website for the Centers for Medicare & Medicaid Services a list of parishes and counties identified as Federal Disaster Parishes or Counties. Any State which provides medical assistance to Katrina Survivors on the basis of such posting and in accordance with this title shall be held harmless if it is subsequently determined that the provision of such assistance was in error.

(C) **INDIVIDUALS WHO LOST EMPLOYMENT.**—An individual who, on any day during the week preceding the declaration of a public health emergency on August 29, 2005, had a residence in a direct impact State and lost their employment since Hurricane Katrina.

(D) **CONSTRUCTION.**—A Katrina Survivor shall be treated as being "from" the State of residence described in subparagraph (B)(i) or (C), as the case may be.

(E) **TREATMENT OF CURRENT MEDICAID BENEFICIARIES.**—Nothing in this title shall be construed as preventing an individual who is otherwise entitled to medical assistance under title XIX of the Social Security Act from being treated as a Katrina Survivor under this title.

(F) **TREATMENT OF HOMELESS PERSONS.**—For purposes of this title, in the case of an individual who was homeless on any day during the week described in subparagraph (B)(i), the individual's "residence" shall be deemed to be the place of residence as otherwise determined for such an individual under title XIX of the Social Security Act.

(2) **DIRECT IMPACT STATE.**—The term "direct impact State" means the State of Louisiana, Alabama, and Mississippi.

(b) **RULES FOR PROVIDING TEMPORARY MEDICAL ASSISTANCE TO KATRINA SURVIVORS.**—During the disaster relief period, any State may provide medical assistance to Katrina Survivors under a State medicaid plan established under title XIX of the Social Security Act in accordance with the following:

(1) **UNIFORM ELIGIBILITY RULES.**—

(A) **NO INCOME, RESOURCES, RESIDENCY, OR CATEGORICAL ELIGIBILITY REQUIREMENTS.**—Such assistance shall be provided without application of any income or resources test, State residency, or categorical eligibility requirements.

(B) **STREAMLINED ELIGIBILITY PROCEDURES.**—The State shall use the following streamlined procedures in processing applications and determining eligibility for medical assistance for Katrina Survivors:

(i) A common 1-page application form developed by the Secretary of Health and Human Services in consultation with the National Association of State Medicaid Directors. Such form shall include notice regarding the penalties for making a fraudulent application under paragraph (4) and shall require the applicant to assign to the State any rights of the applicant (or any other person who is a Katrina Survivor and on whose behalf the applicant has the legal authority to execute an assignment of such rights) under any group health plan or other third-party coverage for health care.

(ii) Self-attestation by the applicant that the applicant is a Katrina Survivor.

(iii) No requirement for documentation evidencing the basis on which the applicant qualifies to be a Katrina Survivor.

(iii) Issuance of a Medicaid eligibility card to an applicant who completes such application, including the self-attestation required under clause (ii). Such card shall be valid during the disaster relief period.

(iv) If an applicant completes the application and presents it to a provider or facility participating in the State medicaid plan that is qualified to make presumptive eligibility determinations under such plan (which at a minimum shall consist of facilities identified in section 1902(a)(55) of the Social Security Act (42 U.S.C. 1396a(a)(55)) and it appears to the provider that the applicant is a Katrina Survivor based on the information in the application, the applicant will be deemed to be a Katrina Survivor eligible for medical assistance in accordance with this section, subject to paragraph (3).

(v) Continuous eligibility, without the need for any redetermination of eligibility, for the duration of the disaster relief period.

(C) **DETERMINATION OF ELIGIBILITY FOR COVERAGE AFTER THE TERMINATION OF THE DISASTER RELIEF PERIOD.**—In the case of a Katrina Survivor who is receiving medical assistance from a State, prior to the termination of the disaster relief period, the State providing such assistance shall determine whether the Katrina Survivor is eligible for continued medical assistance under the State's eligibility rules otherwise applicable under the State medicaid plan. If a State determines that the individual is so eligible, the State shall provide the individual with written notice of the determination and provide the individual with continued coverage for such medical assistance for so long as the individual remains eligible under such otherwise applicable eligibility rules. If a State determines that the individual is not so eligible, the State shall provide the individual with written notice of the determination, including the reasons for such determination.

(2) **SCOPE OF COVERAGE SAME AS CATEGORICALLY NEEDY.**—The State shall treat Katrina Survivors as individuals eligible for medical assistance under the State plan under title XIX of the Social Security Act on the basis of section 1902(a)(10)(A)(i) of the Social Security Act (42 U.S.C. 1396a(a)(10)(A)(i)), with coverage for such assistance retroactive to August 29, 2005.

(3) **VERIFICATION OF STATUS AS A KATRINA SURVIVOR.**—

(A) **IN GENERAL.**—The State shall make a good faith effort to verify the status of a Katrina Survivor enrolled in the State Medicaid plan under the provisions of this section after the determination of the eligibility of the Survivor for medical assistance under such plan.

(B) **EVIDENCE OF VERIFICATION.**—A State may satisfy the verification requirement

under subparagraph (A) with respect to a Katrina Survivor by showing that the State providing medical assistance obtained information from the Social Security Administration, the Internal Revenue Service, or the State Medicaid Agency for the direct impact State.

(C) **DISALLOWANCE OF PAYMENTS FOR FAILURE TO MAKE GOOD FAITH EFFORT.**—If, with respect to the status of a Katrina Survivor enrolled in a State Medicaid plan, the State fails to make the good faith effort required under subparagraph (A), and the Secretary determines that the individual so enrolled is not a Katrina Survivor, the Secretary shall disallow all Federal payments made to the State that are directly attributable to medical assistance provided or administrative costs incurred with respect to the individual during the disaster relief period.

(4) **PENALTY FOR FRAUDULENT APPLICATIONS.**—

(A) **INDIVIDUAL LIABLE FOR COSTS.**—If a State, as the result of verification activities conducted under paragraph (3), determines after a fair hearing that an individual has knowingly made a false self-attestation described in paragraph (1)(B)(ii), the State may, subject to subparagraph (B), seek recovery from the individual for the full amount of the cost of medical assistance provided to the individual under this section.

(B) **EXCEPTION.**—The Secretary shall exempt a State from seeking recovery under subparagraph (A) if the Secretary determines that it would not be cost-effective for the State to do so.

(C) **REIMBURSEMENT TO THE FEDERAL GOVERNMENT.**—Any amounts recovered by a State in accordance with this paragraph shall be returned to the Federal government, except that a State's administrative costs attributable to obtaining such recovery shall be reimbursed by the Federal government in accordance with section 404(a)(2).

(5) **EXEMPTION FROM ERROR RATE PENALTIES.**—All payments attributable to providing medical assistance to Katrina Survivors in accordance with this section shall be disregarded for purposes of section 1903(u) of the Social Security Act.

SEC. 404. TEMPORARY DISASTER RELIEF FOR STATES UNDER MEDICAID.

(a) **INCREASE IN FEDERAL MATCHING RATE.**—

(1) **100 PERCENT FMAP FOR MEDICAL ASSISTANCE.**—Notwithstanding section 1905(b) of the Social Security Act (42 U.S.C. 1396d(b)), the Federal medical assistance percentage for providing medical assistance under a State Medicaid plan under title XIX of such Act to Katrina Survivors or, in the case of a direct impact State, to any individual who is provided medical assistance under the State Medicaid plan during the disaster relief period, shall be 100 percent.

(2) **100 PERCENT FEDERAL MATCH FOR CERTAIN ADMINISTRATIVE COSTS.**—Notwithstanding paragraph (7) of section 1903(a) of such Act (42 U.S.C. 1396b(a)), or any other paragraph of such section, the Federal matching rate for costs directly attributable to all administrative activities that relate to the enrollment of Katrina Survivors under section 403 in a State Medicaid plan, verification of the status of such Survivors, processing of claims for payment for medical assistance provided to such Survivors under such section, and recovery costs under section 403(b)(4)(C), shall be 100 percent. The Secretary shall issue guidance not later than 30 days after the date of enactment of this Act on the implementation of this paragraph.

(b) **LIMITATION ON REDUCTION OF FMAP FOR FISCAL YEAR 2006 FOR ANY STATE.**—If the Federal medical assistance percentage (as defined in section 1905(b) of the Social Security Act) determined for a State for fiscal year 2006 is less than the Federal medical as-

sistance percentage determined for the State for fiscal year 2005, the Federal medical assistance percentage for the State for fiscal year 2006 shall apply to the State for fiscal year 2006 only for purposes of title XIX of the Social Security Act.

(c) **TEMPORARY SUSPENSION OF MEDICARE "CLAWBACK" AND POSTPONEMENT OF CUT-OFF OF MEDICAID PRESCRIPTION DRUG FUNDING IN AFFECTED STATES.**—

(1) **SUSPENSION IN APPLICATION OF "CLAWBACK."**—Section 1935(c) of the Social Security Act (42 U.S.C. 1396u-5(c)) shall not apply, subject to paragraph (3), before January 2007 to a direct impact State or to a State that experiences a significant influx of Katrina Survivors.

(2) **CONTINUATION OF MEDICAID DRUG COVERAGE FOR DUAL ELIGIBLES.**—Section 1935(d)(1) of such Act shall also not apply, subject to paragraph (3), before January 2007 to a part D eligible individual who is a Katrina Survivor.

(3) **TERMINATION OF APPLICATION OF SUBSECTION.**—Paragraphs (1) and (2) shall no longer apply to a State or a Katrina Survivor, respectively, if the Secretary determines, after consultation with the State, that enrollment of all part D eligible individuals in the State under part D of title XVIII of the Social Security Act who are described in section 1935(c)(6)(A)(ii) of such Act can be achieved without a discontinuation in prescription drug coverage for any such individual.

(4) **DEFINITION.**—For purposes of this subsection, the term "State that experiences a significant influx of Katrina Survivors" means those States, including Arkansas, Florida, Oklahoma, and Texas, that the Secretary of Health and Human Services identifies as having a significant in-migration of Katrina Survivors.

SEC. 405. ACCOMMODATION OF SPECIAL NEEDS OF KATRINA SURVIVORS UNDER MEDICARE PROGRAM.

(a) **EXCLUSION OF DISASTER RELIEF PERIOD IN COMPUTING PART B LATE ENROLLMENT PENALTY.**—In applying the first sentence of section 1839(b) of the Social Security Act (42 U.S.C. 1395r(b)) in the case of a Katrina Survivor, there shall not be taken into account any month any part of which is within the disaster relief period or within the 2-month period following the end of such disaster relief period.

(b) **PART D.**—

(1) **EXTENSION OF INITIAL ENROLLMENT PERIOD.**—In the case of a Katrina Survivor, the initial enrollment period under section 1860D-1(b)(2) of the Social Security Act (42 U.S.C. 1395w-101(b)(2)) shall in no case end before May 15, 2007.

(2) **FLEXIBILITY IN DOCUMENTATION FOR LOW-INCOME SUBSIDIES.**—For purposes of carrying out section 1860D-14 of the Social Security Act (42 U.S.C. 1395w-114), with respect to Katrina Survivors, the Secretary of Health and Human Services shall establish documentation rules for Katrina Survivors which take into account the loss and unavailability of documents due to Hurricane Katrina.

SA 1653. Mr. ENSIGN submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 133, line 11, strike "\$2,287,000" and insert "\$5,287,000".

SA 1654. Mr. DAYTON (for himself, Mr. CHAMBLISS, Mr. OBAMA, Mr. KERRY,

Mr. HARKIN, Mr. HAGEL, Mrs. CLINTON, Ms. CANTWELL, Mr. SALAZAR, Mr. DURBIN, Mr. BAUCUS, Mr. BIDEN, and Mr. NELSON of Nebraska) submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 133, line 24, strike "\$1,078,350,000" and insert "\$1,353,350,000 of which in addition to amounts provided by the following table \$275,000,000 shall be available for Justice Assistance Grants to be offset by reducing appropriations in this title by a total of \$275,000,000 to come from activities as follows: \$43,000,000 from travel and transportation of persons; \$3,000,000 from transportation of things; \$27,000,000 from communications, utilities, and miscellaneous charges; \$6,000,000 from printing and reproduction; and \$196,000,000 from other services".

SA 1655. Mr. SHELBY proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 144, line 10, strike "\$409,625,000" and insert "\$404,625,000".

On page 152, between line 20 and 21, insert the following: "United States Travel and Tourism Promotion

For necessary expenses of the United States Travel and Tourism Promotion Program, as authorized by section 210 of Public Law 108-7, for programs promoting travel to the United States including grants, contracts, cooperative agreements and related costs, \$5,000,000, to remain available until September 30, 2007."

SA 1656. Mr. SHELBY proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. Notwithstanding any other provision of this Act, of the amounts made available in this title under the heading "NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION" and under the subheading "OPERATIONS, RESEARCH, AND FACILITIES", not less than \$5,800,000 shall be made available for the National Hurricane Center and that such amount may be used to employ individuals in 43 full-time equivalent positions at the National Hurricane Center.

SA 1657. Mr. SHELBY proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 173, beginning in line 2, strike "Provided further," and all that follows through "this Act" in line 10.

SA 1658. Mr. SHELBY (for Mr. DORGAN) submitted an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related

agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 188, line 10, after "Alaska" insert "or North Dakota".

SA 1659. Mr. HARKIN (for himself, Mr. SMITH, Mr. BINGAMAN, Mr. WYDEN, Mr. FEINGOLD, Mr. KENNEDY, Mr. OBAMA, Mr. CORZINE, and Mr. DURBIN) proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 175, strike lines 6 through 9 and insert the following:

For payment to the Legal Services Corporation to carry out the purposes of the Legal Services Corporation Act of 1974, \$358,527,000, of which \$346,251,000 is for basic field programs and required independent audits (of which \$8,000,000 is for basic field programs providing legal assistance to victims of Hurricane Katrina).

Notwithstanding any other provisions in the Act, the sums appropriated for the Department of Justice are reduced by \$37 million. This reduction is to be taken by the Attorney General from accounts receiving an increase in travel and transportation of persons as specified in the President's Fiscal Year 2006 Budget Submittal to Congress pursuant to 31 U.S.C. section 1105 and which are in excess of the fiscal year 2005 level;

SA 1660. Mrs. CLINTON (for herself, Mr. STABENOW, Mr. CORZINE, Mr. REED, Mr. SALAZAR, Mr. LAUTENBERG, Mr. JEFFORDS, Mr. SCHUMER, and Ms. MIKULSKI) submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —KATRINA COMMISSION

SEC. 01. ESTABLISHMENT OF COMMISSION.

There is established in the legislative branch the Katrina Commission (in this title referred to as the "Commission").

SEC. 02. COMPOSITION OF COMMISSION.

(a) MEMBERS.—The Commission shall be composed of 10 members, of whom—

(1) 1 member shall be appointed by the President, who shall serve as chairman of the Commission;

(2) 1 member shall be appointed by the leader of the Senate (majority or minority leader, as the case may be) of the Democratic Party, in consultation with the leader of the House of Representatives (majority or minority leader, as the case may be) of the Democratic Party, who shall serve as vice chairman of the Commission;

(3) 2 members shall be appointed by the senior member of the Senate leadership of the Democratic Party;

(4) 2 members shall be appointed by the senior member of the leadership of the House of Representatives of the Republican Party;

(5) 2 members shall be appointed by the senior member of the Senate leadership of the Republican Party; and

(6) 2 members shall be appointed by the senior member of the leadership of the House of Representatives of the Democratic Party.

(b) QUALIFICATIONS; INITIAL MEETING.—

(1) POLITICAL PARTY AFFILIATION.—Not more than 5 members of the Commission shall be from the same political party.

(2) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be an officer or employee of the Federal Government or any State or local government.

(3) OTHER QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be prominent United States citizens who represent a diverse range of citizens and enjoy national recognition and significant depth of experience in such professions as governmental service, emergency preparedness, mitigation planning, cataclysmic planning and response, intergovernmental management, resource planning, recovery operations and planning, Federal coordination, military coordination, and other extensive natural disaster and emergency response experience.

(4) DEADLINE FOR APPOINTMENT.—All members of the Commission shall be appointed on or before October 1, 2005.

(5) INITIAL MEETING.—The Commission shall meet and begin the operations of the Commission as soon as practicable.

(c) QUORUM; VACANCIES.—After its initial meeting, the Commission shall meet upon the call of the chairman or a majority of its members. Six members of the Commission shall constitute a quorum. Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

SEC. 03. DUTIES.

The duties of the Commission are to—

(1) examine and report upon the Federal, State, and local response to the devastation wrought by Hurricane Katrina in the Gulf Region of the United States of America especially in the States of Louisiana, Mississippi, Alabama, and other areas impacted in the aftermath;

(2) ascertain, evaluate, and report on the information developed by all relevant governmental agencies regarding the facts and circumstances related to Hurricane Katrina prior to striking the United States and in the days and weeks following;

(3) build upon concurrent and prior investigations of other entities, and avoid unnecessary duplication concerning information related to existing vulnerabilities;

(4) make a full and complete accounting of the circumstances surrounding the approach of Hurricane Katrina to the Gulf States, and the extent of the United States government's preparedness for, and response to, the hurricane;

(5) planning necessary for future cataclysmic events requiring a significant marshaling of Federal resources, mitigation, response, and recovery to avoid significant loss of life;

(6) an analysis as to whether any decisions differed with respect to response and recovery for different communities, neighborhoods, parishes, and locations and what problems occurred as a result of a lack of a common plan, communication structure, and centralized command structure; and

(7) investigate and report to the President and Congress on its findings, conclusions, and recommendations for immediate corrective measures that can be taken to prevent problems with Federal response that occurred in the preparation for, and in the aftermath of, Hurricane Katrina so that future cataclysmic events are responded to adequately.

SEC. 04. FUNCTIONS OF COMMISSION.

(a) IN GENERAL.—The functions of the Commission are to—

(1) conduct an investigation that—

(A) investigates relevant facts and circumstances relating to the catastrophic impacts that Hurricane Katrina exacted upon the Gulf Region of the United States especially in New Orleans and surrounding parishes, and impacted areas of Mississippi and Alabama; and

(B) shall include relevant facts and circumstances relating to—

(i) Federal emergency response planning and execution at the Federal Emergency Management Agency, the Department of Homeland Security, the White House, and all other Federal entities with responsibility for assisting during, and responding to, natural disasters;

(ii) military and law enforcement response planning and execution;

(iii) Federal mitigation plans, programs, and policies including prior assessments of existing vulnerabilities and exercises designed to test those vulnerabilities;

(iv) Federal, State, and local communication interoperability successes and failures;

(v) past, present, and future Federal budgetary provisions for preparedness, mitigation, response, and recovery;

(vi) the Federal Emergency Management Agency's response capabilities as an independent agency and as part of the Department of Homeland Security;

(vii) the role of congressional oversight and resource allocation;

(viii) other areas of the public and private sectors determined relevant by the Commission for its inquiry; and

(ix) long-term needs for people impacted by Hurricane Katrina and other forms of Federal assistance necessary for large-scale recovery;

(2) identify, review, and evaluate the lessons learned from Hurricane Katrina including coordination, management policies, and procedures of the Federal Government, State and local governments, and nongovernmental entities, relative to detection, planning, mitigation, asset prepositioning, and responding to cataclysmic natural disasters such as Hurricane Katrina; and

(3) submit to the President and Congress such reports as are required by this title containing such findings, conclusions, and recommendations as the Commission shall determine, including proposing organization, coordination, planning, management arrangements, procedures, rules, and regulations.

SEC. 05. POWERS OF COMMISSION.

(a) IN GENERAL.—

(1) HEARINGS AND EVIDENCE.—The Commission or, on the authority of the Commission, any subcommittee or member thereof, may, for the purpose of carrying out this Act—

(A) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

(B) subject to paragraph (2)(A), require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, and documents, as the Commission or such designated subcommittee or designated member may determine advisable.

(2) SUBPOENAS.—

(A) ISSUANCE.—

(i) IN GENERAL.—A subpoena may be issued under this subsection only—

(I) by the agreement of the chairman and the vice chairman; or

(II) by the affirmative vote of 6 members of the Commission.

(ii) SIGNATURE.—Subject to clause (i), subpoenas issued under this subsection may be issued under the signature of the chairman or any member designated by a majority of

the Commission, and may be served by any person designated by the chairman or by a member designated by a majority of the Commission.

(B) ENFORCEMENT.—

(i) IN GENERAL.—In the case of contumacy or failure to obey a subpoena issued under subsection (a), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found, or where the subpoena is returnable, may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(ii) ADDITIONAL ENFORCEMENT.—In the case of any failure of any witness to comply with any subpoena or to testify when summoned under authority of this section, the Commission may, by majority vote, certify a statement of fact constituting such failure to the appropriate United States attorney, who may bring the matter before the grand jury for its action, under the same statutory authority and procedures as if the United States attorney had received a certification under sections 102 through 104 of the Revised Statutes of the United States (2 U.S.C. 192 through 194).

(b) CONTRACTING.—The Commission may, to such extent and in such amounts as are provided in appropriation Acts, enter into contracts to enable the Commission to discharge its duties under this title.

(C) INFORMATION FROM FEDERAL AGENCIES.—

(1) IN GENERAL.—The Commission is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality of the Government, information, suggestions, estimates, and statistics for the purposes of this title. Each department, bureau, agency, board, commission, office, independent establishment, or instrumentality shall, to the extent authorized by law, furnish such information, suggestions, estimates, and statistics directly to the Commission, upon request made by the chairman, the chairman of any subcommittee created by a majority of the Commission, or any member designated by a majority of the Commission.

(2) RECEIPT, HANDLING, STORAGE, AND DISSEMINATION.—Information shall only be received, handled, stored, and disseminated by members of the Commission and its staff consistent with all applicable statutes, regulations, and Executive orders.

(D) ASSISTANCE FROM FEDERAL AGENCIES.—

(1) GENERAL SERVICES ADMINISTRATION.—The Administrator of General Services shall provide to the Commission on a reimbursable basis administrative support and other services for the performance of the Commission's functions.

(2) OTHER DEPARTMENTS AND AGENCIES.—In addition to the assistance prescribed in paragraph (1), departments and agencies of the United States may provide to the Commission such services, funds, facilities, staff, and other support services as they may determine advisable and as may be authorized by law.

(e) GIFTS.—The Commission may accept, use, and dispose of gifts or donations of services or property.

(f) POSTAL SERVICES.—The Commission may use the United States mails in the same manner and under the same conditions as departments and agencies of the United States.

SEC. 06. NONAPPLICABILITY OF FEDERAL ADVISORY COMMITTEE ACT.

(a) IN GENERAL.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

(b) PUBLIC MEETINGS AND RELEASE OF PUBLIC VERSIONS OF REPORTS.—The Commission shall—

(1) hold public hearings and meetings to the extent appropriate; and

(2) release public versions of the reports required under section 10.

(c) PUBLIC HEARINGS.—Any public hearings of the Commission shall be conducted in a manner consistent with the protection of information provided to or developed for or by the Commission as required by any applicable statute, regulation, or Executive order.

SEC. 07. STAFF OF COMMISSION.

(A) IN GENERAL.—

(1) APPOINTMENT AND COMPENSATION.—The chairman, in consultation with the vice chairman, in accordance with rules agreed upon by the Commission, may appoint and fix the compensation of a staff director and such other personnel as may be necessary to enable the Commission to carry out its functions, without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, except that no rate of pay fixed under this subsection may exceed the equivalent of that payable for a position at level V of the Executive Schedule under section 5316 of title 5, United States Code.

(2) PERSONNEL AS FEDERAL EMPLOYEES.—

(A) IN GENERAL.—The executive director and any personnel of the Commission who are employees shall be employees under section 2105 of title 5, United States Code, for purposes of chapters 63, 81, 83, 84, 85, 87, 89, and 90 of that title.

(B) MEMBERS OF COMMISSION.—Subparagraph (A) shall not be construed to apply to members of the Commission.

(b) DETAILEES.—Any Federal Government employee may be detailed to the Commission without reimbursement from the Commission, and such detailee shall retain the rights, status, and privileges of his or her regular employment without interruption.

(c) CONSULTANT SERVICES.—The Commission is authorized to procure the services of experts and consultants in accordance with section 3109 of title 5, United States Code, but at rates not to exceed the daily rate paid a person occupying a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code.

SEC. 08. COMPENSATION AND TRAVEL EXPENSES.

(a) COMPENSATION.—Each member of the Commission may be compensated at not to exceed the daily equivalent of the annual rate of basic pay in effect for a position at level IV of the Executive Schedule under section 5315 of title 5, United States Code, for each day during which that member is engaged in the actual performance of the duties of the Commission.

(b) TRAVEL EXPENSES.—While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as persons employed intermittently in the Government service are allowed expenses under section 5703(b) of title 5, United States Code.

SEC. 09. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The appropriate Federal agencies or departments shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided with access to classified information under this

title without the appropriate security clearances.

SEC. 10. REPORTS OF COMMISSION; TERMINATION.

(a) INTERIM REPORTS.—The Commission may submit to the President and Congress interim reports containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) FINAL REPORT.—Not later than 6 months after the date of the enactment of this title, the Commission shall submit to the President and Congress a final report containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(c) TERMINATION.—

(1) IN GENERAL.—The Commission, and all the authorities of this Act, shall terminate 60 days after the date on which the final report is submitted under subsection (b).

(2) ADMINISTRATIVE ACTIVITIES BEFORE TERMINATION.—The Commission may use the 60-day period referred to in paragraph (1) for the purpose of concluding its activities, including providing testimony to committees of Congress concerning its reports and disseminating the final report.

SEC. 11. FUNDING.

(a) EMERGENCY APPROPRIATION OF FUNDS.—There are authorized to be appropriated \$3,000,000 for purposes of the activities of the Commission under this title and such funding is designated as emergency spending under section 402 of H. Con. Res. 95 (109th Congress).

(b) DURATION OF AVAILABILITY.—Amounts made available to the Commission under subsection (a) shall remain available until the termination of the Commission.

SA 1661. Mr. BIDEN (for himself, Mr. DURBIN, Mrs. CLINTON, Mr. KERRY, and Mr. REED) proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

At the end of the bill, insert the following:

TITLE VII—EMERGENCY RELIEF FOR VICTIMS OF HURRICANE KATRINA.

In addition to amounts otherwise provided for in this Act, the following amounts are appropriated for fiscal year 2006 and designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress):

(1) ENHANCING STATE AND LOCAL LAW ENFORCEMENT.—\$1,000,000,000 to the Community Oriented Policing Services function in the following amounts:

(A) \$700,000,000 added to the Hiring section.

(B) \$300,000,000 to the Interoperable Communications Technology section.

(2) ASSISTING CHILDREN IMPACTED BY HURRICANE KATRINA.—Under the Missing Children Program, \$10,000,000 to the National Center for Missing and Exploited Children to find, unite, and transport children impacted by Hurricane Katrina to their parents, legal guardian, or next of kin.

(3) ASSISTING VICTIMS OF SEXUAL ABUSE AND DOMESTIC VIOLENCE.—Under the Violence Against Women Act function, \$8,000,000 for the Office of Violence Against Women to assist victims of domestic violence and sexual abuse in the areas impacted by Hurricane Katrina in the following amounts:

(A) \$2,000,000 for the Rape Abuse and Incest National Network (RAINN) to rebuild crises centers, provide emergency counseling services in shelters, provide emergency counseling services in shelters, provide adequate

services in communities with evacuees, and provide adequate short- and long-term support for displaced persons across the country.

(B) \$1,000,000 for nonprofit, nongovernmental statewide coalitions serving sexual assault victims within the State to be used to assist victims of sexual assault affected by Hurricane Katrina as determined by the assessment of statewide coalitions.

(C) \$6,000,000 to be allocated, in consultation with the Department of Health and Human Services, to nonprofit, nongovernmental statewide domestic violence coalitions serving domestic violence programs within the State to be used to assist victims of domestic violence affected by Hurricane Katrina as determined by the assessment of the statewide coalitions, and that the statewide coalitions can assess those needs.

SA 1662. Mr. SARBANES proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 190, after line 14, insert the following:

SECTION 522. HURRICANE KATRINA EMERGENCY ASSISTANCE VOUCHERS.

(a) **SHORT TITLE.**—This section may be cited as the “Helping to House the Victims of Hurricane Katrina Act of 2005”.

(b) **HURRICANE KATRINA EMERGENCY ASSISTANCE VOUCHERS.**—Section 8(o) of the United States Housing Act of 1937 (42 U.S.C. 1437f(o)) is amended by adding at the end the following:

“(20) **HURRICANE KATRINA EMERGENCY ASSISTANCE VOUCHERS.**—

“(A) **IN GENERAL.**—During the 6-month period beginning on the date of enactment of the Helping to House the Victims of Hurricane Katrina Act of 2005, the Secretary shall provide temporary rental assistance to any individual or family, if—

“(i) the individual or family resides, or resided on August 29, 2005, in any area that is subject to a declaration by the President of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina; and

“(ii) the residence of the individual or family became uninhabitable or inaccessible as result of that major disaster or emergency.

“(B) **REGULATIONS.**—Not later than 30 days after the date of enactment of the Helping to House the Victims of Hurricane Katrina Act of 2005, the Secretary shall issue final rules to establish the procedures applicable to the issuance of assistance under subparagraph (A).

“(C) **NOTICE.**—The Secretary, in consultation with the Director of the Federal Emergency Management Agency and such other agencies as the Secretary determines appropriate, shall establish procedures for providing notice of the availability of assistance under this paragraph to individuals or families that may be eligible for such assistance.

“(D) **AUTHORITY TO CONTRACT WITH PHA’S AND OTHERS.**—The Secretary may contract with any State or local government agency or public housing agency, or in consultation with any State or local government agency, with any other entity, to ensure that assistance payments under this paragraph are provided in an efficient and expeditious manner.

“(E) **WAIVER OF ELIGIBILITY REQUIREMENTS.**—In providing assistance under this paragraph, the Secretary shall waive the requirements under—

“(i) paragraph (2), relating to tenant contributions towards rent, except that any

such waiver shall expire on an individual’s return to work;

“(ii) paragraph (4), relating to the eligibility of individuals to receive assistance;

“(iii) subsection (k) and paragraph (5) of this subsection, relating to verification of income;

“(iv) paragraph (7)(A), relating to the requirement that leases shall be for a term of 1 year;

“(v) paragraph (8), relating to initial inspection of housing units by a public housing agency; and

“(vi) subsection (r)(1)(B), relating to restrictions on portability.

“(F) **USE OF FUNDS.**—Notwithstanding any other provision of law, funds available for assistance under this paragraph—

“(i) shall be made available by the Secretary to individuals to cover the cost of—

“(I) rent;

“(II) security and utility deposits;

“(III) relocation expenses, including expenses incurred in relocating back to the major disaster area when such relocation is permitted; and

“(IV) such additional expenses as the Secretary determines necessary; and

“(ii) shall be used by the Secretary—

“(I) for payments to public housing agencies, State or local government agencies, or other voucher administrators for vouchers used to assist individuals or families affected by the major disaster or emergency described in this paragraph up to their authorized level of vouchers, if any such vouchers are not otherwise funded; and

“(II) to provide operating subsidies to public housing agencies for public housing units provided to individuals or families affected by the major disaster or emergency described in this paragraph, if such a subsidy was not previously provided for those units.

“(G) **PAYMENT STANDARD.**—For purposes of this paragraph, the payment standard for each size of dwelling unit in a market area may not exceed 150 percent, or higher if the Secretary approves of such increase, of the fair market rental established under subsection (c) for the same size dwelling unit in the same market area, and shall be not less than 90 percent of that fair market rental.

“(H) **NONDISCRIMINATION.**—In selecting individuals or families for tenancy, a landlord or owner may not exclude or penalize an individual or family solely because any portion of the rental payment of that individual or family is provided under this paragraph.

“(I) **TERMINATION OF ASSISTANCE.**—Assistance provided under this paragraph shall—

“(i) terminate 6 months after the date on which such assistance was received; and

“(ii) extend for an additional 6 months unless at that time the Secretary makes a determination that assistance under this paragraph is no longer needed.

“(21) **ASSISTANCE FOR CURRENT VOUCHER RECIPIENTS AFFECTED BY HURRICANE KATRINA.**—

“(A) **IN GENERAL.**—The Secretary shall waive any of the requirements described in clauses (i) through (vi) of paragraph (20)(E) for any individual or family receiving assistance under this section on August 29, 2005, if—

“(i) the individual or family resides, or resided on August 29, 2005, in any area that is subject to a declaration by the President of a major disaster or emergency under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in connection with Hurricane Katrina; and

“(ii) the residence of the individual or family became uninhabitable or inaccessible as result of that major disaster or emergency.

“(B) **ADDITIONAL USES OF FUNDS.**—Notwithstanding any other provision of law, the Secretary shall provide, as the Secretary determines appropriate, supplemental assistance

to an individual or family receiving assistance under this section on August 29, 2005, and meeting the requirements described in subparagraph (A), to assist the individual or family with the additional costs of relocating to new housing, including to cover—

“(i) the additional cost of rent and utilities;

“(ii) security and utility deposits;

“(iii) relocation expenses, including expenses incurred in relocating back to the major disaster area when such relocation is permitted; and

“(iv) such additional expenses as the Secretary determines necessary.

“(C) **PAYMENT STANDARD.**—For purposes of this paragraph, the payment standard for each size of dwelling unit in a market area may not exceed 150 percent, or higher if the Secretary approves of such increase, of the fair market rental established under subsection (c) for the same size dwelling unit in the same market area, and shall be not less than 90 percent of that fair market rental.

“(D) **NONDISCRIMINATION.**—A landlord or owner may not exclude or penalize an individual or family solely because that individual or family is eligible for any waivers or benefits provided under this paragraph.

“(E) **TERMINATION OF AUTHORITY.**—The authority of the Secretary to provide assistance under this paragraph shall—

“(i) apply during the 6-month period beginning on the date of enactment of the Helping to House the Victims of Hurricane Katrina Act of 2005; and

“(ii) extend for an additional 6 months after that period, unless if at that time the Secretary makes a determination that assistance under this paragraph is no longer needed.

“(22) **AUTHORITY OF THE SECRETARY TO DIRECTLY ADMINISTER VOUCHERS WHEN PHA’S ARE UNABLE TO DO SO.**—If the Secretary determines that a public housing agency is unable to implement the provisions of this subsection due to the effects of Hurricane Katrina, the Secretary may—

“(A) directly administer any voucher program described in paragraphs (1) through (20); and

“(B) perform the functions assigned to a public housing agency by this subsection.”.

(c) **REPORT ON INVENTORY OF AVAILABILITY OF TEMPORARY HOUSING.**—Not later than 10 days after the date of enactment of this Act, the Secretary of Defense, the Administrator of the General Services Administration, the Secretary of Agriculture, and such other agency heads as the Secretary determines appropriate, shall compile and report to the Secretary an inventory of Federal civilian and defense facilities that can be used—

(1) to provide emergency housing; or

(2) as locations for the construction or deployment of temporary housing units.

(d) **APPROPRIATION OF FUNDING.**—

(1) **IN GENERAL.**—There are authorized to be appropriated and are appropriated \$3,500,000,000 to provide assistance under this Act.

(2) **EMERGENCY DESIGNATION.**—The amount appropriated under paragraph (1) is designated as an emergency requirement pursuant to section 402 of H. Con. Res. 95 (109th Congress).

SA 1663. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. Of the amounts made available in this title under the heading "NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION" and under the subheading "OPERATIONS, RESEARCH, AND FACILITIES" for the National Marine Fisheries Service—

(1) not more than \$104,107,000 may be expended for headquarters programs, including corporate management and leadership and Silver Spring programs;

(2) \$5,000,000 shall be for Southeastern shrimp product quality and marketing;

(3) \$3,000,000 shall be for Gulf of Mexico oyster restoration;

(4) \$3,000,000 shall be for Alaska near shore fisheries;

(5) \$3,000,000 shall be for Pacific Coastal Fisheries Information Network catch effort data;

(6) \$2,000,000 shall be for recreational fishing catch and release mortality research;

(7) \$1,000,000 shall be for the Hawaii stock enhancement program;

(8) \$1,000,000 shall be for bluefish and striped bass research and management;

(9) \$1,000,000 shall be for Great Lakes restoration programs; and

(10) \$1,000,000 shall be for New England stock depletion programs.

SA 1664. Mr. LOTT submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. Of the amounts made available in this title under the heading "NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION" and under the subheading "OPERATIONS, RESEARCH, AND FACILITIES" for the National Marine Fisheries Service—

(1) not more than \$116,107,000 may be expended for headquarters programs, including corporate management and leadership and Silver Spring programs;

(2) \$5,000,000 shall be for Southeastern shrimp product quality and marketing; and

(3) \$3,000,000 shall be for Gulf of Mexico oyster restoration.

SA 1665. Mr. DORGAN (for himself, Mr. GRAHAM, and Ms. STABENOW) proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 190, between lines 14 and 15, insert the following:

SEC. 522. None of the funds appropriated or otherwise made available by this Act may be used to negotiate or enter into a trade agreement that modifies or amends any law of the United States that provides safeguards from unfair foreign trade practices to United States businesses or workers, including (1) imposition of countervailing and antidumping duties (title VII of the Tariff Act of 1930; 19 U.S.C. 1671 et seq.); (2) protection from unfair methods of competition and unfair acts in the importation of articles (section 337 of the Tariff Act of 1930; 19 U.S.C. 1337); (3) relief from injury caused by import competition (title II of the Trade Act of 1974; 19 U.S.C. 2251 et seq.); (4) relief from unfair

trade practices (title III of the Trade Act of 1974; 19 U.S.C. 2411 et seq.); or (5) national security import restrictions (section 232 of the Trade Expansion Act of 1962; 19 U.S.C. 1862).

SA 1666. Mr. NELSON of Florida submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. The Administrator of the National Oceanic and Atmospheric Administration shall—

(1) make available the data and information services of such Administration, including forecasts and warnings of the National Weather Service, in a timely, open, and unrestricted manner using widely accepted information standards, including the Internet; and

(2) cooperate closely with public safety agencies and other entities, including private sector entities and the media, to achieve the widest possible understanding of information critical to the protection of life and property and the enhancement of the economy of the United States.

SA 1667. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 135, line 25, strike "\$515,087,000" and insert "\$534,987,000, of which \$19,900,000 shall be offset by reducing appropriations in this title for other expenses by a total of \$19,900,000."

On page 136, between lines 13 and 14, in the item relating to Methamphetamine Hot Spots, strike "\$60,100,000" and insert "\$80,000,000".

SA 1668. Mr. BINGAMAN submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; as follows:

On page 137, line 3, strike "\$350,000,000" and insert "\$352,000,000 of which \$2,000,000 shall be for grants for methamphetamine prevention education programs in elementary and secondary schools to be offset by a reduction of \$2,000,000 in the Drug Enforcement Agency salaries and expenses in this Act".

SA 1669. Mr. SUNUNU proposed an amendment to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

On page 131, line 14, strike "\$15,000,000" and insert "\$30,000,000".

On page 134, between lines 4 and 5, strike "\$170,000,000" and insert "\$230,582,000".

On page 134, between lines 4 and 5, strike "\$30,000,000" and insert "\$48,418,000".

On page 156, strike lines 3 through 7 and insert the following:

In addition, for necessary expenses for existing grant projects of the Advanced Technology Program of the National Institute of Standards and Technology, \$46,000,000, to remain available until expended.

SA 1670. Mr. DORGAN submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

TITLE —SPECIAL COMMITTEE OF SENATE ON WAR AND RECONSTRUCTION CONTRACTING

SEC. 01. FINDINGS.

Congress makes the following findings:

(1) The wars in Iraq and Afghanistan have exerted very large demands on the Treasury of the United States and required tremendous sacrifice by the members of the Armed Forces of the United States.

(2) Congress has a constitutional responsibility to ensure comprehensive oversight of the expenditure of United States Government funds.

(3) Waste and corporate abuse of United States Government resources are particularly unacceptable and reprehensible during times of war.

(4) The magnitude of the funds involved in the reconstruction of Afghanistan and Iraq and the war on terrorism, together with the speed with which these funds have been committed, presents a challenge to the effective performance of the traditional oversight function of Congress and the auditing functions of the executive branch.

(5) The Senate Special Committee to Investigate the National Defense Program, popularly known as the Truman Committee, which was established during World War II, offers a constructive precedent for bipartisan oversight of wartime contracting that can also be extended to wartime and postwar reconstruction activities.

(6) The Truman Committee is credited with an extremely successful investigative effort, performance of a significant public education role, and achievement of fiscal savings measured in the billions of dollars.

(7) The public has a right to expect that taxpayer resources will be carefully disbursed and honestly spent.

SEC. 02. SPECIAL COMMITTEE ON WAR AND RECONSTRUCTION CONTRACTING.

There is established a special committee of the Senate to be known as the Special Committee on War and Reconstruction Contracting (hereafter in this title referred to as the "Special Committee").

SEC. 03. PURPOSE AND DUTIES.

(a) **PURPOSE.**—The purpose of the Special Committee is to investigate the awarding and performance of contracts to conduct military, security, and reconstruction activities in Afghanistan and Iraq and to support the prosecution of the war on terrorism.

(b) **DUTIES.**—The Special Committee shall examine the contracting actions described in subsection (a) and report on such actions, in accordance with this section, regarding—

(1) bidding, contracting, accounting, and auditing standards for Federal Government contracts;

(2) methods of contracting, including sole-source contracts and limited competition or noncompetitive contracts;

(3) subcontracting under large, comprehensive contracts;

(4) oversight procedures;

(5) consequences of cost-plus and fixed price contracting;

(6) allegations of wasteful and fraudulent practices;

(7) accountability of contractors and Government officials involved in procurement and contracting;

(8) penalties for violations of law and abuses in the awarding and performance of Government contracts; and

(9) lessons learned from the contracting process used in Iraq and Afghanistan and in connection with the war on terrorism with respect to the structure, coordination, management policies, and procedures of the Federal Government.

(c) INVESTIGATION OF WASTEFUL AND FRAUDULENT PRACTICES.—The investigation by the Special Committee of allegations of wasteful and fraudulent practices under subsection (b)(6) shall include investigation of allegations regarding any contract or spending entered into, supervised by, or otherwise involving the Coalition Provisional Authority, regardless of whether or not such contract or spending involved appropriated funds of the United States.

(d) EVIDENCE CONSIDERED.—In carrying out its duties, the Special Committee shall ascertain and evaluate the evidence developed by all relevant governmental agencies regarding the facts and circumstances relevant to contracts described in subsection (a) and any contract or spending covered by subsection (c).

SEC. 04. COMPOSITION OF SPECIAL COMMITTEE.

(a) MEMBERSHIP.—

(1) IN GENERAL.—The Special Committee shall consist of 7 members of the Senate of whom—

(A) 4 members shall be appointed by the President pro tempore of the Senate, in consultation with the majority leader of the Senate; and

(B) 3 members shall be appointed by the minority leader of the Senate.

(2) DATE.—The appointments of the members of the Special Committee shall be made not later than 90 days after the date of the enactment of this Act.

(b) VACANCIES.—Any vacancy in the Special Committee shall not affect its powers, but shall be filled in the same manner as the original appointment.

(c) SERVICE.—Service of a Senator as a member, chairman, or ranking member of the Special Committee shall not be taken into account for the purposes of paragraph (4) of rule XXV of the Standing Rules of the Senate.

(d) CHAIRMAN AND RANKING MEMBER.—The chairman of the Special Committee shall be designated by the majority leader of the Senate, and the ranking member of the Special Committee shall be designated by the minority leader of the Senate.

(e) QUORUM.—

(1) REPORTS AND RECOMMENDATIONS.—A majority of the members of the Special Committee shall constitute a quorum for the purpose of reporting a matter or recommendation to the Senate.

(2) TESTIMONY.—One member of the Special Committee shall constitute a quorum for the purpose of taking testimony.

(3) OTHER BUSINESS.—A majority of the members of the Special Committee, or 1/3 of the members of the Special Committee if at least one member of the minority party is present, shall constitute a quorum for the purpose of conducting any other business of the Special Committee.

SEC. 05. RULES AND PROCEDURES.

(a) GOVERNANCE UNDER STANDING RULES OF SENATE.—Except as otherwise specifically

provided in this resolution, the investigation, study, and hearings conducted by the Special Committee shall be governed by the Standing Rules of the Senate.

(b) ADDITIONAL RULES AND PROCEDURES.—The Special Committee may adopt additional rules or procedures if the chairman and ranking member agree that such additional rules or procedures are necessary to enable the Special Committee to conduct the investigation, study, and hearings authorized by this resolution. Any such additional rules and procedures—

(1) shall not be inconsistent with this resolution or the Standing Rules of the Senate; and

(2) shall become effective upon publication in the Congressional Record.

SEC. 06. AUTHORITY OF SPECIAL COMMITTEE.

(a) IN GENERAL.—The Special Committee may exercise all of the powers and responsibilities of a committee under rule XXVI of the Standing Rules of the Senate.

(b) HEARINGS.—The Special Committee or, at its direction, any subcommittee or member of the Special Committee, may, for the purpose of carrying out this resolution—

(1) hold such hearings, sit and act at such times and places, take such testimony, receive such evidence, and administer such oaths as the Special Committee or such subcommittee or member considers advisable; and

(2) require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memoranda, papers, documents, tapes, and materials as the Special Committee considers advisable.

(c) ISSUANCE AND ENFORCEMENT OF SUBPOENAS.—

(1) ISSUANCE.—Subpoenas issued under subsection (b) shall bear the signature of the Chairman of the Special Committee and shall be served by any person or class of persons designated by the Chairman for that purpose.

(2) ENFORCEMENT.—In the case of contumacy or failure to obey a subpoena issued under subsection (a), the United States district court for the judicial district in which the subpoenaed person resides, is served, or may be found may issue an order requiring such person to appear at any designated place to testify or to produce documentary or other evidence. Any failure to obey the order of the court may be punished by the court as a contempt of that court.

(d) MEETINGS.—The Special Committee may sit and act at any time or place during sessions, recesses, and adjournment periods of the Senate.

SEC. 07. REPORTS.

(a) INITIAL REPORT.—The Special Committee shall submit to the Senate a report on the investigation conducted pursuant to section 03 not later than 270 days after the appointment of the Special Committee members.

(b) UPDATED REPORT.—The Special Committee shall submit an updated report on such investigation not later than 180 days after the submission of the report under subsection (a).

(c) ADDITIONAL REPORTS.—The Special Committee may submit any additional report or reports that the Special Committee considers appropriate.

(d) FINDINGS AND RECOMMENDATIONS.—The reports under this section shall include findings and recommendations of the Special Committee regarding the matters considered under section 03.

(e) DISPOSITION OF REPORTS.—Any report made by the Special Committee when the Senate is not in session shall be submitted to the Clerk of the Senate. Any report made by

the Special Committee shall be referred to the committee or committees that have jurisdiction over the subject matter of the report.

SEC. 08. ADMINISTRATIVE PROVISIONS.

(a) STAFF.—

(1) IN GENERAL.—The Special Committee may employ in accordance with paragraph (2) a staff composed of such clerical, investigatory, legal, technical, and other personnel as the Special Committee, or the chairman or the ranking member, considers necessary or appropriate.

(2) APPOINTMENT OF STAFF.—

(A) IN GENERAL.—The Special Committee shall appoint a staff for the majority, a staff for the minority, and a nondesignated staff.

(B) MAJORITY STAFF.—The majority staff shall be appointed, and may be removed, by the chairman and shall work under the general supervision and direction of the chairman.

(C) MINORITY STAFF.—The minority staff shall be appointed, and may be removed, by the ranking member of the Special Committee, and shall work under the general supervision and direction of such member.

(D) NONDESIGNATED STAFF.—Nondesignated staff shall be appointed, and may be removed, jointly by the chairman and the ranking member, and shall work under the joint general supervision and direction of the chairman and ranking member.

(b) COMPENSATION.—

(1) MAJORITY STAFF.—The chairman shall fix the compensation of all personnel of the majority staff of the Special Committee.

(2) MINORITY STAFF.—The ranking member shall fix the compensation of all personnel of the minority staff of the Special Committee.

(3) NONDESIGNATED STAFF.—The chairman and ranking member shall jointly fix the compensation of all nondesignated staff of the Special Committee, within the budget approved for such purposes for the Special Committee.

(c) REIMBURSEMENT OF EXPENSES.—The Special Committee may reimburse the members of its staff for travel, subsistence, and other necessary expenses incurred by such staff members in the performance of their functions for the Special Committee.

(d) PAYMENT OF EXPENSES.—There shall be paid out of the applicable accounts of the Senate such sums as may be necessary for the expenses of the Special Committee. Such payments shall be made on vouchers signed by the chairman of the Special Committee and approved in the manner directed by the Committee on Rules and Administration of the Senate. Amounts made available under this subsection shall be expended in accordance with regulations prescribed by the Committee on Rules and Administration of the Senate.

SEC. 09. TERMINATION.

The Special Committee shall terminate on February 28, 2007.

SEC. 10. SENSE OF SENATE ON CERTAIN CLAIMS REGARDING THE COALITION PROVISIONAL AUTHORITY.

It is the sense of the Senate that any claim of fraud, waste, or abuse under the False Claims Act that involves any contract or spending by the Coalition Provisional Authority should be considered a claim against the United States Government.

SA 1671. Mr. DEWINE (for himself, Mr. VOINOVICH, Mr. ALLEN, Mr. WARNER, and Mrs. MURRAY) submitted an amendment intended to be proposed by him to the bill H.R. 2862, making appropriations for Science, the Departments of State, Justice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, and

for other purposes; which was ordered to lie on the table; as follows:

On page 170, between lines 9 and 10, insert the following:

SEC. 304. Of the amounts appropriated or otherwise made available by this title under the heading "NATIONAL AERONAUTICS AND SPACE ADMINISTRATION", \$906,200,000 shall be available for aeronautics research and development programs of the National Aeronautics and Space Administration.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on September 8, 2005, at 10 a.m., to conduct a hearing on "Examining the Commodity Futures Modernization Act of 2000 and recent market."

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

COMMITTEE ON FOREIGN RELATIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Thursday, September 8, 2005, at 2 p.m., to hold a hearing on Nominations.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to hold a hearing during the session of the Senate on Thursday, September 8, 2005 at 10 a.m., in SD-106.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions meet in executive session during the session of the Senate on Thursday, September 8, 2005 at 3 p.m. in SD-106.

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

COMMITTEE ON THE JUDICIARY

Mr. COCHRAN. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, September 8, 2005 at 9:30 a.m. in Senate Dirksen Office Building Room 226.

Agenda

I. Nominations: Kenneth L. Wainstein to be United States Attorney for the District of Columbia.

II. Bills: S. 1088—Streamlined Procedures Act of 2005, Kyl, Cornyn, Grassley, Hatch; S. 1197—Violence Against Women Act of 2005, Biden, Hatch, Specter, Leahy, DeWine, Kohl, Grassley,

Kennedy, Schumer, Durbin, Feinstein; S. , Personal Data Privacy and Security Act of 2005, Specter, Leahy, Feingold; S. 751—Notification of Risk to Personal Data Act, Feinstein, Kyl; S. 1326—Notification of Risk to Personal Data Act, Sessions; S. 155—Gang Prevention and Effective Deterrence Act of 2005, Feinstein, Hatch, Grassley, Cornyn, Kyl, Specter; S. 1086—A Bill to Improve the National Program to Register and Monitor Individuals Who Commit Crimes Against Children or Sex Offenses, Hatch, Biden, Schumer; S. 596—Jetseta Gage Prevention and Deterrence of Crimes Against Children Act of 2005, Grassley, Kyl, Cornyn.

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

PRIVILEGE OF THE FLOOR

Mr. COCHRAN. Mr. President, I ask unanimous consent that the following staff members be granted the privilege of the floor during the consideration of H.R. 2862, the Commerce-Justice-Science appropriations bill: Jill Shapiro Long, Allen Cutler, and Gabrielle Batkin.

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

Mr. COCHRAN. Mr. President, I also ask unanimous consent that Art Cameron, who is detailed to our Appropriations Committee staff from the Treasury Department, and Kate Fitzpatrick be granted the privilege of the floor during the consideration of H.R. 2862, the Commerce-Justice-Science appropriations bill.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Lindsay Jones of my staff be granted the privilege of the floor for the duration of today's session.

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

UNANIMOUS CONSENT AGREEMENT—H.R. 2862

Mr. FRIST. Mr. President, I ask unanimous consent that other than the pending amendments, the only remaining first-degree amendments to H.R. 2862, the Commerce-Justice-Science appropriations bill, be the following list that I send to the desk; provided further, that they be subject to second-degree amendments which are relevant to the first-degree amendment to which they are offered.

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

The list of amendments is as follows:

Baucus—EDA, Baucus—EDA, Baucus—EDA, Bingaman—Methamphetamine education, Boxer—Katrina, Boxer—Katrina, Boxer—Relevant, Boxer—Relevant, Bunning—Relevant, Byrd—Relevant, Byrd—Relevant, Byrd—Relevant to list, Cantwell—Ice breakers, Cantwell—Methamphetamines, Cantwell—Methamphetamines, Clinton—Katrina Commission, Clinton—FEMA Reform, Conrad—Relevant, Conrad—Relevant, Conrad—JAG formula change.

DeWine—NASA, Dodd—First responders, Dorgan—Military contracting abuses, Durbin—Relevant, Durbin—Relevant, Ensign—NSF Funding, Feingold—Relevant, Feinstein—Methamphetamines, Frist—Relevant, Frist—Relevant, Frist—Relevant to any C/A 208 onlist, Frist—Relevant to any on list, Grassley—Strike Authorizing Language, Grassley—Strike Authorizing Language, Grassley—Strike Authorizing Language, Grassley—Strike Authorizing Language, Grassley—Strike Authorizing Language, Grassley—Strike Authorizing Language, Inouye—USF ADA violations.

Kennedy—Red tide, Kerry—Small Business, Kyl—Internet Gambling, Kyl—Document Fraud Investigation, Kyl—SCAAP, Landrieu—Relevant, Landrieu—Relevant, Leahy—Relevant, Leahy—Relevant, Leahy—Relevant, Lieberman—Disaster financial relief, Lott—Natl. Marine Fisheries Service, Managers' Amendment, Martinez—Relevant, McCain—SOS, Mikulski—Managers' Amdt., Mikulski—Relevant, Mikulski—Relevant, Mikulski—Relevant to list, Nelson (FL)—NWS office consolidation.

Nelson (NE)—Bankruptcy trustee, Obama—Justice assistance grants 900M, Pryor—FTC Gas prices, Reid—Relevant, Reid—Relevant, Reid—Relevant to any on list, Reid—Relevant to any on list, Reid—Domestic violence, Roberts—FBI Funding, Salazar—Science Education funding, Salazar—Methamphetamines/DEA, Salazar—Katrina, Schumer—Cell Phone privacy, Schumer—Tax deduction for Katrina victims, Schumer—Relevant, Schumer—Relevant, Schumer—Relevant, Snowe—SBA, Snowe—SBA, Stabenow—Interoperable communications, Sununu—Eminent Domain/Economic Development, Talent—Relevant, Talent—Relevant, Talent—Relevant, Wyden—NASA NSF Title 9.

AUTHORITY TO SIGN ENROLLED BILLS

Mr. FRIST. Mr. President, I ask unanimous consent that on Thursday, September 8, 2005, the majority leader be authorized to sign duly enrolled bills.

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

UNANIMOUS CONSENT AGREEMENT—S.J. RES. 20

Mr. FRIST. Mr. President, I ask unanimous consent that on Monday, September 12, at 5:30 p.m., the Senate proceed to a period for morning business for 1 hour with the time equally divided between Senator INHOFE or his designee and Senator REID or his designee, and that following the use or yielding back of time, the Senate proceed to a vote on the motion to proceed to Calendar No. 167, S.J. Res. 20. I further ask consent that if the motion to proceed is agreed to, the statutory time limit be reduced to 2 hours equally divided, and that following the use or yielding back of time, the joint resolution be read a third time and the Senate proceed to a vote on passage of the resolution.

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

AMENDING THE NATIONAL FLOOD INSURANCE ACT OF 1968

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 189, H.R. 804.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 804) to exclude from consideration as income certain payments under the national flood insurance program.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. Mr. President, I ask unanimous consent that the bill be read a third time and passed, the motion to reconsider be laid upon the table, and that any statements relating to the bill be printed in the RECORD.

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

The bill (H.R. 804) was read the third time and passed.

AUTHORITY TO SUBMIT TRIBUTES TO CHIEF JUSTICE REHNQUIST

Mr. FRIST. Mr. President, I ask unanimous consent that Senators be permitted to submit tributes to Chief Justice Rehnquist for the RECORD until September 30, 2005, and that all tributes be printed as a Senate document.

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

ORDERS FOR FRIDAY, SEPTEMBER 9, 2005

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., on Friday, September 9. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate resume consideration of H.R. 2862, the Science-Commerce-Justice appropriations bill.

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

PROGRAM

Mr. FRIST. Mr. President, tomorrow, the Senate will resume consideration of a very important bill, the Commerce-Justice-Science appropriations bill, a large bill and a bill on which we have a number of amendments to be considered and a bill that does have a direct application to our disaster response to Katrina.

Although there will be no rollcall votes tomorrow, the managers will be here ready to continue with the amendment process and expedite consideration of the bill. We now have a limited number of first-degree amendments in order, and I encourage Senators to come to the floor tomorrow, as well as Monday, so that we can complete action on this bill early next week.

Monday evening, we will have an hour of debate followed by a vote on

the motion to proceed to S.J. Res. 20, a resolution of disapproval. That vote will occur at 6:30 p.m., and additional votes are possible into the evening.

Mr. President, in closing, this has been a challenging week for the entire country and, indeed, for the Senate as we have responded in an expeditious way to this natural disaster that the Nation has witnessed unfolding. We approached our response in the Senate at three different levels or three different phases or three different elements.

The first is this immediate action for relief and recovery, immediate response, quick action, considering legislation brought to the floor and setting other business aside to address that important immediate response.

We will continue to do that over the course of the next week and the week after that to make sure we address the needs that must be addressed at the Federal level through this body to facilitate the response to the disaster, focusing, of course, first and foremost on the safety and welfare of the victims.

Other immediate action was the \$10.5 billion that we passed last Thursday night and then the \$51.8 billion that we passed tonight, which will be signed here shortly and signed by the President within the next hour or so.

Another example is the Federal courts relief bill that we passed so that Louisiana Federal courts could be up and running with appropriate sites.

The second phase that is ongoing is the consideration of rebuilding, reconstruction, and this involves consideration of a whole range of issues through not all but most of our committees, in terms of redevelopment with strong economic incentives to capture the dynamism and the power of the private sector in partnership with the public sector.

It is going to take the strength of the public and the private sector working together to accomplish that successful rebuilding and reconstruction of a part of the country that can return and will return with a much more modern and revitalized future, a future that is actually very exciting as we look to the rebuilding and reconstruction, something to which the Governor, local officials, and the Federal Government are committed.

The third phase is analyzing very carefully what went right but probably even more importantly what went wrong in our response—meaning our generic response, everyone's response—to this natural disaster. Things did not go as well as anyone would like, Americans deserve answers, and we will get to the bottom of that.

We have established a bicameral, bipartisan committee with the House and the Senate working together to carry out that analysis. In addition, we have designated in this body the Homeland Security and Governmental Affairs Committee as the lead committee in oversight.

I mention these three elements because with so much activity, it is im-

portant for both our colleagues and the American people to know that we are working on each of these three elements with immediate action which requires expeditious consideration on the floor of the Senate; secondly, rebuilding and reconstruction to an even more modern and revitalized and very exciting future for the Gulf States; and thirdly, to investigate and analyze what went wrong.

We will continue with all of that over the course of the evening and tomorrow and through the weekend, and everybody will keep pulling together and acting in the best interest of the American people, with our thoughts and prayers going out to those people who have been so dramatically affected, along with the States, and who are now spread all over the United States of America.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

Mr. FRIST. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

There being no objection, the Senate, at 8:12 p.m., adjourned until Friday, September 9, 2005, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate September 8, 2005:

DEPARTMENT OF AGRICULTURE

CHARLES R. CHRISTOPHERSON, JR., OF TEXAS, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF AGRICULTURE, VICE EDWARD R. MCPHERSON, RESIGNED.

DEPARTMENT OF ENERGY

EDWARD F. SPROAT III, OF PENNSYLVANIA, TO BE DIRECTOR OF THE OFFICE OF CIVILIAN RADIOACTIVE WASTE MANAGEMENT, DEPARTMENT OF ENERGY, VICE MARGARET S. Y. CHU, RESIGNED.

EXECUTIVE OFFICE OF THE PRESIDENT

DALE W. MEYERROSE, OF INDIANA, TO BE CHIEF INFORMATION OFFICER, OFFICE OF THE DIRECTOR OF NATIONAL INTELLIGENCE, (NEW POSITION)

IN THE COAST GUARD

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES COAST GUARD TO THE GRADE INDICATED UNDER TITLE 14, U.S.C., SECTION 271:

To be rear admiral (lower half)

CAPT. WILLIAM D. BAUMGARTNER, 0000
CAPT. MANSON K. BROWN, 0000
CAPT. JOHN S. BURHOE, 0000
CAPT. WAYNE E. JUSTICE, 0000
CAPT. DANIEL B. LLOYD, 0000
CAPT. ROBERT C. PARKER, 0000
CAPT. BRIAN M. SALERNO, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD UNDER TITLE 14, U.S.C., SECTION 276:

To be captain

KATHLEEN M. DONOHUE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES COAST GUARD RESERVES UNDER TITLE 10, U.S.C., SECTION 12203:

To be captain

DAVID K. ALMOND, 0000
JEFFREY S. BAUER, 0000
ROBERT H. CARMACK, 0000
SUSAN F. DAIGNAULT, 0000
DONALD M. HUGHES, 0000
CHARLES R. MARQUIS, 0000
BERNARD T. MORELAND, 0000
JAMES B. PENNEWELL, 0000
JEFFREY S. SAIN, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be colonel

MERRICK E. KRAUSE, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

ANTHONY E. BARBARISI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

WESLEY A.* ARDT, 0000
MARK T.* ORLOWSKI, 0000
STERETT R. PREVOST IV, 0000
RUSSELL F.* ZAKOLSKI, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADES INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT (IDENTIFIED BY AN ASTERISK (*)) UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

JOHN M. ALLEN, 0000
JEFFREY R. BUDDENDECK, 0000
ROBERT D. BUZZONE, 0000
JOSEPH H. DONOHOE, 0000
MICHAEL J. LITTLEFIELD, 0000
STEVEN L. REYNOLDS, 0000
JOHN W. WELKER, 0000
WALLACE M. YOVETICH, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE AND FOR REGULAR APPOINTMENT UNDER TITLE 10, U.S.C., SECTIONS 624 AND 531:

To be major

SEAN D. MCCLUNG, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 1552:

To be colonel

DENNIS J. WING, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

KELVIN L. GEORGE, 0000
GERALD W. KETCHUM, 0000
TIMOTHY L. LAKE, 0000
MARK J. MICHIE, 0000
DEBORAH A. ROBERTS, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

JANICE E. BRUNO, 0000
JEFFERSON S. BURTON, 0000
RANDELL M. CASEY, 0000
MICHAEL K. DUNN, 0000
CECILIA I. FLORES, 0000
JOHN C. HARRIS, JR., 0000
STEPHEN F. LOGAN, 0000
RAYMOND C. MEYER, 0000
DAVID P. SHERIDAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

WILLIAM C. DICKEY, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY MEDICAL UNDER TITLE 10, U.S.C., SECTION 624:

To be major

LAURA T. WELLS, 0000

IN THE MARINE CORPS

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

JAMES R. WARIS, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES MARINE CORPS UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

RICHARD T. OSTERMEYER, 0000

IN THE NAVY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be commander

JEANENE L. TORRANCE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JAMES M. CARRASCO, 0000
ERIC M. GARDNER, 0000
SAMUEL Y. HANAKI, 0000
LISA M. SULLIVAN, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

CHARLIE C. BILES, 0000
CRAIG A. BUIST, 0000
DANIEL FELICIANO, 0000
KENNETH T. FRIEDMAN, 0000
MICHAEL J. GIRGENTI, 0000
FRANCIS S. GRIAK, 0000
BERNETT P. JEFFERS, 0000
TERRY L. JOHNSON, 0000
RICKY A. MCGLADE, 0000
ROSCOE C. PORTER, JR., 0000
WILLIAM G. WILLIS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

STEVEN R. BARSTOW, 0000
LAURA J. BENDER, 0000
JOSEPH L. COFFEY, 0000
DENIS N. COX, 0000
STEVEN L. DUNDAS, 0000
ROBERT J. ETHERIDGE, 0000
WILLIS E. EVERETT, 0000
CLIFFORD A. FORD, 0000
MICHAEL A. GREEN, 0000
PERRY D. HAAGEN, 0000
LEILA HAVADTOY, 0000
PHILIP D. KING, 0000
JEFFREY LOGAN, 0000
JUDY T. MALANA, 0000
MICHAEL P. MORENO, 0000
DANNY B. PURVIS, 0000
SCOTT L. RADETSKI, 0000
ABUHENNA M. SAIFULISLAM, 0000
MATTHEW T. STEVENS, 0000
CARL E. TROST, 0000
DOUGLAS J. VRIELAND, 0000
BRIAN K. WAITE, 0000
MARK S. WINWARD, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ROBERT P. ANSELM, 0000
THOMAS T. COOK, 0000
SHANE D. COOPER, 0000
JULIA W. CRISFIELD, 0000
DAVID D. FURRY, 0000
JENNIE L. GOLDSMITH, 0000
JAMES E. GOLLADAY II, 0000
DAVID M. GONZALEZ, 0000
JOHN A. GUARINO, 0000
MELISSA A. HARVISON, 0000
BRETT W. JOHNSON, 0000
WILLIAM C. KUEBLER, 0000
ZOE S. KUGEALES, 0000
IRVE C. LEMOYNE, JR., 0000
SUSAN M. MCGARVEY, 0000
JOHN W. MCHENRY III, 0000
KEVIN W. MESSER, 0000
STEVEN E. MILEWSKI, 0000
JAMES T. MILLS, 0000
JOHN A. MILLS, 0000
ROBERT P. MONAHAN, JR., 0000
JOSHUA P. NAUMAN, 0000
ELYSIA G. H. NGBAUMHACKL, 0000
ERIC J. OSTERHUES, 0000
ANDREA K. PIGONE, 0000
MELISSA POWERS, 0000
MARK P. TILFORD, 0000
RYAN C. TORGRIMSON, 0000
ANN M. VALLANDINGHAM, 0000
RANDALL J. VAVRA, 0000
IAN S. WEXLER, 0000
ANDREW T. WILKES, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

ARTURO A. ASEO, 0000
CHRISTOPHER F. BEAUBIEN, 0000
KEITH K. BENSON, 0000
MARC E. BERNATH, 0000
STEVEN G. BLANTON, 0000
MICHAEL J. BRADY, 0000
WILLIAM L. BRECKINRIDGE, 0000
ERIK K. BREITENBACH, 0000
AMANDA J. BROOKS, 0000
DANIEL W. COOK, 0000
MICHAEL D. CRAFTS, 0000
JORGE R. CUADROSIBARRA, 0000
KARL R. CUPP, 0000
MARIO M. FORTE, 0000

GORDON J. GLOVER, 0000
ERIC C. HAUN, 0000
KENT R. HENDRICKS, 0000
ALEXANDER M. KOHNEN, 0000
JEFFREY D. LENGKEEK, 0000
MICHAEL P. LEONARD, 0000
JOSHUA B. MALKIN, 0000
GORDON E. MEEK III, 0000
GREGORY C. MILLER, 0000
ALEXANDER M. MOORE, 0000
TUAN NGUYEN, 0000
JASON M. PICARD, 0000
STEPHEN H. PITMAN, 0000
MARIO R. PORTILLO, 0000
JEFFREY S. POWELL, 0000
NATHANIEL B. PRICE, 0000
RUSSELL C. RANG, 0000
MATTHEW C. RIETHMILLER, 0000
THOMAS F. ROBBINS, 0000
MARC L. ROULEAU, 0000
LAURIE SCOTT, 0000
JOHN O. SIMPSON, 0000
DANIEL S. SPICER, 0000
NATHANIEL R. STRAUB, 0000
JEFFREY D. THOMAS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JOEL D. BASHORE, 0000
MATTHEW J. BEHIL, 0000
STEVEN M. BELKNAP, 0000
FLINT M. BLASER, 0000
BRYAN L. BLYTHE, 0000
ALFRED H. BRANSDORFER, 0000
GABRIEL N. BROWN, 0000
TYSON J. BRUNSTETTER, 0000
JAMES R. CAMPBELL III, 0000
ERIC B. CARLSON, 0000
JOEL W. COOTS, 0000
LLOYD V. DAVIS, 0000
KATHLEEN E. DITTO, 0000
JUSTUS K. EHLERS, JR., 0000
RICHARD V. FOLGA, 0000
JOHN P. GAZE, 0000
GREGG W. GELLMAN, 0000
HECTOR GONZALEZ, 0000
MONIQUE C. GOURDINE, 0000
PAUL G. HAUERSTEIN, 0000
WILLIAM A. HILL, 0000
TIMOTHY A. JURUS, 0000
MICHAEL T. KELLEY, 0000
JOHN A. KIRK, 0000
PAUL E. KLIMKOWSKI, 0000
JULIE K. LANDECKER, 0000
MANUEL D. LEAL, 0000
JAMES R. LINDERMAN, 0000
CHAD E. MCKENZIE, 0000
DEVIN J. MORRISON, 0000
CARLSON D. MOSS, 0000
KEITH B. NEWTON, 0000
JENNIFER E. NUSSBAUM, 0000
DOUGLAS K. PARRISH, 0000
RON PERRY, 0000
GUILLERMO PIMENTEL, 0000
SPRING L. PLIHICK, 0000
JOHN P. PORTER, 0000
HEIKE K. RENTMEISTER-BRYANT, 0000
DAVID M. ROCKABRAND, 0000
JENNIFER E. RUHLMAN, 0000
FREDERICK J. SATKOWIAK, 0000
TARA N. SMITH, 0000
FREDERICK M. STELL, 0000
SONJA L. STEVENSON, 0000
FRANCISCO B. TACLIAD, 0000
ROGER L. TALBOT, SR., 0000
ROGER A. TALOB, JR., 0000
TAMARA R. WALKER, 0000
CHRISTIAN T. WALLIS, 0000
CHRISTOPHER A. WEAVER, 0000
GLENN A. WRIGHT, 0000
MEREDITH L. YEAGER, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES NAVY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JOSEPH H. BECHT, 0000
MICHAEL L. BLANSCEY, 0000
MICHAEL S. BOOTH, 0000
TONI A. BOWDEN, 0000
JAMES K. BURNHAM, 0000
RAMON A. CABUNGAL, 0000
CYNTHIA A. CARDENAS, 0000
CLAYTON CHEUNG, 0000
CYNTHIA CHINH, 0000
CAMERON H. CONKIN, 0000
CHRISTOPHER E. CRECELIUS, 0000
DONALD C. DELISH, 0000
FREDERICK M. DILLARD, 0000
SCOTT E. DISTEFANO, 0000
DEBRA S. EDSON, 0000
JAMES R. FARRAR, 0000
ERIK A. FEIDER, 0000
GEORGE A. GINER, 0000
TUANH C. HALQUIST, 0000
JON J. HAVENSTRITE, 0000
THOMAS B. HINES, JR., 0000
ANDREW B. HOCKLEY, 0000
DANNY J. HOLTZCLAW, 0000
JANEEN M. HUGHES, 0000
MOLLY A. JENKINS, 0000
DAVID W. JONES, 0000
CHRISTOPHER S. KAPLAFKA, 0000

KENNETH MANGANO, 0000
 MICHAEL J. METZ, 0000
 TIMOTHY B. MEYERS, 0000
 THOMAS W. MULLEN, 0000
 TRAVIS D. NASH, 0000
 VINH P. NGUYEN, 0000
 REBECCA M. ORTENZIO, 0000
 NANCY M. OSBORNE, 0000
 MATTHEW M. PARKER, 0000
 BETANCOURT J. H. PARRA, 0000
 JOHVIN PERRY, 0000
 ANTON PETRICH, 0000
 ANGELA E. PINKERTON, 0000
 SEPEHR RAJAEI, 0000
 CHADWICK M. SARGENT, 0000
 ERIC F. SCHOENEBECK, 0000
 RODNEY V. SCOTT, 0000
 DET R. SMITH, 0000
 JACK D. SMITH, 0000
 STEVE L. STALLINGS, 0000
 STEPHEN J. STERLITZ, 0000
 GLENN A. STOCKMAN, 0000
 PETER A. VELLIS, 0000
 WILLIAM O. WILSON, JR., 0000
 ADAM K. WYATT, 0000
 STEPHEN S. YUNE, 0000
 CALVIN ZHAO, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MARIA C. ALBERTO, 0000
 ANDRE K. ALLEN, 0000
 JOHANNES M. BAILEY, 0000
 MARK E. BAKER, 0000
 ANTHONY G. BALDWINVOEKS, 0000
 MELISSA A. BARNETT, 0000
 HARVEY S. BECKMAN, 0000
 RONALD J. BOYD, 0000
 RICHARD D. BOYER, 0000
 TIMOTHY E. BRODERICK, 0000
 RAUL J. CARRILLO, 0000
 ROSEANNA A. CHANDLER, 0000
 DARREN J. COUTURE, 0000
 WILLIAM D. COVILL, 0000
 CRAIG A. CUNNINGHAM, 0000
 ROGER D. DAVIS, JR., 0000
 LAURA D. DEATON, 0000
 WILBER C. DELORME, 0000
 EVA S. DOMOTORFFY, 0000
 IGNACIO P. DONEZ, 0000
 JOYCE M. DOYLE, 0000
 REID T. M. DUNBAR, 0000
 JUNIUS E. DURAL, JR., 0000
 TERESITA S. Y. ELSTER, 0000
 MELISSA A. FARINO, 0000
 JEAN F. FISAK, 0000
 DIANE G. FRANKLIN, 0000
 JOHN P. HAMILTON, 0000
 ANGELA A. HARBER, 0000
 GAYLE L. HARRIS, 0000
 RONDA L. HARTZEL, 0000
 JEREMY J. HAWKER, 0000
 GREGORY M. HEMELT, 0000
 EILENE R. F. HERRERA, 0000
 BECKY J. HIGGINSON, 0000
 RHONDA O. HINDS, 0000
 DIANE K. HITTE, 0000
 SUZETTE INZERILLO, 0000
 JOEL A. JOCO, 0000
 GREGORY S. JONES, 0000
 DAVID A. KEATING, 0000
 TERESA L. KEATING, 0000
 MARIA KELCHNER, 0000
 ROGER C. LANKHEET, JR., 0000
 CLINT A. LEMAIRE, 0000
 DRU A. MACPHERSON, 0000
 DELTHENIA T. MAHONE, 0000
 SUSAN E. MALIONEK, 0000
 CLYDE D. MARTIN, JR., 0000
 ALISON H. MARTZ, 0000
 DAVID A. MELVIN, 0000
 DANIEL N. MEYERHUBER, 0000
 DEBRA M. G. MURRAY, 0000
 DANIEL S. NEAL, 0000
 ELIZABETH A. NEPTUNE, 0000
 KENDRA K. NOWAK, 0000
 JEFFREY J. POOL, 0000
 ELIZABETH L. A. PORTER, 0000
 MARK A. REYES, 0000
 MATTHEW L. RIVERA, 0000
 JAIME J. SALAZAR, 0000
 ROBERT C. SANDERS, 0000
 ROBERTO SANJUAN, 0000
 VIRGINIA L. SCHMIED, 0000
 ANNA M. SCHWARZ, 0000
 MITCHELL J. SEAL, 0000
 JOHN M. SHARRETTTS, 0000
 CHRISTINE SNOWDEN, 0000
 PAULINE M. STAJNER, 0000
 ANDY S. STECZO, 0000
 SARA H. L. STEVICK, 0000
 DAVID J. STEWART, 0000
 DONALD T. SYLVESTER, 0000
 CHARLES S. TROTTER, 0000
 GABRIELE E. B. TSUNG, 0000
 TAMERA K. TUTTLE, 0000
 LANA L. VANVOORHEES, 0000
 JOHN E. VOLK, 0000
 GAYLE L. WALKER, 0000
 LADAWN J. WHITE, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

DOMINGO B. ALINIO, 0000
 MATTHEW W. AREL, 0000
 KATHY Y. ARTHURS, 0000
 DEANGELO ASHBY, 0000
 HEATHER E. BALDWIN, 0000
 TIMOTHY G. BELLOTT, 0000
 ROBERT J. BOLDIN, 0000
 WILLIAM E. BOUCEK, 0000
 JOHN S. BRAMBLETT, 0000
 SYNEEDA P. BREWER, 0000
 WRAY W. BRIDGER, 0000
 SYLVESTER BROWN, JR., 0000
 TIMOTHY A. BROWN, 0000
 NOEL J. CABRAL III, 0000
 TROY D. CARR, 0000
 NICOLE L. CHAMBERS, 0000
 TOBIAS CHAPPELL, 0000
 ERIC J. CHOWNING, 0000
 VICTOR J. CINTRONNATAL, 0000
 WILLIAM CLARK, 0000
 DOYNE D. CLEM, 0000
 LOUIS A. COSTA, 0000
 STUART M. DAY, 0000
 CHARLES F. DETWILER, 0000
 ALTHEA C. DEWAR, 0000
 SHANE C. DIETRICH, 0000
 RICHARD J. DIXON, JR., 0000
 BRIAN K. DODSON, 0000
 WALTER B. EGGE IV, 0000
 BRIE GALLAGHER, 0000
 ROY M. GARRISON, 0000
 JONATHAN GRAY, 0000
 TIMOTHY R. GRIFFIN, 0000
 JEFFREY S. HEDRICK, 0000
 DAMON B. HEEMSTRA, 0000
 FREDERICK D. HIGGS, 0000
 ALBERT L. HORNYAK, 0000
 BRIAN T. JETER, 0000
 JASON M. JOHNSON, 0000
 MICHAEL C. JOHNSON, 0000
 WESLEY P. JOHNSON, 0000
 WILLIAM R. JORDAN III, 0000
 BRUCE KONG, 0000
 DAVID E. KUNSELMAN, JR., 0000
 MARK C. KUTIS, 0000
 EDDIE D. LEE, 0000
 SCOTT D. LOGAN, 0000
 MANUEL X. LUGO, 0000
 BRYAN C. LUNDGREN, 0000
 CHRISTIAN M. MAHLER, 0000
 RONALDO M. MANALANG, 0000
 BOBBY J. MARTINEZ, 0000
 ROBERT S. MAZZARELLA, 0000
 MICHAEL C. MCCORMACK, 0000
 DEIRDRE M. MCGOVERN, 0000
 JOSHUA H. MCKAY, 0000
 DAVID A. MCNUTT, 0000
 ROBERT L. MERRITT, 0000
 JASON T. MORRIS, 0000
 LISA M. MORRIS, 0000
 TROY C. MORSE, 0000
 JAMES H. MURPHY, 0000
 TODD A. NELMS, 0000
 MARK J. PEACE, 0000
 JOEL P. PITEL, 0000
 MARCUS L. POPE, 0000
 MICHAEL W. POWELL, 0000
 FRANKIE RIOS, 0000
 DAVID L. RODDY, 0000
 MICHAEL R. RODMAN, 0000
 KENNETH W. RYKER III, 0000
 LLOYD W. SAUNDERS, 0000
 CORY D. SCHEMM, 0000
 ROBERT S. SCOTT, 0000
 MARK SHEFFIELD, 0000
 LAMAL D. SHEPPARD, 0000
 ROBERT M. SIMMS, 0000
 DANA L. K. SMITH, 0000
 TISHA D. SMITH, 0000
 JAMES C. STATLER, 0000
 SHANE P. STROHL, 0000
 SALEEM K. TAFISH, 0000
 SHIKINA M. TELLIS, 0000
 JOHNETTA C. THOMAS, 0000
 STEVEN M. THORN, 0000
 ANGELA S. S. TORRES, 0000
 RONNIE D. TRAHAN, JR., 0000
 KADIATOU F. TRAORE, 0000
 SCOTT E. VANVOORHEES, 0000
 CHRISTOPHER A. WALDRON, 0000
 STEPHEN M. WILSON, 0000
 JAMES Y. WONG, 0000
 LAGENA K. G. YARBROUGH, 0000
 CHRISTOPHER R. ZEGLEY, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
 TO THE GRADE INDICATED IN THE UNITED STATES NAVY
 UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

MIGUEL A. AGUILERA, JR., 0000
 JOEL A. AHLGRIM, 0000
 PETER S. AIREL, 0000
 MARIE E. ALDEN, 0000
 CHRISTOPHER A. ALFONZO, 0000
 JAY E. ALLARD, 0000
 NATHANIEL B. ALMOND, 0000
 ERIC L. ANDERSON, 0000
 MICHELLE G. ARNOLD, 0000
 ALEX L. AUBIN, 0000
 ERIN K. BALOG, 0000
 MICHAEL B. BAYDARIAN, 0000
 ESTHER R. BEALLANDIS, 0000
 DARRREN S. BEASLEY, 0000
 ROBERT M. BETTIS, 0000

ANTHONY C. BIASCAN, 0000
 JOHN K. BINI, 0000
 NISKA A. BLEVINS, 0000
 THOMAS M. BRAXTON, JR., 0000
 MATTHEW T. BRIGGER, 0000
 CHRISTOPHER D. BROGA, 0000
 CHRISTIN M. BROWN, 0000
 MATTHEW W. BROWN, 0000
 GARY W. BRUNETTE, 0000
 CYNTHIA M. BRYANT, 0000
 ROBERT J. CARPENTER III, 0000
 WILLIAM K. CARSON, 0000
 JOHN B. CASON, 0000
 MICHAEL R. CATHEY, 0000
 WILLIAM K. CHIN, 0000
 BELINDA T. CLANOR, 0000
 BRADLEY J. CLARKE, 0000
 DEBRA A. CLARKE, 0000
 MICHAEL G. CLARKE, 0000
 LOUIS T. COHEN, 0000
 DANIEL E. COOPER, 0000
 ERICA V. COOPER, 0000
 MARK D. CORRIERE, 0000
 JUAN C. DAPENA, 0000
 DERIK L. DAVIS, 0000
 KONRAD L. DAVIS, 0000
 GRAY N. DAWSON, 0000
 MARIA L. DELIMA, 0000
 MICHAEL L. DEVAN, 0000
 JOHN J. DEVLIN, 0000
 RANDOLF D. DIPP, 0000
 ERIN A. DONOVAN, 0000
 BRENDON G. DREW, 0000
 MARK E. EATON, 0000
 JILL E. EMERICK, 0000
 DAVID K. EPSTEIN, 0000
 JACQUELINE EUBANY, 0000
 MARTHA E. FAGAN, 0000
 JONATHAN A. FORSBERG, 0000
 STEPHEN L. POSTER, 0000
 CHRISTEN P. FRAGALA, 0000
 MALCOLM B. FRANKLIN, 0000
 KELLY K. FRIEDMAN, 0000
 LEE E. FRIEDMAN, 0000
 TRACY A. FRITZ, 0000
 DIANA C. FU, 0000
 DAVID M. FURLONG, 0000
 CURTIS W. GABALL, 0000
 DANIEL W. GABIER, 0000
 ROBERT J. GAINES, JR., 0000
 KENNETH J. GALECKAS, 0000
 TODD A. GARINER, 0000
 ANGELA L. GODEJOHN, 0000
 ERINNE A. GRAHAM, 0000
 ADOLFO GRANADOS, JR., 0000
 THOMAS R. GRANT, 0000
 JUSTIN S. GREEN, 0000
 LAURA K. GRUBB, 0000
 SHERRY A. GUARDIANO, 0000
 TODD A. GUTH, 0000
 CATHERINE E. HAGAN, 0000
 JENIFER D. HAGUE, 0000
 STEPHAN K. HAINSES, 0000
 DANIEL B. HAWLEY, 0000
 JUSTIN W. HEIL, 0000
 ELISE R. HOFF, 0000
 EWELL M. HOLLIS, 0000
 CARINA C. HOPEN, 0000
 CHADLEY R. HUEBNER, 0000
 NATHAN C. JOHNSON, 0000
 JACQUELINE R. JONES, 0000
 SEON JONES, 0000
 JULIANNA P. L. KECK, 0000
 JEFFREY J. KETTE, 0000
 MIN K. KIM, 0000
 AARON A. KING, 0000
 BRIAN S. KING, 0000
 JULIE S. KING, 0000
 ANA C. KRAKUSIN, 0000
 ELAINE B. KREJCI, 0000
 JULIE A. KRUMREICH, 0000
 KEVIN M. KUHN, 0000
 MARK E. LAMBERT, 0000
 ROBERT J. LANGENFELD, 0000
 DUANE M. LAWRENCE, 0000
 KRISTEN M. LEWIS, 0000
 JANIE C. LIAO, 0000
 ANDREW H. LIN, 0000
 VICTOR S. LIN, 0000
 ROBIN W. LINDSAY, 0000
 WILFRED A. LUMBANG, 0000
 ERIK J. LUNDQUIST, 0000
 TODD J. LUYBER, 0000
 COREY J. LYON, 0000
 WILLIAM M. LYTOKOWSKI, 0000
 ANTOINETTE M. MARENGO, 0000
 ROBERT G. MARIETTA, 0000
 JAMES C. MARSH, 0000
 GERALD A. MASTAW, JR., 0000
 CARTER J. MAURER, 0000
 MITCHELL S. MCCLURE, 0000
 BRIAN P. MCCOY, 0000
 SHANNON M. MCDONNELL, 0000
 MICHAEL P. MCDOWELL, 0000
 JOEL T. MCFARLAND, 0000
 PETER C. MCGOWAN, 0000
 SEAN F. MCGRATH, 0000
 TIMOTHY P. MCGRATH, 0000
 JOEL R. METZGER, 0000
 DOUGLAS C. MILLER, 0000
 ALLISON H. MINARCIC, 0000
 JOHN R. MINARCIC, 0000
 AMIR MODOVNIK, 0000
 ARASH MOHTASHAMIAN, 0000
 STACHE M. MONACO, 0000
 MICHELE P. MORRISON, 0000
 DAVID L. MOULTON, 0000

JAMES J. MUCCARONE, 0000
FRANK E. MULLENS, 0000
MATTHEW S. MULLER, 0000
ANDREW D. MULLINS, 0000
DANIEL D. MUNN, 0000
GUILLERMO A. NAVARRO, 0000
MATTHEW W. NEWMAN, 0000
HUONG D. NGUYEN, 0000
MICHAEL W. NIELSEN, 0000
TRACY A. NOVOSIEL, 0000
TODD J. OCHSNER, 0000
TIMOTHY R. OELTMANN, 0000
RODNEY OMRON, 0000
SUGAT K. PATEL, 0000
AARON A. PATTERSON, 0000
MATTHEW B. PATTERSON, 0000
UDAY K. PAUL, 0000
WILLIAM D. PEFFLEY, 0000
SCOTT D. PENNINGTON, 0000
WINNIE M. J. POLEN, 0000
JUSTIN R. RACHT, 0000
ANN E. RADFORD, 0000
ROBERT L. RICCA, 0000
GLENN R. RICHARD, 0000
JOHN R. RINGQUIST, 0000
MICHAEL E. RUDISILE, 0000
NATHANIEL J. RUTTIG, 0000
PATCHO N. SANTIAGO, 0000
ADAM K. SAPERSTEIN, 0000
BETTINA M. SAUTER, 0000
WILLIAM M. SAUVE, 0000
ROLF K. SCHMIDT, 0000
TRENT A. SCHUENEMAN, 0000
PATRICK J. SCHUETTE, 0000
CYNTHIA M. SCHULTZ, 0000
RUTH E. SCRANO, 0000
SCOTT D. SEGAL, 0000
MICHAEL P. SHUSKO, 0000
KURT M. SNYDER, 0000
KENNETH Y. SON, 0000
TRACEY L. STEFANON, 0000
KRISTIN R. STEUERLE, 0000
ERIK J. STORLIE, 0000
ALAN L. STRICOFF, 0000
BRIAN P. STRUYK, 0000
BRIAN J. STUART, 0000
JASON D. SWEET, 0000
HATTIE M. TAPPS, 0000
CHRISTOPHER M. TEPERA, 0000
MATTHEW M. THOMAS, 0000
STEPHEN C. THOMAS, 0000
KAY A. THOMPSON, 0000
VALERIE A. TOKARZ, 0000
BRENDAN T. TRIBBLE, 0000
TRICIA E. VANWAGNER, 0000
HEATHER J. VENTURA, 0000
JOHN W. VINCENT, 0000
GINA R. VIRGILIO, 0000
MATTHEW E. VOGT, 0000
BRADFORD S. VOLK, 0000
ERRIKA M. WALKER, 0000
DAVID A. WEIS, 0000
NATALIE Y. WELLS, 0000
TIMOTHY M. WIMMER, 0000
DOUGLAS A. WINSTANLEY, 0000
JAMES B. WITKOWSKI, 0000
DARYL S. WONG, 0000
DAVID A. WYCKOFF, 0000
BARRY K. YOUNG, 0000
GORDON J. ZUBROD, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT
TO THE GRADE INDICATED IN THE UNITED STATES NAVY
UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant commander

JAMES W. ADKISSON III, 0000
AMY R. ALCORN, 0000
ROBERT C. ALLMON, 0000
ROBERT J. ALLHOUSE, 0000
MICHAEL W. ALTISER, 0000
KENNETH J. ARMAND, 0000
MATTHEW E. ARNOLD, 0000
DANIEL A. AROS, 0000
BURT H. ARRIGONI, 0000
MARLON A. AUSTIN, 0000
EDUARDO AYALA, JR., 0000
ROBERT B. BALEY, 0000
RONALD C. BAKER, 0000
MICHAEL W. BAKER, 0000
BARRY W. BARROWS, 0000
LAWRENCE F. BEALS, 0000
TOMMY L. BEALS, 0000
RICKY A. BEATTY, 0000
TODD D. BECKER, 0000
ROBERT A. BEEBE, 0000
STEPHANIE C. BEICHER, 0000
WILLIAM D. BELFOUR, 0000
WILLIAM R. BELL, 0000
BRIAN R. BERTHAUME, 0000
MARLENE A. BEST, 0000
MARK F. BIBEAU, 0000
DANIEL R. BILLIG, 0000
KEVIN E. BISSEL, 0000
BRYAN D. BLANKENSHIP, 0000
RANDY G. BOLLMAN, 0000
GERALD E. BOYD, 0000
MICHAEL A. BOYTER, 0000
KENNETH BRONOKOWSKI, 0000
BRENT J. BROWN, 0000
JIMMY BROWN, 0000
MICHAEL D. BRUCE, 0000
RICHARD M. BUCK, 0000
RAYMOND W. BURKHARD, 0000
ALICIA K. BURSAR, 0000
EDWARD L. CALLAHAN, 0000
CHUCK D. CAMPBELL, 0000
CYNTHIA F. CAMPBELL, 0000
JOSEPH F. CAMPBELL, 0000
MICHAEL J. CAMPBELL, 0000
JOHN D. CAPWELL, 0000
BRIAN J. CEBRIAN, 0000
MICHAEL E. CHAPMAN, 0000
JAMES CHASTAIN, 0000
MICHAEL T. CHERRY, 0000
ALAN M. CHUDERSKI, 0000
CHARLES M. CLANAHAN, 0000
GREGORY D. CLECKLER, 0000
SEAN T. CLEVINGER, 0000
JAMES M. COLEMAN, 0000
PATRICK CONROY, 0000
REY S. CORPUZ, 0000
CHARLES S. CORYELL, 0000
ROBERT D. COSBY, 0000
EARL K. COWAN, JR., 0000
FREDERICK L. COX, 0000
RAY D. COX, JR., 0000
REGINA M. COX, 0000
KENNETH J. CREGAR, JR., 0000
STEVEN D. CUMBER, 0000
DAVID A. CVITANOVICH, 0000
ROBERT G. DALTON, 0000
SCOTT R. DANCER, 0000
ALAN D. DAVIS, 0000
GLENN W. DEAL, 0000
RICARDO DELBREY, 0000
KENNETH L. DEMICK, JR., 0000
GINO F. DINVERNO, 0000
JAMES P. DOOLEY, 0000
KEVIN V. DOWD, 0000
ARNEL M. DUARTE, 0000
ERIC E. DUNN, 0000
MICHAEL N. DUNN, 0000
DAVID DWYER, 0000
JAMES S. DYE, 0000
MICHAEL A. DYER, 0000
THOMAS W. EASON, 0000
GARY E. EDGAR, 0000
KEITH S. FARRAR, 0000
DEWEY K. FELLERS, 0000
STANLEY G. FERGUSON, 0000
KEVIN R. FORBES, 0000
DARRELL FOSTER, 0000
MARK R. FOURNIER, 0000
SYLVESTER FREDERICK, 0000
WAYNE T. FULLER, 0000
GARY L. FUSELER, 0000
ROWLAND V. GILBERT, JR., 0000
MARC J. GLORIOSO, 0000
JOHN J. GOFF, 0000
CURTIS L. GOSHEN, 0000
BUNN F. GRAY, 0000
RICHARD V. GREEN, 0000
JEFFREY D. GRISHAM, 0000
MITCHELL P. GROSS, 0000
JAY P. GULLEY, 0000
CHRISTOPHER D. HADEN, 0000
BART D. HALL, 0000
JAMES O. HAMMOND, 0000
DAVID W. HANSELMAN, 0000
GEORGE R. HAW, 0000
HARRY E. HAYES, 0000
CHRISTOPHER J. HEALY, 0000
ALTON J. HENAU, 0000
BILLY W. HENDRIX, 0000
ROBERT A. HENLEY, 0000
STEVEN HERNANDEZ, 0000
WILLIAM C. HESTER, JR., 0000
WILLIAM J. HEWITT, 0000
TRACY L. HINES, 0000
YVONNE A. HOBSON, 0000
DAVID W. HODGE, 0000
RONNIE D. HOLLADAY, 0000
CLYDE A. HOLMES, 0000
DARRELL L. HOOD, 0000
WILLIAM F. HOWELL, 0000
SCOT M. HUSA, 0000
ALFRED L. IANNAcone, SR., 0000
DAVID L. JACOBS, 0000
ELLEN M. JARVIS, 0000
WESLEY T. JOHNSON, 0000
PRISCILLA M. JUSTINIANO, 0000
TODD C. KEELING, 0000
ELMER A. KIEL III, 0000
ANTHONY R. KING, 0000
MATTHEW J. KLEVA, 0000
JOHN L. KLINE, 0000
ROBERT D. KOKRDA, 0000
GREG A. KUNTZ, 0000
PERRY A. LAFOE, 0000
HIRAM K. LAMB, 0000
SCOTT R. LANGMYER, 0000
JOHN J. LANZONE, 0000
GARY D. LAROCHELLE, 0000
BRYAN L. LEATHERMAN, 0000
MICHAEL L. LEONARD, 0000
WESLEY C. LEOW, 0000
SIM Z. LEVEY, 0000
THOMAS E. LIPSCOMB, 0000
BRENT R. LITTON, 0000
ANN M. LONGBOY, 0000
ROBERT N. LOPEZ, 0000
MARCIA R. LOVE, 0000
JAMES W. LYONS, 0000
EDGAR MARTINEZ, 0000
MICHAEL P. MCCARTHY, 0000
MICHAEL L. MCDONALD, 0000
JOEL M. MCELHANNON, 0000
JOHNNY D. MCGRAW, 0000
BRIAN K. MCINTYRE, 0000
ANTOINETTE L. MCMILLEN, 0000
JANE E. MCNEELY, 0000
EARL F. MCNEIL, JR., 0000
EDGAR W. MCNULTY, 0000

DONALD L. MEDLEY, 0000
RICHARD L. MENARD, 0000
LAREAVA S. MESCHINO, 0000
MICHAEL P. MILLER, 0000
BRIAN A. MINARD, 0000
JEFFREY S. MOORE, 0000
ROGER E. MORRIS, 0000
PETER R. MOSS, 0000
JOHN J. MOTT, 0000
DAVID J. MURRAY, 0000
RICHARD K. MURLAND, 0000
EDGARDO R. NARANJO, 0000
JEREMY P. NEWMAN, 0000
TIMOTHY M. NICHOLSON, 0000
ROBERT J. NICOLosi, 0000
KEVIN B. OBRIEN, 0000
MICHAEL J. ONEILL, 0000
ERNEST W. OSBORN, 0000
CHERYL A. OUTLAW, 0000
MORRIS OXENDINE, 0000
JAMES J. PARENTE, 0000
FRANCISCO PARRA, 0000
WILLIAM L. PARTINGTON, 0000
JAMES A. PATTERSON, 0000
YOUNZETTA O. PAULK, 0000
DAVID A. PEARSON, 0000
TODD S. PERRY, 0000
ROBERT C. PETERSEN, 0000
THOMAS A. PHILLIPS, 0000
ANITA L. PIERCE, 0000
ALLEN PINKERTON, 0000
ROBERT M. PITKIN, 0000
CALVIN E. PONTON, 0000
RICHARD J. POOL, 0000
JOHN W. POPHAM, 0000
DWAYNE A. RASH, 0000
JAMES E. RAULSOME, 0000
THOMAS S. REA, 0000
DANIEL F. REESE, 0000
L. J. REGELBRUGGE III, 0000
DAVID J. REILLY, 0000
JOE S. RENELLA, 0000
MICHAEL P. RILEY, 0000
ROCKY A. RILEY, 0000
EUGENE R. ROBERTS, 0000
TERRY A. ROBINSON, 0000
JUAN B. RODRIGUEZ, 0000
MICHAEL ROSENBERY, 0000
MICHAEL J. ROTH, 0000
CURNESS P. RUSSELL, 0000
MARKIEST D. SANDERS, 0000
JEFFRY A. SANDIN, 0000
STACEY J. SCHLOSSER, 0000
SCOTT B. SCHNEEWEIS, 0000
ANDREA L. SCHREIBER, 0000
FRANK M. SEGUIN, 0000
FREDERICK J. SEIGER, 0000
MARK S. SHANNON, 0000
ROBERT P. SHAW, 0000
JOHN F. SHEEHAN, 0000
MICHAEL SHELLENBARGER, 0000
KEITH E. SHIPMAN, 0000
HAROLD E. SHUCK, JR., 0000
MELANIE C. SIGAPOOSE, 0000
DONALD A. SIGLEY, 0000
JOHN S. SILVA, 0000
JEFFREY J. SIMONS, 0000
JOHNNIE L. SIMPSON, 0000
RICKY D. SMALL, 0000
GARY C. SMITH, 0000
CHRISTOPHER K. SNOWDON, 0000
RONALD W. SPAULDING, 0000
TIMOTHY L. SPAULDING, 0000
LARRY R. SPRADLIN, 0000
DAVID A. SPURLOCK, 0000
GEOFFREY L. STAHR, 0000
ROBERT L. STEVENS, 0000
BARRY O. STOWELL, 0000
LUIS O. SUAREZ, 0000
ALLEN C. SUMMERALL, 0000
ANTHONY C. TARANTO, JR., 0000
DAVID L. TARWATER, 0000
MICHAEL S. TAYLOR, 0000
DOUGLAS J. THORNTON, 0000
ARTHUR C. TOEHLKE, 0000
MICHAEL G. TOPPING, 0000
LEONARD TREADWAY, 0000
CRAIG L. TRENT, 0000
STEPHEN J. TRZCINSKI, 0000
RENAN J. TULABUT, 0000
TIMOTHY S. TURK, 0000
JEFFREY L. WADELL, 0000
ALLEN W. WALLACE, 0000
TERRY L. WALTON, 0000
AARON T. WASHINGTON, JR., 0000
LARRY W. WATSON, 0000
STEPHEN D. WHISLER, 0000
DAVID J. WHITE, 0000
THOMAS N. WHITEHEAD, 0000
JOHN J. WHYTE, JR., 0000
MARK R. WILSEY, 0000
SCOTT J. WOLFE, 0000
DAVID J. WUESTEWALD, 0000
DALE E. YAGER, 0000
RONALD D. YARBER, 0000
KENNETH H. YOUNG, 0000
GREGORY C. ZACH, 0000
MICHAEL S. ZARTMAN, 0000
MICHAEL A. ZURICH, 0000

EXTENSIONS OF REMARKS

CONGRATULATIONS TO ERIK C. LEMONS RECIPIENT OF THE PRESIDENTIAL FREEDOM SCHOLARSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance of Erik C. Lemons, a recipient of this year's Presidential Freedom Scholarship. Thirteen students in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students, who were nominated, and provides an opportunity to acknowledge their leadership. Administered by Learn and Serve America, the scholarship provides \$500 in Federal funds, matched with \$500 from a community organization or business obtained for the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service-learning program or independently through service at a nonprofit or faith-based organization.

Erik is a member of the Boys and Girls Club of Cooke County Teen Center. The organization matched Federal funds of \$500 in for the scholarship.

Over 38,000 students to date have received this award and I extend my sincere congratulations to Erik C. Lemons for being one of them. This student's contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

A PROCLAMATION IN MEMORY OF SERGEANT BRADLEY JARED HARPER

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. NEY. Mr. Speaker, I hereby offer my heartfelt condolences to the family, friends, and community of Sergeant Bradley Jared Harper upon the death of this outstanding soldier.

Sergeant Harper was a member of Company A, 4th Amphibious Assault Battalion, 4th Marine Division, Norfolk, Virginia serving his great nation in the country of Iraq. He was a leader in his unit and a loving husband to his wife. Sergeant Harper was an active citizen in his community and did his best to make his country a better place to live.

Sergeant Harper will be remembered for his unsurpassed sacrifice of self while protecting others. His example of strength and fortitude will be remembered by all those who knew him.

While words cannot express our grief during the loss of such a courageous soldier, I offer this token of profound sympathy to the family, friends, and colleagues of Sergeant Bradley Jared Harper.

IN RECOGNITION OF CONGRESSMAN DANNY DAVIS FOR HIS WORK WITH THE SAAM INITIATIVE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. RANGEL. Mr. Speaker, I rise today to recognize and commend Congressman DANNY DAVIS for his leadership in launching the State of the African American Male Initiative (SAAM). This is a much needed initiative to improve the conditions of Black men and boys who continue to be marginalized in communities throughout the U.S. Their condition in this country is currently in a state of emergency and requires governmental, community, and corporate solutions to this crisis.

The SAAM initiative facilitates dialogue between individuals and organizations addressing the issues significantly affecting African Americans males. These issues center around health, education, economic empowerment, criminal justice and civic participation. The initiative will have regional meetings and conferences in New York, NY; Houston, TX; Chicago, IL; Miami, FL; Memphis, TN; Detroit, MI; Atlanta, GA; Los Angeles, CA; and Oakland, CA. In addition it seeks to ensure a national impact through its website and the creation and utilization of partnerships with Members of Congress, grassroots organizations, and individuals throughout the country.

Young Black males in contemporary American society face major challenges to their development and well-being. I applaud the efforts of my colleague in taking an active role in reaching back to other Black men and boys to address the issues most affecting them.

Black males in this country are facing a state of emergency and the social and economic indicators of Black male development provide profiles of individuals whose quality of life is in serious jeopardy. Essentially Black males are becoming an endangered species and more must be done to ensure the survival of future generations.

The SAAM initiative is a good start. It is a positive way for we as lawmakers to take a hands on approach in making our communities better and safer places. As an African American male this initiative is particularly special to me. I know how important it is to have strong Black leaders, fathers, activists, and mentors to guide, develop, and structure the community and its future generations. I think it is incredibly important to equip African American males with the tools they need to affect positive change in world events.

The tireless efforts of Congressman DANNY DAVIS and his staff for organizing this effort

are to be commended. The SAAM initiative is a positive step in moving our country closer to the day when African American males will no longer be the first to drop out of school, last to become employed, first to get arrested, last to get a quality lawyer, first to die, last to see a doctor, first to be homeless, and last to get a house.

PERSONAL EXPLANATION

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on Tuesday, September 6, 2005, I was unavoidably absent due to a previously scheduled engagement.

I request that the CONGRESSIONAL RECORD reflect that had I been present and voting, I would have voted as follows: on rollcall No. 455, on S.J. Res. 19, calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act, "yes"; on rollcall No. 454, on H. Res. 360, commemorating the 60th anniversary of V-J Day and the end of World War II in the Pacific, "yes".

HONORING THE WILKES-BARRE SALVATION ARMY AND FRANK AND DOROTHY HENRY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to the Salvation Army in Wilkes-Barre, Pennsylvania, as well as Frank and Dorothy Henry who have been associated with the leadership of the Salvation Army for more than four decades.

As we are well aware, the Salvation Army plays a vital role in American society, a fact brought home to us most recently by their work in the flood-ravaged Gulf Coast where, as of Sept. 6, they had distributed more than 100,000 articles of clothing and served over 400,000 meals to flood victims described by one Salvation Army officer as "emotionally devastated."

In Wilkes-Barre, the Salvation Army's work began on Jan. 12, 1885 under the leadership of then Capt. Faith Jeffries. The Salvationists were met with a mixed welcome. After their first day of warfare in Wilkes-Barre, they had rescued 24 souls "from the devil's grasp," according to an account in their newsletter, "The War Cry." However, Capt. Jeffries was arrested for playing the tambourine in the street on Sunday.

During World War II, Salvationists served coffee and doughnuts at USOs around the nation and at Union Station in Washington to

• 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.

young men who were called to the colors. In Wilkes-Barre, the Salvation Army will forever be remembered for its work providing food, clothing and emergency shelter to flood victims during the 1936 and 1972 floods.

Mr. Henry, for the past 44 years, has diligently served on the Salvation Army's board of directors, providing leadership and wise counsel. Today, the Salvation Army in Wilkes-Barre serves more than 44,000 individuals per year.

Mr. Speaker, please join me in congratulating the Salvation Army and Mr. and Mrs. Henry for their contributions to the greater Wilkes-Barre area. The quality of life in that region has been greatly improved by the presence of the Salvation Army and community leaders like the Henrys.

HONORING THE MEMORY OF MR.
CHARLES T. BROWDER, SR.

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. BONNER. Mr. Speaker, Clarke County and indeed the entire State of Alabama recently lost a dear friend, and I rise today to honor him and pay tribute to his memory.

Mr. Charles T. Browder, Sr., was a devoted family man and dedicated community leader throughout his life. A native of Monroe County, Alabama, Mr. Browder, for many years worked with his brother in Montgomery. In 1987, he and his family moved to the City of Thomasville, where he founded Browder and Son Veneer, a company which became an anchor of the area's business community and has grown to employ more than 80 men and women.

A popular figure in his community, Mr. Browder developed a strong reputation for his generosity and philanthropy, and was always available to help his friends and neighbors in any way possible. He was active in the congregation of Thomasville United Methodist Church, and was a member of both the Abba Shrine Temple and Oliver Lodge No. 334 F & AM.

Mr. Speaker, I ask my Colleagues to join me in remembering a dedicated community leader and friend to many throughout South Alabama. Mr. Browder will be deeply missed by his family—his wife Annyce L. Browder; his children, Charles T. "Tom" Browder and Allen L. Browder; his sister, Gloria B. Lovinggood; his six grandchildren; and his seven great-grandchildren—as well as the countless friends he leaves behind. Our thoughts and prayers are with them all at this difficult time.

HONORING LARRY ERNST ON
BEING NAMED AN IBM FELLOW

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. UDALL of Colorado. Mr. Speaker, I rise today to honor Larry Ernst, of Boulder, Colorado, for his recent nomination as an IBM Fellow, the company's highest and most prestigious technical honor.

IBM Fellows are selected for sustained and distinguished technical achievements in engi-

neering, programming and technology. There have only been 185 Fellows in the past 42 years of the company's existence, and currently there are only 58 active employees who share this distinction out of an astounding 325,000 employees worldwide.

IBM Fellows provide innovative solutions not only valuable for the future of this massive company, but also for the entire world. Fellows such as Mr. Ernst have developed some of the most useful products and applied technologies the industry and computer users have ever seen.

Larry Ernst has led the strategic definition and implementation of critical technologies for the Printing Systems Division, and his work in the area of print and image quality has been the foundation for many new products. Already, Mr. Ernst holds nine issued patents, serves as the patent coordinator for the division, and has been named an IBM Master Inventor for his works.

Larry Ernst joins two other distinguished Boulder residents, Ernest Booch and Joan Mitchell, as IBM Fellows. I am proud to have three out of the 58 active IBM Fellows in Colorado's Second Congressional District. It is quite a compliment to the men and women of Colorado.

Mr. Speaker, I ask my colleagues to join me in honoring Larry Ernst and in wishing him continued success in all future endeavors as an IBM Fellow.

CONGRATULATIONS TO SHANNON
J. WILSON, RECIPIENT OF THE
PRESIDENTIAL FREEDOM SCHOLARSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance of Shannon J. Wilson, a recipient of this year's Presidential Freedom Scholarship. Thirteen students in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students who were nominated, and provides an opportunity to acknowledge their leadership. Administered by Learn and Serve America, the scholarship provides \$500 in Federal funds, matched with \$500 from a community organization or business obtained for the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service-learning program or independently through service at a nonprofit or faith-based organization.

Shannon is a member of the Technology Center Boys and Girls Club. This organization contributed matching funds of \$500.

Over 38,000 students to date have received this award and I extend my sincere congratulations to Shannon J. Wilson for being one of them. This student's contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

A PROCLAMATION IN MEMORY OF
NATHANIEL ROCK

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. NEY. Mr. Speaker, I hereby offer my heartfelt condolences to the family, friends, and community of Nathaniel Rock upon the death of this outstanding Marine.

Nathaniel Rock was a member of the United States Marine Corps serving his great nation in the country of Iraq. He was a loving son to his parents, and a caring brother to Jared Rock with whom he served with as a Martins Ferry police officer. Nathaniel Rock was an active citizen in his community and did his best to make his country a better place to live.

Nathaniel Rock will be remembered for his unsurpassed sacrifice of self while protecting others. His example of strength and fortitude will be remembered by all those who knew him.

While words cannot express our grief during the loss of such a courageous Marine, I offer this token of profound sympathy to the family, friends, and colleagues of Nathaniel Rock. Your service has made us proud.

REMEMBERING JOHN H. JOHNSON

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. RANGEL. Mr. Speaker, I rise today to recognize and honor the life and legacy of the publishing mogul Mr. John H. Johnson, who died on August 8, 2005 at the age of 87. Mr. Johnson rose from extreme poverty to become founder and chairman of Johnson's Publishing Company, the world's largest African-American owned publishing Company. Mr. Johnson is one of America's most distinguished entrepreneurs, whose publications have helped to change the landscape of American history.

Mr. Johnson was born on January 19, 1918, in Arkansas City during southern segregation, which played an integral role in shaping his successful future. Another element that helped shape his path was his mother. When Mr. Johnson was 8 years of age, his mother moved the family up to Chicago with the belief that the Jim Crow south was no place to nurture and raise a Black child from whom she expected greatness. Like so many other blacks from the South, his mother believed that the North provided better economic and social opportunities for African Americans. Therefore, Johnson's family took part in The Great Migration of the early 1900's and moved north.

During his high school years, Mr. Johnson worked part time for the Supreme Liberty Life Insurance Company (he would later become chairman of the board). Part of his duties was to prepare a digest for the company president of Black or Black-oriented stories in the American press. This gave inspiration to the establishment of his first magazine the "Negro Digest". After being refused business loans from banks and other financial institutions, Mr. Johnson used his mother's furniture as collateral for a \$500 loan. In 1942, Negro Digest

was first published and became an instant success. This became the first of his many future capital ventures. Subsequently, in 1945 Mr. Johnson launched his most successful magazine *Ebony*, which sold 25,000, making it the largest circulated Black magazine of the time. Today, with its 60 year history, *Ebony* is still a success with a circulation of 1.6 million.

In 1951, 10 years after the start of *Ebony*, Mr. Johnson started *Jet* magazine, which became the number one Black newsweekly. Subsequently, he invested in book publishing and *Fashion Fair Cosmetics*, which was designed to fit the needs of African American women by offering a complete line of high-quality beauty and skin care products for a wide variety of skin tones. Moreover, he has invested in several radio stations, and has majority ownership in the company that inspired it all, *Supreme Liberty Life Insurance*.

The success of his magazines and other business endeavors were supported by Johnson's objective to show "not only to the Negroes, but also white people that Negroes got married, had beauty contests, gave parties, ran successful businesses, and do all the other normal things of life." His publications became a vehicle for his civil rights activism. Mr. Johnson purposefully presented positive imagery of blacks as professionals, movie stars, activists, and more, to combat the many negative stereotypes that permeated throughout the collective conscience of this country, which was overwhelmingly manifested through mainstream media. *Ebony* magazine highlighted the success and achievements of African Americans, taking a more glamorized perspective of Black America, while *Jet* magazine focused on the politics, entertainment, business, and sports. President Clinton, observed that Mr. Johnson "gave African-Americans a voice and a face, in his words, 'a new sense of somebody-ness,' of who they were and what they could do, at a time when they were virtually invisible in mainstream American culture."

John Johnson made history when he published the unedited and notorious 1955 pictures of the mutilated body of 14 year old murder victim Emmett Till, who was slain in Mississippi for allegedly whistling at a white girl. Johnson published the pictures to show the world the cruel reality of Jim Crow, and the violent results of legal segregation. As a result, the images of Emmett Till became the catalyst that sparked the flame that fueled the Civil Rights Movement. It was the pictures that Mr. Johnson published that inspired Rosa Parks to refuse to acquiesce and relinquish her seat to a white man, which in turn led to the kindling of the Civil Rights Movement.

As a result of Johnson's success, both in his publishing and activism, he has received many accolades and awards. In 1982 he was the first African American ever to be on *Forbes* Magazine's 400 Richest Americans. He was a member of the Publishing Hall of Fame, the National Business Hall of Fame, the Advertising Hall of Fame and the Arkansas Business Hall of Fame. He also received the Spingarn Medal, the highest honor from the National Association for the Advancement of Colored People. In addition, he received the Salute to Greatness Award, the highest award for the Martin Luther King Jr. center for Non-violent Social Change. In 1972 he was named

Publisher of the Year by the Magazine Publishers Association. Lastly in 1995 he was awarded America's highest civilian honor, the Presidential Medal of Freedom from President Clinton.

As a visionary, entrepreneur, philanthropist, and civil rights activist, Mr. Johnson's life has become one of the greatest "American dream" success stories of all time. Through his publications and other media ventures, Johnson has managed to transform the mainstream image and self-image of African Americans throughout the world. The legacy Mr. Johnson leaves is one of constant challenge. Throughout his life he has challenged and overcome the validity of old norms and has presented new ones that have helped to change both the face of African-Americans, as well as the face of our Nation.

HONORING THE BLOOMSBURG HOSPITAL IN COLUMBIA COUNTY, PENNSYLVANIA, AS IT CELEBRATES ITS 100TH ANNIVERSARY

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Bloomsburg Hospital in Columbia County, Pennsylvania, which is celebrating its 100th anniversary of serving citizens in that region of the Nation. I also ask that you join me in recognizing Regis P. Cabonor, CEO of Bloomsburg Hospital, and Dr. John A. Scerbo, Chairman of the Board of Directors.

The first and only locally owned and operated hospital in the area, Bloomsburg Hospital's highly trained staff of physicians and technologists offer state of the art diagnostic services, and an array of women's health and psychiatric services.

Known as "The Baby Hospital," the facility has been delivering about 600 infants annually for the past several years. Special birthing suites and knowledgeable nurses ensure that families receive a warm and caring experience at this special time in their lives.

Accredited by the American College of Radiology, the United States Nuclear Regulatory Commission, the American Association of Blood Banks, the College of American Pathologists, the hospital is licensed by the Pennsylvania Department of Health.

Its mission is to "promote, restore and maintain health" through fully integrated health care systems and services including in-patient care, in-patient and out-patient rehabilitation and out-patient surgery.

Mr. Speaker, please join me in congratulating Bloomsburg Hospital on the occasion of this milestone event. The quality of life in the Bloomsburg area is clearly better because of the fine and caring work performed by the dedicated professionals at this institution.

HONORING THE MEMORY OF MR. EMORY BUSH "E.B." PEEBLES, JR.

HON. JO BONNER

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. BONNER. Mr. Speaker, Mobile County and indeed the entire state of Alabama recently lost a dear friend, and I rise today to honor him and pay tribute to his memory.

Mr. Emory Bush "E.B." Peebles, Jr., was a devoted family man and dedicated community leader throughout his life.

A graduate of Murphy High School in Mobile, Alabama, Mr. Peebles received his diploma from the Military College of South Carolina (The Citadel) in 1939. Following his graduation, he joined the United States Army Reserve with the rank of second lieutenant, and was employed by the Southern Industries Corporation. In June, 1941, he was called to active duty as a member of the United States Army and served with distinction during World War II as a member of the 31st Infantry ("Dixie") Division of the Pacific Theater. For his service, he was awarded both the Purple Heart and the Bronze Star, and he was promoted to the rank of major prior to his discharge in December, 1945.

Following his discharge, he was employed by Ryan Stevedoring in Mobile, and continued to work with that corporation for the next four decades. He retired from the new Ryan-Walsh Stevedoring Company in 1985 as chairman of the business.

In the midst of his intense professional schedule, Mr. Peebles also found time to serve in many community organizations and on several boards of directors. He served on the boards of several area businesses and financial institutions, including the Mobile Gas Service Corporation and the Alabama Dry Dock and Shipbuilding Company. During the mid-1960s, he served as president of the America's Junior Miss Pageant, and in 1969 served as the president of the Mobile Carnival Association. He also helped to make Mobile's Senior Bowl college football all-star game one of the preeminent events in all of college athletics, and served as president of that organization. He was also actively involved in the Mobile Touchdown Club and the Mobile Area Arts and Sports Association, and served as president of the University of South Alabama's Jaguar Club. In 1996, he was named "Mobilian of the Year."

Mr. Speaker, I ask my colleagues to join me in remembering a dedicated community leader and friend to many throughout South Alabama. Mr. Peebles will be deeply missed by his family—his lovely wife, Barbara Cowen Peebles; his children, E.B. Peebles, III, Laura P. Rutherford, and John D. Peebles; his stepchildren, Alley C. Butler and Douglas L. Ford; and by his seven grandchildren and great-grandchildren—as well as the countless friends he leaves behind. Our thoughts and prayers are with them all at this difficult time.

RECOGNIZING LEXMARK'S CONTRIBUTIONS TO ENVIRONMENTAL PROTECTION IN BOULDER

HON. MARK UDALL

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. UDALL of Colorado. Mr. Speaker, as you know, I am very proud of my constituents in Boulder, Colorado, for their unsurpassed commitment to a clean environment. Indeed, Boulder's exceptionally clean air and water make the Second District of Colorado a very special place.

When a company can provide jobs and be a real contributor to the economy of Boulder, and it can do so in way that shows the utmost respect for the environment, the citizens of my district are doubly fortunate. Lexmark International, Inc. is just such a company.

One of the world's largest manufacturers of printers and developers of printing solutions, Lexmark has a large facility in Boulder that has recently achieved ISO (International Standardization Organization) 14001 certification for its environmental management system. ISO 14001 is the world's most recognized environmental management system framework, helping organizations better manage their impact on the environment and continually improve their environmental performance.

Lexmark employees worked for years to achieve this important certification. Such certifications do not come easily, and Lexmark's employees in Boulder are to be commended for their commitment to pollution prevention and for the overall environmental ethic that enabled them to achieve this important milestone.

This achievement is only the most recent environmental award received by the Lexmark facility in Boulder. In 2003, the city of Boulder awarded its PACE (Partners for a Clean Environment) Pioneer Award to Lexmark. This award is given annually to the business best exemplifying the goals of the PACE program.

For almost a decade beginning in 1993, Lexmark participated in the Colorado Governor's Pollution Prevention Challenge, and the plant also received the U.S. EPA's 33/50 award for toxic chemical use reduction in the early-to-mid 1990s.

In all, the record this facility has established for well over a decade is remarkable. My hat is off to the employees at the Lexmark facility in Boulder who share such an obviously genuine and profound commitment to environmental protection.

I ask my colleagues in the House of Representatives to join me in commending Lexmark for this notable achievement.

PERSONAL EXPLANATION

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on Wednesday, September 7, 2005, I was unavoidably absent due to a previously scheduled engagement.

I request that the CONGRESSIONAL RECORD reflect that had I been present and voting, I would have voted as follows:

(1) Rollcall No. 457. On H.R. 3169, to provide the Secretary of Education with waiver authority for students who are eligible for Pell Grants who are adversely affected by a natural disaster: "yes."

(2) Rollcall No. 456. On H.R. 3650, to allow United States Courts to conduct business during emergency conditions, and for other purposes: "yes."

CONGRATULATIONS TO KAMALA S. FARQUHARS, RECIPIENT OF THE PRESIDENTIAL FREEDOM SCHOLARSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance of Kamala S. Farquhars, a recipient of this year's Presidential Freedom Scholarship. Thirteen students in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students, who were nominated, and provides an opportunity to acknowledge their leadership. Administered by Learn and Serve America, the scholarship provides \$500 in Federal funds, matched with \$500 from a community organization or business obtained for the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service-learning program or independently through service at a nonprofit or faith-based organization.

Kamala is a member of the North Fort Worth Boys and Girls Club. The organization matched the \$500 federal fund scholarship.

Over 38,000 students to date have received this award and I extend my sincere congratulations to Kamala S. Farquhars for being one of them. This student's contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

A PROCLAMATION IN MEMORY OF LANCE CPL. AARON H. REED

HON. ROBERT W. NEY

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. NEY. Mr. Speaker, I hereby offer my heartfelt condolences to the family, friends, and community of Lance Cpl. Aaron H. Reed upon the death of this outstanding Marine who served with the 3rd Battalion, 25th Marine Regiment, Fourth Division, Lima Company.

Lance Cpl. Aaron H. Reed was an active member of the Richmond Dale Church of God where his devotion to the Lord was fostered though his commitment to the Youth Group. He was an active citizen in his community and did his best to make his country a better place to live.

Lance Cpl. Aaron H. Reed will be remembered for his unsurpassed sacrifice of self

while protecting others. His example of strength and fortitude will be remembered by all those who knew him.

While words cannot express our grief during the loss of such a courageous Marine, I offer this token of profound sympathy to the family, friends, and colleagues of Lance Cpl. Aaron H. Reed.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. DORIS O. MATSUI

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Ms. MATSUI. Mr. Speaker, our thoughts and prayers are with the people of New Orleans and all other Gulf Coast residents affected by this horrific disaster. As a nation we have watched with horror as the city of New Orleans has faced Hurricane Katrina and been overtaken by the waters of Lake Pontchartrain. We have seen the heart-wrenching stories that restore your faith, but sadly we have also seen the opposite.

Lives have been interrupted. Families separated. And many now face an uncertain future of trying to locate family and friends as well as begin to rebuild their lives, many from scratch. With the victims dispersed across this nation, when this can begin is not known. The full impact of Hurricane Katrina—emotionally, physically and financially—will not be known for years and more realistically decades.

It is during tragedies like this, that we must come together as Americans to help our fellow citizens in their time of need. Mr. Speaker, I would like to take this opportunity to praise the hundreds of Americans who are working day and night to help rescue and bring relief to the thousands of people trapped in the affected area.

From the start, the American people have again shown their unity of spirit and their willingness to aid those in the midst of this devastation. And these are not only professional rescue personnel but simply kind-hearted neighbors who may have a boat, or some extra water or blankets and are scouring the area looking for survivors. I cannot imagine the difficulties they are facing and the sacrifices they have made to help their fellow Americans. I thank them for all their efforts and pray that they remain safe themselves and return home to their families.

I commend the generosity of the American people, including my home town of Sacramento, which because of its location at the confluence of the American and Sacramento Rivers has a unique understanding of being a flood-threatened city. I am proud of their generosity and extension of assistance—sending its firefighters, search and rescue teams and opening its doors to hundreds of victims of Hurricane Katrina who are unable to return to their homes. Their efforts to restore a sense of normalcy for those who have been so uprooted are a testament to them.

I also share the frustration of so many with the early response of our government to this crisis. While the conditions under which the relief workers are functioning are catastrophic

we can and must do better. Our primary focus must be on getting to those who are still stranded and need immediate assistance. Once that is accomplished I feel strongly that Congress must take a critical look at this response effort.

This is a moment of national sorrow. Sorrow at not preventing the preventable and sorrow for the tragic circumstances that came to be. Yet it is also a moment of national unity that is truly heart-warming.

Again, Mr. Speaker, I send my thoughts and prayers to all those affected by Hurricane Katrina and I thank all those brave and generous Americans who are working to bring assistance and relief to the region. The outpouring of generosity from Americans across the country can make us all proud.

CONGRATULATING THE TRACY NATIONAL LITTLE LEAGUE ALL-STAR TEAM

HON. RICHARD W. POMBO

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. POMBO. Mr. Speaker, I rise today to congratulate the Tracy National Little League All-star team, from my hometown in Tracy, California. This group of 12-year-olds rose up through the ranks, first becoming District 67 champs, then Section 3 champs, then Northern California champs, and finally Western Region Runner-ups.

Players Casey Ankam, Brock Blades, Jeramee Campbell, Dominic D'souze, Alex Flores, Michael Hager, Jacob Lopez, Kyle Moses, Tyler Sanfilippo, Tyler Trew, Jacob Valdez, Joshua Wesley and Casey Wichman showed great talent and teamwork. Their hard work and dedication really paid off, taking them nearly all the way to the Little League World Series. Manager Emmett Lee and Coaches John Moses and Rob Wichman provide great leadership for the boys, and were instrumental in their success.

As many of you know, I am a big baseball fan. My son Richie plays on his high school team, and each year I look forward to playing in the Congressional Baseball Game. I am very proud of these kids from Tracy, and know that the skills they learn on the diamond—teamwork, competition, dedication—will serve them well throughout their lives. I look forward to following their progress again next season and know they will be even better.

IN HONOR OF THE WARD'S 75TH WEDDING ANNIVERSARY

HON. MARION BERRY

OF ARKANSAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. BERRY. Mr. Speaker, I rise here today to pay tribute to a special couple from Caraway, AR, Ode and Beatrice Ward, who will celebrate their 75th wedding anniversary on September 20, 2005. This is a significant milestone and one that only a very few are fortunate enough to celebrate in their lifetime.

Ode and Beatrice Ward met in Leachville, AR, and decided to marry in the fall of 1930.

The couple made their home in northeast Arkansas and spent the next 42 years growing cotton, soybeans, and milo. Throughout the years, the Wards were blessed with three children, James E. Ward, Vondella W. Davis, and Lois M. Meadows, and now have the pleasure of spending time with six grandchildren and nine great-grandchildren.

Their love for each other and their family extends to their neighbors as well, where they continue to stay involved in their community. They remain active members in the political process and are often seen participating in local activities and events. Their energy is truly remarkable and perhaps the secret to a long and fulfilling life.

A 75th wedding anniversary reminds us that marriage is not an instant achievement but a covenant that requires love, patience, and respect. Ode and Beatrice Ward have perfected this commitment to each other and are truly blessed to have a strong marriage, their family, and a lifetime of memories. As they live each day by their wedding vows, they continue to inspire all who are fortunate to know them.

On September 20, 2005, Ode and Beatrice Ward will join many of their family and friends at a celebration to honor their 75 years of marriage. I ask my colleagues to join me in congratulating them on this joyous occasion and sending our best wishes for many more years of love and happiness.

TRIBUTE TO MARTHA BOGLE

HON. JAMES E. CLYBURN

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. CLYBURN. Mr. Speaker, I rise today to pay tribute to one who was an extraordinary force behind the recent designation of the Congaree Swamp National Monument as a National Park. When Martha Bogle came to this 22,200-acre National Parks Service site near Columbia, SC, in 1995, about 50,000 people each year visited the old-growth bottomland hardwood forest that was designated a national monument. Today that figure has tripled and it is due in large measure to the hard work and dedication of Ms. Bogle.

Upon her arrival, Ms. Bogle realized the majesty of the towering pines and giant hardwoods, but access to the facility was so poor that few visitors were enjoying these amazing vistas. As the new superintendent, Ms. Bogle looked for a cost-effective way the community could join in making this hidden jewel more accessible. Her tenacity paid off when she convinced the South Carolina National Guard to partner with the Parks Service in building a new entrance road and visitors center. The result was an award-winning, 12,000 square foot visitors center with wonderful educational tools and roads and parking lots that could better accommodate visitors. This was quite an accomplishment for Ms. Bogle's first foray as a park superintendent.

Still her vision for the site was not complete. With improved facilities and access, Ms. Bogle embarked upon a campaign to turn the Congaree Swamp National Monument into a national park. This was an even greater undertaking because only 52 of the National Parks Service's 388 sites were designated as na-

tional parks. Yet Ms. Bogle found allies in my former colleague, Senator Fritz Hollings, and myself, and we joined her and the many "Friends of the Congaree" in the fight to secure the designation. After some difficult days and lots of hard work on the part of Ms. Bogle and many others, on November 10, 2003, the President signed legislation that officially changed the Congaree Swamp National Monument into the Congaree National Park. In addition, we were able to include in the legislation, at Ms. Bogle's request, a 4,600-acre expansion of the site. As she departs, Ms. Bogle is working to acquire the additional property from willing sellers.

Ms. Bogle's love of nature began in her childhood in a small Tennessee town. Upon her graduation from the University of Tennessee in Knoxville with a Bachelor's in Botany, Ms. Bogle wasted no time in securing a position with the National Parks Service. Her 26-year career has taken her to nine National Parks Service sites and one national wildlife refuge.

Mr. Speaker, I ask you, and my colleagues to join me today in thanking Martha Bogle for her tremendous contributions to the Congaree National Park, and wish her well as she leaves South Carolina to become assistant superintendent of the Blue Ridge Parkway. No matter where she serves in the National Park Service, Ms. Bogle brings an infectious joy in her surroundings and a commitment that will insure our Nation's natural treasures are preserved and protected for many generations to come.

CONGRATULATIONS TO CHAVONTREAL ALLEN, RECIPIENT OF THE PRESIDENTIAL FREEDOM SCHOLARSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance of Chavontreal Allen, a recipient of this year's Presidential Freedom Scholarship. Thirteen students in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students who were nominated, and provides an opportunity to acknowledge their leadership. Administered by Learn and Serve America, the scholarship provides \$500 in Federal funds, matched with \$500 from a community organization or business obtained for the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service-learning program or independently through service at a nonprofit or faith-based organization.

Chavontreal is a member of the Frisco Boys and Girls Clubs of Collins County. This organization contributed matching funds of \$500.

Over 38,000 students to date have received this award and I extend my sincere congratulations to Chavontreal Allen for being one of them. This student's contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

TAIWAN'S AGRICULTURAL TRADE
GOODWILL MISSION

HON. PETE SESSIONS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. SESSIONS. Mr. Speaker, it has come to my attention that the Republic of China, Taiwan, has sent an Agricultural Trade Goodwill Mission to Capitol Hill and there will be a signing ceremony between the Mission and its American grain suppliers on Wednesday, September 14, 2005, at 9 a.m. in the Mansfield Room of the Capitol Building.

It is also my understanding that Taiwan's Goodwill Mission will sign letters of intent to purchase 14.5 million metric tons, equivalent to 559 million bushels, of U.S. wheat, soybeans and corn in 2006 and 2007. The mission's tannery group will also sign a statement with American suppliers to buy up to 6 million pieces of "wet salted hide" and "wet blue hide" for years 2006 and 2007. The total value of all the purchases will amount to \$3.1 billion.

I welcome Taiwan's Agricultural Trade Goodwill Mission to Capitol Hill. Two years ago, the same Agricultural Trade Goodwill Mission came to the Hill and signed letters of intent agreeing to purchase \$2.87 billion for the years 2004 and 2005. The last mission planned to buy 15.1 metric tons, approximately 581 bushels, of wheat, soybeans and corns and 4 million pieces of hide. As of June 2005, Taiwan had already purchased 10.5 metric tons, equivalent to 404 million bushels, of U.S. grain. And in 2004, Taiwan purchased an additional 3 million pieces of U.S. hide in 2004. Given Taiwan's long history as an excellent customer for U.S. agricultural products, it is reasonable to expect Taiwan to fulfill all its agreed-upon commitments and more.

Taiwan has had a very strong trade relations with our Nation. Year after year, Taiwan has imported U.S. cattle hides, U.S. hog skins, soybean, corn and wheat and other agricultural products, amounting to billions of dollars for American producers. We hope this trend will continue in the future as our agricultural exports to Taiwan greatly benefit our grain exporters and farmers.

I join my colleagues in welcoming members of Taiwan's Agricultural Trade Goodwill to Capitol Hill and I wish Dr. Chen Hsi-Huang, Mr. Kuo Hsin-Hong and Mr. Wang Tsong-ming, heads of The Soybean and Corn Delegation, The Wheat Delegation and The Hide Delegation, and members of the delegation a pleasant journey as they travel to Iowa, Ohio, Missouri, Montana, Idaho, North Dakota, Kansas, and Texas to meet with state and local officials and suppliers.

We also hope they will return to Capitol Hill again next year.

PERSONAL EXPLANATION

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mrs. MALONEY. Mr. Speaker, on September 7, 2005, I was unavoidably detained

and missed rollcall votes numbered 456 and 457. Rollcall vote 456 was on the motion to suspend the rules and agree to H.R. 3650, a bill to allow United States Courts to conduct business during emergency conditions, and for other purposes. Rollcall vote 457 was on the motion to suspend the rules and agree to H.R. 3169, a bill to provide the Secretary of Education with waiver authority for students who are eligible for Pell Grants who are adversely affected by a natural disaster.

Had I been present I would have voted "yea" on rollcall votes 456 and 457.

EMERGENCY SUPPLEMENTAL AP-
PROPRIATIONS ACT TO MEET IM-
MEDIATE NEEDS ARISING FROM
THE CONSEQUENCES OF HURRI-
CANE KATRINA, 2005

SPEECH OF

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Mr. LANGEVIN. Mr. Speaker, I rise today in strong support of H.R. 3645, which will provide an initial installment of desperately needed supplemental funding for disaster relief efforts in the Gulf Coast region. Hurricane Katrina has left untold devastation and loss in its wake, and it is critical that we do everything we can to get assistance to those who need it without delay.

I have received dozens of calls this week from Rhode Islanders who are angry and frustrated by the horrific images they are seeing from Louisiana, Mississippi and Alabama. They are right to be outraged by the utter failure of our government to ensure the prompt evacuation and rescue of stranded residents or to deliver needed medical supplies, food and clean drinking water to the tens of thousands of people whose very survival depends on it.

The Federal reaction to this crisis has been slow and ill-coordinated, which is particularly troubling in light of the advance notice and warning systems we are able to rely upon in hurricane and other natural disaster situations. I am deeply concerned not only about the response to this disaster, but about how much worse it could have been had we been given no warning, as in the case of a terrorist attack.

Four years after September 11th and tens of billions of dollars later, we should have been better prepared for this disaster. We have received countless assurances from the Administration that this Nation is ready and equipped to keep our citizens safe, but our citizens have just come face to face with the truth, and it tells a shockingly different story.

In the weeks and months to come, there will be many, many tough questions to be answered on the part of Federal officials and others. As a member of the Homeland Security Committee, I look forward to working with my colleagues to get to the bottom of this national failure as we carefully examine what went wrong, how the region and Federal Government could have been better prepared, and what must be done to ensure this kind of situation is never repeated. We must look at the

organization of FEMA and the Department of Homeland Security, funding for disaster response, coordination between domestic agencies and the military, interoperable communications, public health preparedness, critical infrastructure protection and much more.

However, as the crisis continues, it is important that we focus on the critical days ahead and concentrate our efforts on ensuring that we are doing everything in our power from this point forward. Hundreds of thousands of displaced residents, many of whom have lost everything, are looking to us for help, and we can not let them down. Today's supplemental appropriation will provide an infusion of funding to allow immediate needs to be met, and my colleagues and I will be ready to provide whatever additional assistance may become necessary as the response progresses.

Today, my thoughts and prayers go out to all those who have lost loved ones, had their homes and livelihoods destroyed, and who continue to suffer in terrible conditions, not knowing what the future may hold. I also want to express my deepest appreciation to those who are working to offer whatever assistance they can. Thousands of National Guard troops, local first responders, relief workers and others are putting their lives on hold to help, and we should all do whatever we can to aid in those efforts as well.

Thank you Mr. Speaker, and I urge my colleagues to support H.R. 3645.

RETIREMENT OF CHIEF JOHN
WALSH

HON. ROB SIMMONS

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. SIMMONS. Mr. Speaker, I rise today to recognize the achievements and service of Willimantic Fire Department Chief John Walsh, who has served the Connecticut community of Willimantic for more than two decades. He has served as a firefighter for more than 50 years.

Chief Walsh began his career as a volunteer firefighter in 1954. In January 1960 he joined the Hartford Fire Department where he demonstrated a high degree of professionalism and ability. In 1968 he was promoted to Lieutenant and in 1980 he achieved the rank of Captain. In December 1983 he became Chief of the Willimantic Fire Department.

His work on behalf of his fellow firefighters extended beyond the community. In 1988 and 1989 he was President of the Connecticut Fire Chiefs and he is a member of the New England Fire Chiefs and the National Fire Protection Association.

Firefighters are on call seven days a week, 12 months a year. There are no holidays for firefighters. Tragedy never takes a holiday and when it strikes a community, firefighters are among the first to respond.

Individuals are not recognized for what they have taken but for what they have given. Chief John Walsh's family, colleagues and friends honor him for what he has given to his community. I am proud to add my voice to theirs. Through his commitment and character he has made Willimantic a better place in which to live, work and raise a family.

Thank you, Chief Walsh, for your service.

TRIBUTE TO TRINITAS HOSPITAL'S
COMPREHENSIVE CANCER CENTER

HON. DONALD M. PAYNE

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. PAYNE. Mr. Speaker, I rise today to recognize the contribution of Trinitas Hospital to my home State of New Jersey. Their commitment to the health and health care of all New Jerseyans is laudable, and most worthy of our recognition in this chamber here today.

On Tuesday, September 13, 2005, they will dedicate their brand new, \$28 million, five-story Trinitas Comprehensive Cancer Center, which will house the Hospital's state-of-the-art Medical and Radiation Oncology programs, including technology that will be the first of its kind in the State, giving their staff the resources they need to ensure that cancer care in New Jersey is the best in the Nation.

Trinitas Hospital is a full service healthcare facility and a Catholic teaching hospital sponsored by the Sisters of Charity of Saint Elizabeth. They care for and serve many of my friends and neighbors in my district.

The hospital already serves our community by offering the greatest of cancer care, providing services from diagnostics to chemotherapy treatment to patient and family counseling, as well as everything in between. In addition, the Hospital conducts a large number of outreach programs for the community to screen for breast, prostate, cervical, and colon cancers, and to educate community members about cancer detection and prevention. In a State like ours, where New Jersey residents have a 16 percent higher incidence of cancer than the national average, education and prevention are the keys to overcoming the battle against this insidious disease, and Trinitas Hospital is, and continues to be, a leader in this all-important fight.

I would also like to commend them for their efforts to raise awareness about minority health disparities in New Jersey, and to offer services to fill the gap in health care quality for our minority citizens. Their concern about the higher incidence of cancer among minorities led to the establishment of the Breast Health Outreach program, which provides crucial information on cancer prevention to thousands of minority women each year.

Mr. Speaker, I ask you to join me as I recognize Trinitas Hospital and the men and women there who are dedicated to making our community a better place; and I encourage my colleagues to join me in sending our congratulatory best wishes as they dedicate their new Comprehensive Cancer Center facility.

CONGRATULATIONS TO JORDAN
ELLIOT, RECIPIENT OF THE
PRESIDENTIAL FREEDOM SCHOLARSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance of Jordan Elliot, a recipient of this year's Presidential Freedom Scholarship. Thirteen stu-

dents in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students, who were nominated, and provides an opportunity to acknowledge their leadership. Administered by Learn and Serve America, the scholarship provides \$500 in Federal funds, matched with \$500 from a community organization or business obtained for the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service-learning program or independently through service at a nonprofit or faith-based organization.

Jordan is a recent graduate at Lewisville High School and the organization matching her \$500 in Federal funds is the Tau Rho Omega Chapter.

Over 38,000 students to date have received this award and I extend my sincere congratulations to Jordan Elliot for being one of them. This student's contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

PERSONAL EXPLANATION

HON. JAY INSLEE

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. INSLEE. Mr. Speaker, over the Labor Day weekend, I volunteered at the Houston Astrodome to assist in relieving the victims of Hurricane Katrina. On Tuesday, September 6, 2005, en route to Washington, DC, from Houston, a passenger on my aircraft attempted to commit suicide and the flight was temporarily rerouted to Nashville, TN. As a result, my flight was significantly delayed in landing at Dulles airport, causing me to miss votes for both H. Res. 360, commemorating the 60th anniversary of V-J Day and the end of World War II in the Pacific, and S.J. Res. 19, a joint resolution calling upon the President to issue a proclamation recognizing the 30th anniversary of the Helsinki Final Act.

Had I been present in the House of Representatives, I would have voted in support of both resolutions, H. Res. 360 and S.J. Res. 19.

TRIBUTE TO DR. BILL NASSER

HON. MIKE PENCE

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. PENCE. Mr. Speaker, the State of Indiana lost a giant of the medical community last week. On Friday, September 2, Dr. William Nasser passed away at St. Vincent Indianapolis Hospital, where he started a cardiology program 32 years earlier.

Bill Nasser's own battle with heart problems led him to launch a cardiology network in Indiana so that Hoosiers would no longer have to travel hundreds of miles just to receive basic care.

As Bill graduated from the Indiana University School of Medicine in 1961, a bacterial in-

fection made him an open-heart surgery patient at a time when the procedure was performed at great risk with low survival rates. His heart valve was replaced three times over the next 18 years.

Bill's condition undoubtedly connected him with the very patients he served at the Care Group, a partnership with St. Vincent Hospital that runs the Heart Center of Indiana.

Mr. Speaker, on behalf of the State of Indiana, I extend heartfelt sympathies to the family of Dr. Bill Nasser, specifically his wife Wanda; his sons Thomas and Tony Nasser; his daughter Teresa Carlock; his sisters Beverly Radez and Dolores Polifroni; and his five beloved grandchildren.

Bill Nasser embodied the allegiance to a community that every town in America wishes of its citizens. The State of Indiana was fortunate to call him one of its own. Indiana will miss Dr. William Nasser.

PELL GRANT HURRICANE AND
DISASTER RELIEF ACT

SPEECH OF

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, September 7, 2005

Mr. ETHERIDGE. Mr. Speaker, I rise in support of this legislation to assist college students who have been victimized by widespread devastation visited on the Gulf Coast by Hurricane Katrina last week. We, in North Carolina, know well the destruction hurricanes can cause as our State has been hit by at least five major hurricanes over the past decade. The Federal Government has a solemn responsibility to help those in need, and H.R. 3169 is one very small step in that effort.

Specifically, H.R. 3169 will relieve some burden for displaced college students who otherwise would be required to pay back their Pell grants. This bill would allow the U.S. Education Department to waive the repayment requirement for Pell grant recipients whose school attendance is interrupted because of the impact of a disaster, provided that the students were living, working or attending school in an area designated by the President to warrant major disaster assistance.

Congress must also pass legislation introduced by Congressman GEORGE MILLER and Congressman DALE KILDEE to provide more comprehensive relief for student victims of the storm. Nearly 100,000 college students have been displaced, while some 30 colleges in the Gulf Coast region have been severely damaged by Hurricane Katrina. Many students and families no longer have the necessary resources to pay for college—even after their current Federal student aid is taken into account. We need to ensure that we help all college students and student borrowers who have been adversely impacted by this disaster.

Congress has much, much more work to do to assist in the relief, recovery and reconstruction in the wake of Hurricane Katrina. H.R. 3129 is a minimal early step in that effort, and I urge its adoption.

RECOGNIZING THE RANCHO BUENA VISTA LITTLE LEAGUE ALL STAR TEAM AND THEIR COACHES

HON. DARRELL E. ISSA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. ISSA. Mr. Speaker, I rise today in recognition of the Rancho Buena Vista Little League all star team and their coaches. I want to congratulate them on an outstanding performance at the recent Little League World Series in Williamsport, Pennsylvania.

I want to recognize Manager Marty Miller and Coaches Joe Pimentel and Randy Reznicek, whose years of service to the community through Little League Baseball at Rancho Buena Vista have inspired many young athletes throughout our community. It is through the dedication, strength of character, and devotion of men like Marty, Joe and Randy that these young men have flourished, not only in athletic skill but in character.

The Rancho Buena Vista Little League team won 25 of the 26 games they played last season and made it to the United States Championship game. They displayed exemplary sportsmanship throughout both the regular season and during the Little League World Series. From the first pitch of the season to the Little League World Series finals, they played the game with dignity and won our respect in the process.

Unquestionably, the players on the Rancho Buena Vista Little League team are not only exceptional athletes but also exceptional young men. They played with resolve and focus in the face of spirited competition and I am proud to be their Representative, and to stand in their honor today, Mr. Speaker. Their accomplishments serve as an example of the positive impact that Little League baseball has on its young participants.

Once again I would like to congratulate the players on the Rancho Buena Vista Little League Team—Royce Copeland, Daniel Gibney, Danny Vivier, Johnny Lee, Josh Gomez, Aaron Kim, Kalen Pimentel, Austin White, Dylan de Meyer, Ryan Gura, Nathan Lewis, Reed Reznicek and their coaches—on their remarkable achievement. I call upon my colleagues to join me in applauding these young men for their exceptional accomplishments and continued success.

HONORING THE JACKSON SYMPHONY ORCHESTRA ASSOCIATION FOR 55 YEARS OF EXCELLENCE IN THE PERFORMING ARTS AND DEDICATION TO THE JACKSON COMMUNITY

HON. JOHN J.H. "JOE" SCHWARZ

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. SCHWARZ of Michigan. Mr. Speaker, I rise today to recognize the Jackson Symphony Orchestra Association for 55 years of beautiful music and a commitment to community service in Jackson County. I commend the Jackson Symphony Orchestra for both its high quality performing arts programs and its out-

reach to the community through concerts, music education, and partnerships with area educators and community service providers.

For more than five decades, the Jackson Symphony Orchestra has brought outstanding artists and a wide variety of music venues to Jackson audiences. Over the years, there have been numerous world premieres; performances in ballet, opera, and jazz; and an emphasis on works by 20th century composers.

The Jackson Symphony Orchestra Association champions the arts through music education. It operates a community music school that provides private instruction on all orchestral instruments, early childhood music classes, home school orchestras, a string academy, and after-school string instruction for children at risk. The Jackson Symphony Orchestra educational programming directly reaches over 1,500 young people each year and reaches an additional 4,000 families each year through family concerts, in-school performances, and special events.

Beyond the concert stage, the Jackson Symphony Orchestra, through its presence in the community, has created an environment that has contributed to the development of many local arts organizations. These include the Jackson Chorale, the Michigan Shakespeare Festival, and the Jackson Youth Symphony. The presence of the Jackson Symphony Orchestra is also regularly credited as a factor in attracting new business and key employees into the community.

On behalf of the United States Congress, I am proud to honor the Jackson Symphony Orchestra for its 55 years of dedication in the performing arts, as well as to the community. I commend their use of innovative programs which has provided musical education for the Jackson community. I expect the Jackson Symphony Orchestra to continue their path of excellence for years into the future.

CONGRATULATIONS TO CHRISTOPHER V. SEXTON, RECIPIENT OF THE PRESIDENTIAL FREEDOM SCHOLARSHIP

HON. MICHAEL C. BURGESS

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the superior academic performance of Christopher V. Sexton, a recipient of this year's Presidential Freedom Scholarship. Thirteen students in the 26th Congressional District are receiving this special recognition.

This award recognizes outstanding service and citizenship initiatives by the students, who were nominated, and provides an opportunity to acknowledge their leadership. Administered by Learn and Serve America, the scholarship provides \$500 in Federal funds, matched with \$500 from a community organization or business obtained for the student by their high school or Boys and Girls Club. Winners must have completed at least 100 hours of community service, either through a school-based service-learning program or independently through service at a nonprofit or faith-based organization.

Christopher is a member of the Boys and Girls Club of Greater Fort Worth—Panther

Branch. The organization graciously matched the federally funding with a \$500 contribution.

Over 38,000 students to date have received this award and I extend my sincere congratulations to Christopher V. Sexton for being one of them. This student's contribution and services should serve as inspiration to those who wish to make a positive difference in the lives of others.

FREEDOM FOR JULIO CÉSAR LÓPEZ RODRÍGUEZ

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Julio César López Rodríguez, a political prisoner in totalitarian Cuba.

Mr. López Rodríguez is an independent librarian and pro-democracy activist in totalitarian Cuba. According to Human Rights First, Mr. López Rodríguez is Vice President of the Frente Línea Dura movement and Director of its independent library. He is a longtime activist for democratic change.

Independent librarians in Cuba, such as Mr. López Rodríguez, provide the indispensable service of circulating truth at a time when the tyrannical regime provides only propaganda. These heroic librarians circulate important works, including literature written by authors such as George Orwell, Václav Havel, and Dr. Martin Luther King, whose works are among the classics of anti-totalitarian literature.

As part of the tyrant's heinous July 2005 crackdown on peaceful pro-democracy opponents, on 22 July, Mr. López Rodríguez was arrested as he tried to participate in a peaceful demonstration outside the French Embassy in Havana, demanding the release of political prisoners in Cuba. As part of this vicious crackdown, approximately 30 brave opponents were arrested at home, on their way to the demonstration or on the sidelines of the gathering.

Mr. López Rodríguez is currently languishing in an abhorrent, inhuman cell in the totalitarian gulag. The State Department reports that police and prison officials beat, neglect, isolate, and deny medical treatment to detainees and prisoners, including those convicted of political crimes. It is a crime of the highest order that people who work for freedom are imprisoned in these nightmarish conditions.

Despite the regime's constant gangster style repression, freedom and democracy are on the march in Cuba. Courageous leaders like Mr. López Rodríguez defy the dictator's machinery of repression and, despite every threat and obstacle, demand liberty for the people of Cuba. Through their bravery, through their actions, and because of their unwavering commitment, and the works of thousands of other Cuban patriots, Cuba will be free again.

Mr. Speaker, it is completely unacceptable that, while the world stands by in silence, Mr. López Rodríguez languishes in the gulag because of his belief in freedom, democracy, human rights and the rule of law. My colleagues, we must demand the immediate and unconditional release of Julio César López Rodríguez and every political prisoner in totalitarian Cuba.

A TRIBUTE TO REVEREND RALPH
E. BLANKS

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise today to honor Reverend Ralph E. Blanks for his installation to the Superintendence of the Central District. An inspirational member of our community and roll model to all, Reverend Blanks has served as the Senior Pastor of Janes Memorial United Methodist Church since July of 2001. Prior, Reverend Blanks served for more than 15 years as the Pastor of Mother African Zoar United Methodist Church—the Mother Church for African Americans in the United Methodism.

Beyond his church ministry, Reverend Blanks also serves in leadership positions in several prestigious faith-based organizations. He is currently Chair of the United Methodist Metro Ministries of Eastern Pennsylvania Conference and Chair of the Resource Development Committee of the African American Interdenominational Ministries, Inc.

His religious involvement in the community is not the only extent to which Reverend Blanks gives so generously to others. He is also a current Mayoral appointee to the School District of Philadelphia Board and Chair of the City of Philadelphia's Fair Housing Commission. Among other honors, he serves as the Vice Chair of the North Philadelphia Health System, Chair of the Patient Services Committee of St. Joseph's Hospital and several community boards including the Korean Community Development Service Center and Greater Philadelphia Health Action, Inc.

Among the many awards given to Reverend Blanks, the Community Spirit Award from the African American Interdenominational Ministries; the Presidents award from the Black Clergy of Philadelphia and Vicinity; the Human Rights Award from the Philadelphia Commission on Human Relations; the Preacher of the Year Award by the Black United Methodist Preachers; the Outstanding Service to Community and Church Award from the City Council of Philadelphia; and the Liberty Bell Award from the City of Philadelphia.

I ask that you and my distinguished colleagues join me in congratulating Reverend Ralph E. Blanks, for his lifetime of service and dedicated commitment to the community, on his installation to the Superintendence of the Central District.

PERSONAL EXPLANATION

HON. JO ANN EMERSON

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mrs. EMERSON. Mr. Speaker, earlier this week I accompanied constituents of mine from West Plains, Missouri, as they delivered supplies to the people that have been affected by Hurricane Katrina. As a result I missed rollcall votes Nos. 454, 455, 456, 457, 458, and 459 on September 6, 7, and 8, 2005. Had I been present, I would have voted "yes" on all of the aforementioned rollcall votes.

TAIWAN PRESIDENT CHEN
SHUI-BIAN

HON. DAN BURTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. BURTON of Indiana. Mr. Speaker, today I rise to pay tribute to Taiwan President Chen Shui-bian. In late September he will be making a brief stop in Miami en route to Central America and later staying overnight in San Francisco on his way back to Taiwan. During his stopovers in Miami and San Francisco, I am hopeful that a few of my colleagues will have a chance to visit with him, and—more importantly—exchange views on Taiwan's future, Taiwan's relations with China and the United States, and Taiwan's bid to re-enter the United Nations.

In the last five years, President Chen has shown strong leadership in guiding his people through turbulent times. Despite worldwide financial challenges, Taiwan's economy has continued to grow and despite pressures from Taiwan's opposition leaders, Taiwan has been faithful to its route of constitutional reform and full democratization. Today, Taiwan continues to be a beacon of prosperity and freedom throughout Asia. Taiwan's 23 million people enjoy high standards of living and full rights of freedom and liberty.

President Chen has been deft in handling cross-strait relations. Despite China's passage of the anti-secession law last spring, China's positioning of 700 missiles along Taiwan's coast and China's many other unfriendly acts toward Taiwan, President Chen has insisted on a peaceful solution to the Taiwan issue and an early resumption of talks between himself and other Chinese leaders. President Chen fully understands that peace and stability within the Taiwan Strait are in global community's best interest.

As for Taiwan's relations with the United States, we have strong trade and cultural relations with Taiwan. Taiwan is one of our largest trading partners and cultural exchanges between our two countries are vibrant. Moreover, we are committed to defending Taiwan under the framework of the Taiwan Relations Act, and we are fully committed to a peaceful solution of the Taiwan issue—no military conflict should ever occur in the Taiwan Strait. Moreover, we appreciate Taiwan's full cooperation with us in combating terrorism, its monetary contributions to the Twin Towers Fund, Pentagon Memorial Fund and its offer of humanitarian assistance to victims of Hurricane Katrina.

It is regrettable that Taiwan has been excluded from many world organizations such as the World Health Organization and the United Nations. It has been a gross injustice to deny Taiwan's 23 million people their proper voice in the world. The United States should take more active steps in helping Taiwan re-enter the World Health Organization and the United Nations.

It is my hope that President Chen and the people of Taiwan will receive both proper and greater international attention as President Chen travels to Central America and hopefully to the Asia-Pacific Economic Cooperation (APEC) forum in Busan, Korea, this November. The story of Taiwan, in the person of President Chen, needs to be told and heard around the world.

IN RECOGNITION OF THE TASK
FORCE ON MENTORING OF MONT-
GOMERY COUNTY ON THE OCCA-
SION OF ITS FOURTEENTH AN-
NUAL CONFERENCE

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. VAN HOLLEN. Mr. Speaker, I rise today to congratulate The Task Force on Mentoring (TFM) of Montgomery County on the occasion of its fourteenth annual conference entitled "Saving Our Children—Compassionate Mentoring", which will be held on the Rockville campus of Johns Hopkins University on Thursday, October 6, 2005.

For more than fifteen years, the TFM has been a mainstay of support for at-risk youth in Montgomery County. It has been repeatedly recognized for the high quality mentoring programs it has implemented in partnership with many of our community's schools, civic organizations and, more recently, correctional facilities. Moreover, as if to underscore the spirit guiding its work, the TFM offers all of its recruitment assistance, training expertise and technical support free of charge.

Because of the Task Force on Mentoring of Montgomery County—and its legions of trained and dedicated volunteers—more and more of our youth are growing up to become active, positive participants in our community. They are making great plans to lead great lives.

Mr. Speaker, on the occasion of its fourteenth annual conference, I ask all of my colleagues to join me in saluting the Task Force on Mentoring of Montgomery County and in thanking the TFM for its consistent commitment to the children and youth of Montgomery County, Maryland.

A TRIBUTE TO JAMES EDWIN
KUHN

HON. DUNCAN HUNTER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. HUNTER. Mr. Speaker, I rise today to honor and pay tribute to the life and memory of a good friend and a great American, Mr. James Edwin Kuhn of El Centro, California. Jim died shortly after midnight on Monday, August 29, 2005, when his sports utility vehicle overturned on Evan Hewes Highway.

Those of us who knew Jim best remember a family man and an agricultural innovator who shared his passion for the outdoors. He is from a family of farmers that settled in Imperial Valley in the early years of the 20th century and helped build one of the strongest agricultural sectors in the country.

Jim was born April 21, 1964, spending much of his early childhood working on the family farm. In high school, he shined as a wrestler and a football player, demonstrating himself as a leader and making obvious his desire for success. Jim's father reinforced the importance of receiving a well-rounded college education, but also advised him to learn as much as he could about Imperial Valley, business, and agriculture. When he graduated

high school, Jim left for Stanford University and graduated in 1986 with a degree in Slavic languages and literature. He immediately returned to Imperial Valley and continued the Kuhn farming tradition started by Jim's grandfather.

Jim immediately began looking and thinking of ways to improve and expand the family business. He took his father's idea of exporting compressed hay to dairies in Japan and before long, Kuhn farms grew into a large, vertically-integrated farming, processing, and exporting company with more than 300 employees. Jim received much admiration and respect from his workers and their families, and just like Jim, they took great pride in the word done at Kuhn farms.

While maintaining a reputation as an innovator in the transport and international sale of hay and forage products, Jim also founded KF Dairy in 1992 and, in conjunction with Gossner Foods of Utah, established Imperial Valley Cheese—a local cheese production facility. He is also credited for introducing Klein Grass to Imperial Valley, where it has become a significant crop.

Jim also created the Salton Sea International Bird Festival in an effort to share with the community his passion for photographing birdlife and desert scenery. He recognized the value and beauty of Imperial Valley, and wanted nothing more than to show everyone living, visiting, or traveling through his community that agriculture and wildlife can coexist. The Bird Festival has become an annual event bringing people from all over the world to Imperial Valley.

Mr. Speaker, I know Jim's loving wife, Heidi, and his two children, Vienna and Fritz, will continue to share with family and friends his passion for adventure and the outdoors.

I ask my colleagues to join me in honoring and paying tribute to the life and memory of James Edwin Kuhn.

HONORING THE EAST BRANDYWINE FIRE COMPANY

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. GERLACH. Mr. Speaker, I rise today to honor the East Brandywine Fire Company, Station 49, on the occasion of their 50th anniversary.

The East Brandywine Fire Company has a long and distinguished history of improving the quality of life within its community by providing the highest quality of emergency fire and medical service. Located in Guthriesville, Pennsylvania, the East Brandywine Fire Company proudly serves both East and West Brandywine Townships and a portion of Upper Uwchlan Township. The Company was formed out of necessity in 1955 when two devastating fires broke out and the existing fire companies didn't respond in a timely manner. Residents were upset by the slow response and decided to take matters into their own hands and form a fire company of their own. On April 12, 1956, a charter was drawn and the East Brandywine Fire Company had its first monthly meeting.

Today, the Company consists of 20 plus active members who are always on call. The

members meet weekly for training and update themselves regularly on new fire training and rescue techniques so they can be prepared for any emergency situation they may be presented with. In total, the Company serves 26 square miles and approximately 14,000 people. Over the past 50 years, literally hundreds of men and women made significant contributions of time and effort to the Company.

An important asset of the East Brandywine Fire Company is the Ladies Auxiliary—an organization that has played multiple roles throughout the Company's history. The Auxiliary has brought in thousands of dollars by catering banquets, selling antiques, and hosting chicken barbeques in the community. Today, there are 90 members, 15 of which are active.

Mr. Speaker, I ask that my colleagues join me today in honoring the East Brandywine Fire Company, Station 49, for their invaluable service and contributions they have made to their community over the past 50 years.

HONORING THE LIFE AND BIRTHDAY OF JACK DANIEL

HON. LINCOLN DAVIS

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. DAVIS of Tennessee. Mr. Speaker, travel to almost any country in the world, tell folks you're from Tennessee, and they're likely to respond with a smile and the name of someone they know from my 4th Congressional District—Jack Daniel.

I'm proud to represent the people who craft one of America's best-known and most-loved products. Every drop of the 7 million cases of Jack Daniel's Tennessee Whiskey wetting the whistles of folks in more than 140 countries is made and mellowed, drop by drop, in Lynchburg, Tennessee. That's quite an accomplishment for a town with just one traffic light and whose population is advertised as just 361.

Now, to tell you the truth, Lynchburg's population is a bit larger than that. As one of my Moore County constituents has confided, "Why does it say population 361 on the bottle? There is probably five or six hundred people living in Lynchburg. They just want us to look small."

Small or not, as the home to the Jack Daniel's Tennessee Whiskey and America's oldest registered distillery, Lynchburg and Moore County have made sizeable contributions to the American way of life. In fact, the little town of Lynchburg may be the largest per capita tax contributor in the country when it comes to federal revenues generated by the fruits of their labors. Each gallon of whiskey in Jack Daniel's warehouses will generate about \$13.50 in federal taxes. Multiply by the more than a million gallons resting in each warehouse, then multiply it again by the 74 warehouses dotting the hillsides, and it adds up to right at a billion dollars. And that's not just a one-time contribution. The whiskey made by the people of Moore County and the Jack Daniel Distillery generates more than \$115 million a year in federal, state and local taxes across the country.

But as significant as these taxes revenues are, Jack Daniel's contributions to American culture are far greater. Through the years,

Jack Daniel's virtues have been heralded by presidents, movie stars and musicians.

U.S. Vice President John Nance "Cactus Jack" Garner, in office during the repeal of Prohibition, was said to have invited friends to his office right here in the Capitol to "strike a blow for liberty" with the help of Jack Daniel's.

It's been reported that Winston Churchill approved of the whiskey to the point his appreciation provoked extraordinary discomfort among his country's Scotch-makers.

Jack Daniel's association with the Rat Pack and its Chairman of the Board, Frank Sinatra, is legendary. During his lifetime, he was said to have always traveled with a supply of Jack Daniel's just in case his favorite libation was unavailable. That may also be the case with his final journey. A small bottle of Jack is reported to have been buried with Mr. Sinatra.

With this rich heritage, the legend of Jack Daniel's lives on stronger than ever today. The Rolling Stone, has named Jack Daniel's an American Icon while Stephan Jenkins of Third Eye Blind—a popular rock band, so I am told—has said to the people of Lynchburg, "Ya'll should be proud of yourselves because Rock 'n' Roll would not have been invented without your product."

And, finally, no less than the great American writer and Noble Prize-winning author William Faulkner once sized up Jack Daniel's real appeal when he said "It's a good thing that in a changing world there are some things you can count on, like the quality of Jack Daniel's."

As in the best of American stories, Jack Daniel rose to its heralded place from humble beginnings. It all started with Jasper Newton Daniel born in Lynchburg sometime in September, sometime around 1850. Then as now, Jasper Newtown's friends just called him Jack. And a fortunate thing, since I can't imagine a glass of Jasper would have captured the America's fancy as completely. Jack was just five-foot-two-inches tall and left home before he'd reached the age of ten. He took up with and learned the art of making whiskey from a local Lutheran preacher named Dan Call and his African American still hand, Nearest Green. Jack later bought the minister's distilling operation when Call's congregation forced their spiritual advisor to choose between making spirits and saving them.

About the time Jack set out on his own, the American Civil War broke out. The land around Lynchburg was taken and retaken by Union troops seven times, and the foraging armies of the North and South made corn and grain for whiskey-making hard to come by. Through it all, Jack held fast to his simple philosophy—"Every day that we make it, we'll make it the best that we can."

Making it Mr. Jack's way meant adding an extra step to the traditional whiskey-making process. Jack mellowed his whiskey drop by drop through 10 feet of sugar maple charcoal before putting it up to mature in white oak barrels. This extra blessing added time and expense to making his whiskey, but a taste of what emerged from the barrels had most folks agreeing it was worth the wait. During its 150-some-year history, Jack Daniel's Old No. 7 has been awarded seven international gold medals, beginning with the first it won at the 1904 World's Fair in St. Louis. The 1904 World's Fair helped usher in the American Century, which the little man from Tennessee and his whiskey was destined to be a growing part of.

In 1911, the distillery was left to Jack Daniel's nephew Lem Motlow, who watched over the distillery through 29 years of state and national prohibition. One of the ways Mr. Lem occupied himself during those long dry years was to engage in one of the grandest of diversions—politics. Straightforward to a fault, Lem ran for the state legislature on the campaign promise—"Elect me and I'll do something for myself! But I'll also do something for you!" And that's exactly what he did. Lem eventually helped change the law in Tennessee so that he could return to making whiskey and his friends could go back to enjoying it.

Major General George S. Patton and his Second Armored Division trained in Camp Forrest, a military base near Lynchburg, in 1941. Along with learning the tactics that would ultimately free Europe, the men who trained there acquired a taste for Jack Daniel's—a taste they would eventually take home with them, spreading the word about this smooth Tennessee spirit. Sales of Jack Daniel's rocketed from 150,000 cases in the early 1950s to more than 1 million cases by 1970. To support this rapid growth and to make sure friends of Jack Daniel's Old No. 7 wouldn't have to go without, Lem's four sons entrusted the care of their Uncle Jack's distillery to another American whiskey family—the Browns of Louisville, Kentucky.

Brown-Forman Corporation purchased the Jack Daniel's Distillery in 1956 and wisely left untouched the whiskey-making and mellowing methods faithfully practiced by the distillery for more than a century. Under the watchful care of Brown-Forman, Jack Daniel's Old Tennessee Whiskey has continued to make new friends, satisfying people of different tastes by bringing along side its venerable Old No. 7 brand new family members like Jack Daniel's Single Barrel, Gentleman Jack Rare Tennessee Whiskey and Jack Daniel's Country Cocktails.

Jack Daniel's and Brown-Forman have long been industry leaders in promotion responsible drinking. These are good folks. They want their products enjoyed but never abused. Each year, they invest millions of dollars in The Century Council's award winning educational programs to combat drunk driving and underage drinking. Their brand advertising, replete with images of the beautiful landscape and good people of Moore County, is highly responsible. And most recently, Jack Daniel's has carried this message to millions of Americans through a NASCAR sponsorship promoting the use of designated drivers and—literally and figuratively—driving home the message emblazoned on the aptly numbered 07 car—"Pace Yourself. Drink Responsibly."

This care for the whiskey, the consumers who enjoy it and the special people and special place where it is made are the things that add up to the global legend of Jack Daniel's today. Under the watchful care of Brown-Forman Corporation Chairman Owsley Brown, President and Chief Executive Officer Paul Varga, Master Distiller Jimmy Bedford and the good people of Moore County and Lynchburg, Tennessee, I'm proud to inform the House that Jack Daniel's Old No. 7 become this year the No. 1 selling whiskey in the world. Congratulations, Moore County, and Mr. Jack.

Finally, in honor of Jack Daniel's and the people of Moore County, their status in the world as ambassadors of American culture, hard work, and timeless truths; and in this the

month in which we celebrate the birth of Mr. Jack Daniel, I would ask my colleagues to join me in saying—Here's to the spirit of America, Mr. Jack of Lynchburg, Moore County, Tennessee, 155 years old, and still out on the town—responsibly—every night.

IN HONOR AND LOVING MEMORY OF NICO TRUJILLO

HON. ED PASTOR

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. PASTOR. Mr. Speaker, I rise today in loving tribute and memory of Nico Trujillo, who passed away at the age of 94 on September 1, 2005.

The second oldest of nine brothers and sisters, Nico was born and raised in St. Johns, Arizona. Her commitment to public service was evident even as a young woman, when she advocated for equal rights for women and minorities in her community. She ran for a seat in the Arizona House of Representatives in 1954, but withdrew her candidacy due to pregnancy complications. In 1956, Nico was a delegate to the Democratic National Convention in Chicago, and again in 1960 during John F. Kennedy's nomination by the Democratic Party. Nico remained politically active throughout her life, campaigning for Governor Paul Fannin, Eddie Basha, Governor Hull, and Governor Napolitano.

On December 24, 1933, Nico married the love of her life, Lugarno Trujillo, and they were blessed with six children: Wallace, Gladys, Dennis, Richard, Jerri, and Gail. The loving couple also helped raise children of their extended family who tragically lost their parents at an early age. Nico was the beloved grandmother of sixteen grandchildren and twelve great grandchildren. As a proud mother, grandmother, and great grandmother, she instilled in her family the values of education, faith in God, and responsibility to one's family and community.

Mr. Speaker and colleagues, please join me in honoring Nico's strong sense of service to her community, love of family, and deep faith that defined her life. Her passing marks a great loss for her family and friends, and also for her community. Nico lived her life with compassion, energy, and an unwavering commitment to the public good. She will be greatly missed by her family and many friends, and her legacy will forever live on in the memories and hearts of those who knew and loved her well.

HONORING WESTWOOD FIRE COMPANY EMS

HON. JIM GERLACH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. GERLACH. Mr. Speaker, I rise today to honor the Westwood Fire Company EMS in recognition of their dedicated service to the citizens of Chester County, Pennsylvania.

The Westwood Fire Company EMS was recently awarded the 2005 Pennsylvania State Ambulance Service of the Year Award. This

prestigious award is given each year to an ambulance service that provides outstanding service to the residents and continued training and development for its community volunteers.

Founded in 1947, the Westwood Fire Company EMS provides fire, rescue, and EMS services to their local surrounding areas with competence and expertise. In the beginning, the Company had 13 original members. Today, they have expanded their numbers significantly with over 35 active firefighters, EMS personnel, and Fire Police officers.

The Westwood Fire Company EMT provides primary service to the Township of Valley and portions of East Fallowfield and Highland Townships. In these areas, the Company operates two pumpers, a pumper rescue, a brush unit, a traffic control unit, and a BLS ambulance. The Company responds to approximately 700 EMS calls per year and 350-fire/rescue calls. Moreover, the Company further contributes to its community by providing automated external defibrillators at discounted prices for schools and community organizations. Additionally, in an effort to educate the community and keep themselves up to date on the latest rescue techniques, the Company frequently provides weekly training drills.

The services provided by the Westwood Fire Company EMS are free of charge and the Company depends solely on the countless volunteers who spend time away from their families so that they can help others in their community. In turn, the community frequently gives back to the Company by providing them with financial assistance that is used to help purchase supplies, apparatus, and essential equipment. This selfless attitude has helped the Company grow and prosper over the past 50 years.

Mr. Speaker, I ask that my colleagues join me in honoring the Westwood Fire Company EMS for its recognition as the 2005 Pennsylvania Ambulance Service of the Year and for the invaluable service they provide to their fellow citizens of Chester County, Pennsylvania.

MAC COLMENERO: WINNER OF THE 2005 JOHNS FELLOWSHIP AWARD

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. FILNER. Mr. Speaker, today I acknowledge a great friend of labor—Macario Colmenero.

"Mac" was born just south of downtown San Diego in Barrio Logan, formerly known as Logan Heights, to Ben and Guadalupe Colmenero. As a child, he helped out in his father's meat and grocery store at the corner of National and Sigsbee Streets. He also sold newspapers for the Tribune Sun and later delivered other newspapers in town.

Mac attended Our Lady of Guadalupe School and was a graduate of their first class in June of 1950. He attended high school at Saint Augustine but left before graduating to join the Navy in 1952.

After his tour of duty, he found a job at Harbor Box Company which manufactured wooden boxes and crates for tomatoes grown in Chula Vista. His starting wage was a \$1.25 an hour with no benefits.

In 1956, he worked for T. Claude Ryan and Rohr Aircraft Co. In 1957, he enrolled in the

Cement Finisher Apprenticeship Program with Cement Masons Local #744 at the old Craftsmen Hall on Centre Street. Construction work was slow in San Diego, so he went to work for a Custom Auto repair shop for a short time. In August 1959, Mac went to work for Benton Roofing Co. as a roofer loader, then as a roofer for Veteran's Roof Co. He then advanced to journeyman, foreman and superintendent with Witherow Roofing Co.

In 1978, he was elected as a delegate to the Roofers International Convention in Miami. In December of that year, he was elected to the office of Business Agent of Roofers Local #45 where he served also as the Apprentice Coordinator and Secretary of the JATC. He held this office for three terms, a total of nine years. In 1986, due to the finances of the local, the position of business agent was eliminated and he was voted in as president, a non-paying position.

In 1987, he obtained a C-39 Roofing Contractor's license and signed an agreement with Local #45. In 1993, he was unanimously voted to the office of Business Manager, where he also serves as the Financial Secretary-Treasurer, Agent, Organizer, Apprentice Coordinator, Chairman of the Apprenticeship JATC, and Apprentice classroom instructor.

Mac also serves as a trustee to the Roofers Trust and is one of the directors at the National City Parks Apartments. Mac re-joined the "Johns" in 1993 and plans to be a lifetime member. After serving 12 years in Roofers Local #45 as Business Manager, Mac plans to retire in December of this year, but will continue to assist with the Apprenticeship Program.

Mac has been married to his wife Karen for 31 years and they have lived in North Park since 1974.

I am proud to salute Mac Colmenero on his recognition with the Johns Fellowship Award!

HONORING MARGARET DAVIES

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. KILDEE. Mr. Speaker, I rise before you today to pay tribute to an outstanding individual, Ms. Margaret Davies. On September 11, 2005, family and friends will gather to honor Margaret, as she celebrates her 90th birthday.

Margaret Rowe was born on September 13, 1915 in Little Rock, Arkansas, where she attended Little Rock Public Schools. She later moved to my hometown of Flint, MI, where she married Jay B. Davies in 1946. Margaret and her husband Jay had two children, Jimmy Davies, currently of Durham, NC, and Kim Smith of Indianapolis, IN. Mr. and Mrs. Davies were also blessed with three grandchildren and one great-grandchild. The two enjoyed a marriage of 33 years, until Jay's passing in 1979.

Margaret has been a longtime resident of Genesee County. She worked for many years at the YMCA until retiring in 1983, and was an active member of Holbrook Avenue Church of God. Today she can often be found reading her Bible or sending e-mails to her loved ones.

Mr. Speaker, as the Member of Congress representing Genesee County, I ask my col-

leagues in the 109th Congress to please join me in not only recognizing Margaret Davies for her outstanding life, but to wish her a very happy 90th birthday.

ON CONSIDERATION OF EMERGENCY SUPPLEMENTAL

HON. SANFORD D. BISHOP, JR.

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. BISHOP of Georgia. Mr. Speaker, let me say at the outset that my thoughts, prayers, and condolences continue to go out to all of the victims and citizens whose lives have been ravaged by Hurricane Katrina and its aftermath.

And I must also commend the efforts of communities across this great Nation, for opening their hearts and homes to the victims of this tragedy.

In my district, the Beattie Road Church of Christ, Mt. Zion Baptist Church, the Albany Marine Corps Logistics Base, Fort Benning, Norman Park Assembly, the Southwest Georgia Chapter of the American Red Cross and the many others who are too numerous to mention, but who have opened their hearts, homes and wallets to help the nearly 800 victims of Katrina who are now foster residents of the Second Congressional District of Georgia, should be recognized as well.

Two weeks ago, I do not think any of us could have imagined using the word "diaspora" to describe the lives of American citizens. But that is the situation that we are now faced with.

We are all too familiar with the horrific images coming from the Gulf Coast: images of our own people suffering, images that I know will always haunt me as I am sure that they will haunt you.

I also know that we are all too familiar with the accusations and mistakes that have been made at FEMA and at other levels of government. These are legitimate accusations that deserve an investigation.

In the end, however, it is what we do now that matters. That is why I am standing here today because I believe that we are still mismanaging this crisis, particularly the resources and assistance being provided evacuees as they disperse throughout the United States.

Just yesterday, my staff received several calls from the families of evacuees who have been relocated to the State of Georgia, whose needs are not being fully addressed by FEMA.

We have been told of several cases where evacuees, who are lucky enough to get a FEMA debit card, quickly learn that it has yet to be activated or simply doesn't work.

We continue to hear that it is very difficult and almost impossible to reach FEMA by phone, despite FEMA's ongoing and specific request that evacuees contact the agency by phone or e-mail. I question where these evacuees are going to get computer access, just as I know their access to telephones is limited.

But even more horrific are the stories of evacuees, panhandling, without clothes, without shoes, without any place to turn.

Mr. Speaker, this is not the America I know. FEMA and the Department of Homeland Security must be held accountable and, they must be held accountable today, not tomor-

row, not next week, not next month, but today and each and every day in the future, until the victims of the Katrina Diaspora are allowed to return home or are appropriately resettled in a community of their choosing.

Just as all persons of Jewish decent have a right to return to their homeland in Israel, we must ensure that all victims of the Katrina Diaspora be given the right and opportunity to return to their homes.

Finally, I applaud the leadership on both sides of the aisle for taking this matter up today.

I do not care about sound bites or political advantage here. Those concerns do not help the millions of Americans who have been robbed of everything.

What I am concerned with and what all of us across the Nation should be concerned with, is how we move forward in an effective and responsive fashion.

Are we correcting our administrative mistakes and missteps on a daily basis?

Are we taking care of our citizens?

This is the time to pull together, not apart. This is the time to work together, to share ideas and to use our collective wisdom and energy to get the job done. Even if this means admitting that we have made mistakes.

We must be clear that this is just a down payment on meeting the costs of this disaster. There is a long road ahead. And it is my hope that what we are doing here today provides the short term relief that is so desperately needed by the victims of Katrina.

Only time will tell if we are adequately meeting the needs of the victims of this awful tragedy.

SECOND KATRINA SUPPLEMENTAL APPROPRIATIONS BILL

HON. BOB ETHERIDGE

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. ETHERIDGE. Mr. Speaker, I rise in support of H.R. 3673, the second emergency supplemental bill for the victims of Hurricane Katrina. We, in North Carolina, are very familiar with the destructive power of hurricanes, and Congress has a solemn responsibility to assist the efforts for relief, recovery and reconstruction.

Congress also has a serious responsibility to assure accountability in the use of taxpayer money, and the legislative branch must not fail in its constitutional duty to oversee the operations of the executive branch. There can be no doubt that the Federal agencies charged with responding to this disaster were too slow, too confused and too ineffectual in discharging their duties in the critical early hours and days of Hurricane Katrina. Congress must take effective action to ensure that the funds appropriated today will assist those who have suffered so egregiously through no fault of their own.

This tragedy has raised urgent questions about the performance of disaster preparedness and emergency response agencies. Congress must work in bipartisan cooperation to correct these deficiencies. As the U.S. Department of Homeland Security continues to work to protect our country during the war against terrorism and in the midst of a very active hurricane season, America cannot afford a failure

by Congress to fix the problems Hurricane Katrina has exposed.

H.R. 3673—SECOND EMERGENCY
SUPPLEMENTAL APPROPRIATIONS

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to express my great concern with the situation still being faced by families devastated by Hurricane Katrina.

As needed relief is finally making its way down to the affected region, our thoughts go out to all the victims and their families. Late last week, this body passed a \$10.5 billion aid package that will provide initial funding for immediate and long-term responses. Today, we are passing an additional \$51.8 billion. This funding will cover only a sliver of the final financial toll taken on communities throughout the Gulf Coast and what will be needed for families to re-start their lives. Yet this monetary cost pales in comparison to the immense emotional and human cost that continues to grow.

At the end of the day, the United States government is constitutionally obligated to "insure domestic tranquility, provide for the common defense, [and] promote the general welfare" for all citizens. Particularly during a time of crisis, it is absolutely necessary that these obligations be fulfilled. In that regard, the federal government has failed. In the wake of Hurricane Katrina last week, thousands of families, stranded, injured, homeless, and without basic necessities of water and food waited and waited and waited for emergency relief. For four days, the President, Congress, and the Federal Emergency Management Agency (FEMA) minimized to themselves and to the public the immensity of what was occurring. The very institutions established to serve and protect the American people instead watched and waited as the tragedy grew.

The response of the government to the needs of these communities was demonstrably and woefully inadequate. I am pleased that an investigation has been launched to discover why the government agencies entrusted with providing emergency aid failed to respond in any meaningful way to the grave situation. Ultimately, we must determine what changes need to be made in order to ensure that future relief efforts are not hindered by incompetent management or bureaucratic obstructions, as they were last week. However, we will only find true accountability with a bipartisan, independent commission to investigate what went wrong.

Natural disasters such as Hurricane Katrina can never be prevented, no matter how well prepared we may be. However, shifting natural conditions on the planet indicate that we may soon be seeing an increase in such events. In early August 2005, the National Oceanic and Atmospheric Association (NOAA) released a report stating that environmental conditions guaranteed an increase in destructive and powerful hurricanes along the Gulf Coast. Already this year we have seen an increase in hurricanes along the Gulf Coast. Such a warning has been voiced for some time, and we are now seeing the results if we continue to

ignore such information. Additionally, the New Orleans Times-Picayune predicted this very disaster as recently as 2002. President Bush's assertion that "no one could have predicted" this disaster is clearly, and tragically, wrong.

Through the generosity of millions of Americans, those families affected by the hurricane are receiving some of the help they need, and I have absolutely no doubt that they will prevail in rebuilding their lives and their community. We must pledge to do all we can to help.

As we proceed with the long-term solutions, we need to make sure we do the right thing here in Congress. It is our job to make choices and these choices reflect our priorities. I hope the majority will acknowledge that many of the choices made in recent years were ill-advised. Together, we need to put the financial resources to work to improve the lives of survivors. It is not the time for business-as-usual, cut-taxes-at-all-costs, short-change-the-working-poor proposals we have come to expect from the majority. We can do better, and we must.

H.R. 3673—SUPPLEMENTAL
APPROPRIATION

HON. THOMAS E. PETRI

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. PETRI. Mr. Speaker, in less than a week, we will have passed supplementals providing over \$60 billion in emergency aid to respond to the devastation caused by Hurricane Katrina. We have been told we are spending about \$2 billion a day in hurricane response efforts. We all want to care for those who have suffered damaged homes and those who have been left homeless, many with literally only the shirts on their backs, by this terrible storm. I realize many face an uncertain future with unemployment gone and only questions remaining.

At the same time, \$60 billion spent over 6 weeks creates an opportunity for waste and unwise spending decisions. I want the funds to go to those who need it and those who have and continue to suffer. But we also owe it to our constituents—and indeed perhaps even more to Katrina's victims—that these funds be spent based on careful consideration of what is needed and what is the best and most effective—and cost effective—method for achieving our goals.

Chairman LEWIS has stressed the accountability provisions included in the bill. The Inspector General of the Homeland Security Department will be monitoring the expenditure of these funds. The Appropriations Committee will receive weekly reports on how the funds are allocated.

We all want to respond to this disaster in the most compassionate way possible. But we also have an obligation as elected officials to ensure that funds we spend are carefully considered, used for true critical and emergency functions, and spent wisely.

Once all are out of harms way with immediate needs met, I hope that we will slow down and move forward in a deliberative way as we consider continued response and, most importantly, long-term plans for rebuilding the Gulf Coast. We will be held accountable, as we should be, for the investment of the funds.

While the American people want us to be generous, there are many hard decisions ahead. It is incumbent on all of us in the Congress to ensure that we invest our taxpayer dollars in the most responsible way.

SECOND EMERGENCY SUPPLE-
MENTAL APPROPRIATIONS FOR
HURRICANE KATRINA RESPONSE

HON. SUSAN A. DAVIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mrs. DAVIS of California. Mr. Speaker, my thoughts and prayers go out to the people of the Gulf Coast and their loved ones who have been so profoundly affected by Hurricane Katrina. My deepest gratitude goes out to all those engaged in relief efforts.

Our nation is grieving. The images and stories broadcast from flooded streets and makeshift shelters will be forever engraved in our minds and hearts. Hurricane Katrina has collectively wounded us. But, out of this anguish, an intense commitment has emerged—to stand alongside the brave survivors during this time of recovery.

While Katrina's historic rampage of the Gulf Coast can be measured in hours, recovery will likely be recorded in terms of years and billions of dollars. Last week, Congress provided a "down payment" of \$10.5 billion. We are here today to approve a \$51.8 billion disaster relief package to aid further recovery efforts. All support—given recent events—carry grave concerns about how money will flow to those suffering from this natural and man-made disaster.

Like many, I am alarmed over apparent delays, and lack of communication and coordination. But, these frustrations cannot distract us from the work ahead of us. Our priorities are clear: Focus on Katrina's survivors, first.

Many of the survivors have lost loved ones, are homeless, and face the terrifying prospect of starting their lives over. Nevertheless, they have demonstrated a remarkable resiliency in a desire to move forward and need support to do so.

Families have been separated, and must be reunited.

The injured and sick need care and treatment, including a wide array of mental health services.

My office has been in direct contact with local disaster response officials to ensure that San Diego's available resources are aiding those suffering in Louisiana and Mississippi.

Members of San Diego's Urban Search-and-Rescue Taskforce have left for the Gulf Coast to provide assistance, as well as a variety of first responders and military personnel.

After we have seen to the needs of those hurt by Katrina, let's look at the broader picture. There must be a thorough and independent review of the response effort in the coming days. We need to answer the serious questions and concerns Hurricane Katrina raised about emergency planning. Namely, we need to address the care and evacuation for the vulnerable in our communities when emergencies arise.

On a personal note—based on my volunteer experience with the Red Cross after Katrina's landfall—we need to develop an efficient

method of tracking missing family members and reuniting them with their loved ones. I spoke to people who were desperate to learn the whereabouts of their loved ones. The pain in their voices was evident and made worse by the scarcity of available information. A number of websites, registries and other electronic bulletins have sprung up in response. CNN and other cable channels have taken on this challenge. Children are going before the cameras seeking relatives. What is the federal responsibility to ensure a comprehensive emergency database for such catastrophes?

We need to reevaluate existing emergency management practices and policies. What are the skill sets needed to assure those in charge are able to properly and aggressively manage a widespread emergency? How much can we realistically rely on the military? Can and should those capabilities be developed to a greater extent in the civilian population? Do we overextend and over depend on local responders who—by virtue of being personally affected by a cataclysmic event—are unable to provide their talents when needed?

We can, we must, and we will do everything possible to make sure our lack of preparedness and slow response to this catastrophic on-going tragedy never happens again.

REGARDING THE \$10.5 BILLION AID PACKAGE FOR THE VICTIMS OF HURRICANE KATRINA

HON. GREGORY W. MEEKS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. MEEKS of New York. Mr. Speaker, "Four years ago this month, the City I represent fell victim to a major disaster now infamously known as 9/11. When that happened we received the world's sympathy and we expected and received the support of the federal government to help us rebuild. Last December, the world came to the aid of Southeast Asian nations when the Indian Ocean leapt upon the shores of Indonesia, Sri Lanka and other coastal nations. The world responded and the U.S. Federal government stepped up to the plate.

Once again, disaster has struck, this time in the form of hurricane Katrina. Again, thousands of people will have lost their lives and ten times that have lost their homes and livelihood. The world is offering its sympathy and support and Congress is meeting its responsibility by providing the Federal Government with \$10.5 billion in initial emergency aid. Certainly more will be needed, and more will be provided.

Additionally, I urge my fellow members of Congress to work with their local communities on neighborhood efforts to provide support for the relief efforts. As Americans we have many differences amongst us. Differences in race, religion and political ideologies to name a few. However, we have two commonalities that supercede those differences—we are all Americans and we are all human beings. As it was four years ago in my City of New York, it is today in our Gulf region. Let us respond today as we did then with overwhelming compassion and support for fellow members of our American-human family".

SECOND KATRINA SUPPLEMENTAL APPROPRIATIONS

HON. ROSA L. DeLAURO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Ms. DELAURO. Mr. Speaker, as we speak, rescue personnel from across the country are continuing the relief effort while ordinary citizens in cities throughout America are volunteering and giving. They are taking in those who have lost everything. Heroism is winning out. And the funding in this underlying bill will help ensure that it continues to.

But as we work to get this relief effort right, Congress should recognize how we got to this point. That starts with understanding what this Administration has done to FEMA.

Last year, former director of FEMA James Lee Witt told us, and I quote—"Scientists tell us that we are going to be seeing more catastrophic natural disaster events in the 21st Century than we've ever seen. . . And yet we have destroyed the one agency that not only responds to those events, but also works with state and local governments to do pre-disaster mitigation prevention before that risk could ever happen, to minimize that risk."

As long as our nation gazes upon the devastation in this once-vibrant city of New Orleans, it will remain a symbol of this Administration's misplaced priorities—its misplaced values. The Obey Amendment would have gone a long way toward restoring FEMA to the efficient, non-political agency it was during emergencies like the Oklahoma City bombings in the 1990's. In doing so, we would ensure that never again in the face of a national disaster will the Federal government and the agency responsible for emergency relief fail to act or fail to lead. We owe the victims of Katrina and the heroes of this rescue effort nothing less.

BEATRICE AVINA: WINNER OF THE 2005 JOHNS RETIREE OF THE YEAR AWARD

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. FILNER. Mr. Speaker, by the time Bea began her career in 1984 with the AFL-CIO Community Services Department with United Way of San Diego County, she had already learned that families have special needs due to unexpected events and circumstances. Those things she learned while she was a member of UFIWU and Seafarers International.

Addressing those special needs gave her an advantage when chairing the Federal Emergency Mortgage Assistance Program, Catholic Charities' SDG&E Utilities Program, and working in cooperation with the San Diego Food Bank. Under her leadership, the Adopt a Family Program and the Toy & Holiday Food Drive were developed and still continue to be a success.

Bea Avina has always been dedicated to bringing her fellow brothers and sisters social and economic justice. She is a prime example of a person who always puts her neighbor's needs first.

Since retiring in December 2003, Bea has not sat idle. She currently volunteers approximately four to six days a month as a Retired Senior Volunteer Patrol (RSVP) for the San Diego Police Department and remains energetic in church and family activities.

I am proud to salute Bea Avina on her recognition as the Johns Retiree of the Year.

HONORING MASTER SERGEANT TROY A. STEWART

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. KILDEE. Mr. Speaker, I am happy to rise before you today to recognize the accomplishments of an American hero, Master Sergeant Troy A. Stewart of Essexville, MI, which is in my district. On September 10, the United States Marine Corps will join family and friends to pay tribute to Master Sergeant Stewart, as he retires from active service after 20 dedicated years.

Troy Stewart was born August 29, 1966, in my hometown of Flint, MI. He enlisted in the Marine Corps on June 27, 1985, and was assigned to 29 Palms CA for Communications Center School, where he graduated as the Academic Honor Graduate. By August 1986, Private First Class Stewart was promoted to Lance Corporal, and reported to Marine Wing Communications Squadron-28, Marine Air Control Group-28, 2nd Marine Air Wing in Cherry Point, NC, where he worked as a Field Message Center Operator. Two years later, Corporal Stewart reported for duty as the Divisions Enlisted Assignments Non-Commissioned Officer at Headquarters and Service Battalion, 3rd Marine Division, in Okinawa, Japan.

In 1989, Corporal Stewart returned to the United States, stationed first at Camp Lejeune, NC, and later back at Cherry Point, where he also attended Non-Commissioned Officers School. Corporal Stewart graduated a few days before the rest of his class, due to his deployment as a Top Secret Courier with the 4th Marine Expeditionary Brigade in support of Operation Ahaus Tara in Honduras. Corporal Stewart returned again after that mission, and served as SORTS Non-Commissioned Officer, Platoon Sergeant, and the Squadron's Training Non-Commissioned Officer.

From 1990 through 1993, Sergeant Stewart attended Communications Systems Chief School as well as Drill Instructors School. In July 1995, he received a Meritorious Promotion to Staff Sergeant. Following his Drill Instructor duty, he reported to Quantico, VA, where he completed Air Crew School and operated as a Marine One Communicator. In January 2002, Master Sergeant Stewart assumed the duties as the Staff Non-Commissioned Officer in charge of the Recruiting Sub-Station in Saginaw, MI, the position he holds to this day.

I would also like to acknowledge Master Sergeant Stewart's wonderful family: his wife, Corporal Kimberly Stewart, and their daughters, Desirée and Tory.

Mr. Speaker, I am honored to acknowledge the life and career of Master Sergeant Troy Stewart. He has served his country with dignity and honor, and has been recognized

many times with personnel awards including Navy and Marine Corps Commendations Medals, three Navy and Marine Corps Achievement Medals, the Presidential Service Badge, and six Marine Corps Good Conduct Medals. For 20 years, he has helped make our country a safer place in which to live. I ask my colleagues in the 109th Congress to join me in congratulating him, and wishing him well in his retirement as well as all his future endeavors.

HURRICANE KATRINA

HON. CHRIS VAN HOLLEN

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. VAN HOLLEN. Mr. Speaker, I rise to extend my deepest condolences to the victims of Hurricane Katrina, who lost their lives, their homes, their communities, and their livelihoods. My thoughts and prayers are with them and their families.

I have been very disappointed in what appears to have been a slow federal response to this disaster. In addition, many appeared to have ignored warnings over the years about the potential vulnerabilities and the steps that could be taken to prepare for this situation.

It is my hope that we can come together on a bipartisan basis and work to review and assess the adequacy of the early federal, state, and local preparedness. We must also continue to focus on providing immediate assistance to those in need. I am pleased that the Congress convened on an emergency basis to provide more than 10 billion dollars for disaster relief efforts and trust we are providing an additional \$52 billion today. In addition, I have been working with federal, state, and local officials to ensure that Maryland does everything it can to support the relief efforts. The State of Maryland has dispatched members of its National Guard and Montgomery County has dispatched search and rescue squad personnel. Other local governments are actively exploring ways that they can help. I am especially proud of the people throughout our community and country's outpouring of support for those whose lives have been shattered by Hurricane Katrina. They have opened their arms, their homes, and their pocketbooks.

Mr. Speaker, while the enormity of this tragedy is overwhelming, I am confident that a spirit of determination and generosity will ensure that we will rebuild and endure. Our strength as a nation will be evident in the days to come as communities throughout our country unite to provide assistance to those in need.

ON PASSAGE OF H.R. 3673

HON. TODD RUSSELL PLATTS

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. PLATTS. Mr. Speaker, as Chairman of the Government Reform Subcommittee on Management, Finance, and Accountability, I rise today to express my concern for the victims and to emphasize the importance of ensuring that every dollar allocated to this relief effort gets to its intended recipient. As we

pass this important relief measure, let me assure all Americans that we stand ready, willing, and able to assist the victims of Hurricane Katrina. As we prepare to provide the appropriate and necessary assistance to ensure our citizens can rebuild their lives, we must administer these Disaster Assistance funds responsibly.

Over the past two years, my Subcommittee has held three hearings on management at the Department of Homeland Security. While not always the most exciting topic, it is strong, sound management that will enable us to get through a crisis of this magnitude. Last year, in the aftermath of the Florida hurricanes, FEMA administered grants through the Individuals and Households Program. Just as we seek to do today, these grants were intended to provide emergency relief to those most impacted. Unfortunately, according to a report by the Department of Homeland Security Office of Inspector General (Audit of FEMA's Individuals and Households Program in Miami-Dade County, Florida, for Hurricane Frances, OIG-05-20), there were numerous documented instances of improper payments.

The assistance that we are providing to the victims of Hurricane Katrina is too important to be misspent. The Federal government has a responsibility to ensure the proper and effective distribution of aid. Any dollar lost to fraud or mismanagement is a dollar that does not make it to someone who is in need.

With the passage of the Stafford Act (Public Law 93-288) and its subsequent amendments, the Congress put in place specific requirements for the effective allocation of disaster funds. This statutory framework is designed to protect these resources from those who would seek to gain at the expense of the victims of disasters such as Hurricane Katrina. With sound management, appropriate controls and accountability, we will have the means to continue to provide resources to those who are truly in need of assistance.

SUPPLEMENTAL APPROPRIATIONS FOR HURRICANE KATRINA

HON. JOSEPH CROWLEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. CROWLEY. Mr. Speaker, I rise in support of these supplemental appropriations for the victims of Hurricane Katrina.

As someone who helped rebuild my city, New York City, after the terror attacks of 9/11 and as someone who lost over 110 constituents, countless friends and my first cousin to the horrors of the World Trade Center, I know the pain and suffering the people of the Gulf Coast are feeling and their despair.

When America hurts, America helps.

The damage of Hurricane Katrina is much greater than the physical destruction that was left in its wake. And it is much more than the psychological trauma that has affected these survivors who are now displaced. The damage is so great, and the lack of response from our Federal Government in the immediate days after this storm was so small, that it begs for this Congress to demand answers.

Why was the agency that is responsible for our emergency response, FEMA, so woefully under-prepared and under-funded?

Why did the director of FEMA have no emergency management experience?

Why was funding for the Army Corps of Engineers designated to protect the City of New Orleans from a dangerous flood of this level, diverted to pay for tax cuts for the wealthiest 1 percent of Americans?

These questions demand answers.

Last week we saw many shocking images of poverty and economic disparities among us. Like many parts of many cities in this country, the tourist trodden French Quarter with fancy hotels and restaurants are worlds away from the reality for the people who work in them. One third of the city of New Orleans lived below the poverty line, and these people, mostly African American, were the ones who were most impacted by this storm and the mismanagement of the Federal response.

We also saw positive images of Americans helping Americans in need. We saw a young six year old boy; lead his siblings to safety and to be re-united with his family. We saw neighbors help out other neighbors to get them to safety, and we saw the National Guard many fresh off duty in Iraq, put on their boots and wade into the water to save lives.

This money today will provide an immediate infusion of cash to provide healthcare for displaced people, emergency housing vouchers for people without a home, emergency unemployment insurance for people now without a job, and money for debris removal and systems to provide clean water to the city of New Orleans.

This money partners with the amazing response of the American people and the world community to the victims of Hurricane Katrina. Constituents throughout my district have volunteered their time, contributions and money to help the people of the Gulf remembering how these same people helped us after 9/11. When America hurts, America helps and the remarkable sacrifice and contributions of so many people who have opened up their wallets and homes to these victims is what makes our country so great.

Today's support is a strong step, but it not the last step. The last time this many people were displaced was during the Civil War. This Congress must get back to work in a bipartisan manner, and address the needs both immediate and future, of the victims of Hurricane Katrina. And we should not adjourn or recess until we do so. Tax-cuts, estate tax repeal, plans to privatize Social Security, should all take a back burner, while these people suffer.

We must work to bring the full Federal resources of this government to help these people get back into their homes and quickly as possible, and to rebuild their lives.

We must use this tragedy as an opportunity to improve the quality of life for these residents of New Orleans and the Gulf Coast. For one-third of the people of the city of New Orleans to be living in poverty, sub-standard housing with poor healthcare, is inexcusable in this the richest country in the world. We must raise living standards through job training, better schools and stronger neighborhoods and eradicate the hopeless conditions so many Americans live in not only in the Gulf region but throughout our Nation. Let us use this terrible storm to learn a lesson and commit us to a new war on poverty that will truly bring Americans who are living in 19th Century poverty into the 21st Century through better housing, healthcare and education.

And we must use this as an opportunity to find out what went wrong, how our government whose responsibility is protecting its citizens, failed so miserably in the Gulf Region and how we can prevent this tragedy again. I call for an independent Commission, bipartisan with the full authority of the 9/11 Commission to get to the bottom of this, and recommend to the Congress the changes that will be necessary to protect American lives in the future.

STATEMENT IN SUPPORT OF THE HURRICANE KATRINA SUPPLEMENTAL

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mrs. LOWEY. I rise today in support of this legislation, a down payment toward fulfilling our obligation to help the citizens and cities ravaged by Hurricane Katrina.

The tragedy of Katrina has exposed some difficult truths of American life. That the richest Nation on earth is just as vulnerable to the laws of nature as the poorest. That the haves are not only poorer than the have-nots—they are also less safe.

The tragedy has also brought into sharp focus the debate about the role of government in citizens' lives. It has exposed the fallacy advanced by the leadership of this Congress and the administration that government is the problem, and it can't ever be the solution.

I believe that government should work with the private sector to help people help themselves to achieve their goals. Government should be a partner in making the lives of Americans better.

Unfortunately, too often, on the floor of this chamber, we've heard from Members who bemoan the size of the government and blast programs to help vulnerable populations, even as they tout legislation providing billions in Federal resources to the most powerful and connected companies and individuals in this country. They have been allowed to snip away at the web of structures put in place to help the American people.

Katrina was the deluge that exposed what we have warned of all along—when you starve the government, it fails those who need it most.

In times of crisis and in times of need, the people expect—and should expect—that their government will stand with them. American taxpayers deserve strong, competent leaders who jump into action, rather than ignore crisis and delay response. Who take responsibility, not rush to point fingers. Who understand that government is necessary and can be a force for good.

Last week, the U.S. Government failed its people. This legislation is merely one step toward repairing this breach of basic trust, and I urge my colleagues to support it.

STATEMENT ON THE SECOND EMERGENCY SUPPLEMENTAL APPROPRIATIONS FOR HURRICANE KATRINA RESPONSE

HON. KENDRICK B. MEEK

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. MEEK of Florida. Mr. Speaker, in this time of national tragedy, the merits of this bill are obvious. The American people are generous and insist that we offer aid and assistance to Hurricane Katrina's survivors.

The confidence of our nation was shaken by the slowness and shortcomings of the federal government's response to this massive human tragedy.

While this Second Emergency Supplemental Appropriations for Hurricane Katrina Response provides an additional \$51.8 billion for hurricane relief, much more will need to be done.

Congress must ensure that the victims, and the state, local, federal and private agencies that are trying to care for them, have the resources they need.

However, it is not enough to just vote for large funding bills. Americans also want accountability on the over \$60 billion we have appropriated so far for Hurricane Katrina relief.

We have to make sure that the relief money we are appropriating today and in the future actually gets to the victims, and is not used on unscrupulous contractors or spent on projects that boost the profits of companies seeking to profit at the expense of the hurricane victims and the taxpayers. This was the case in Iraq, where hundreds of millions of dollars were either "lost" or improperly paid to contractors like Halliburton.

To make sure that the \$2 billion that FEMA is now spending every day is properly used, I believe that, even as we appropriate billions for hurricane relief, we also provide additional resources to the Office of the Inspector General of the Department of Homeland Security to help ensure that the additional tens of billions of dollars that will be necessary to care for our fellow Americans and rebuild the South are not wasted through fraud, abuse, overpayments or ineffective government management.

We have many good reasons for concern about wasteful spending. In the 3 years since the Department of Homeland Security, the umbrella department that houses FEMA, was created, numerous reports by the Congress, the Department's Inspector General and the Government Accountability Office have detailed instance after instance of contracting deficiencies, fraud, wasteful or lavish spending, lax oversight and management, procurement shortcomings, blurred lines of responsibility and lack of accountability.

I believe that this Congress must make sure, to the greatest extent possible, that the funds that we are appropriating today and in the coming months to help the Hurricane Katrina victims are directed squarely at helping the victims and not those who seek to profit at the expense of the victims who desperately need the help. This is more than just a business opportunity for the Administration's friends. It is an opportunity to do the right thing and help those who are suffering, and it is our obligation.

I also want to express my disappointment in the bicameral review committee created by the

Republican Majority to examine the federal government's response to Hurricane Katrina. This committee, simply put, will be toothless.

HURRICANE KATRINA

HON. AL GREEN

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. AL GREEN of Texas. Mr. Speaker, I want to join with persons across this great nation and this world to express my condolences for those who have suffered as a result of Hurricane Katrina. I also want to commend all those people who have worked hard to lift up their fellow man during this time of crisis.

This disaster is one unlike anything we've ever seen before. At one point 80 percent of the city of New Orleans was under water. Up to 1 million families have been displaced. There are estimates that 400,000 to 500,000 people could lose their jobs because of the hurricane. And despite the magnitude of these numbers, they still don't do justice to the human suffering we have seen on television and in person.

But out of every tragedy comes the opportunity for each and every person to show his or her humanity through acts of compassion. That is why I am so proud of my fellow Texans and my fellow Houstonians. From Governor Rick Perry, Mayor Bill White, and Judge Robert Eckels on down, everyone has come together to make sure that we do everything in our power to help the quarter of a million evacuees we have taken in. In the Houston area alone, we have taken in over 100,000 of our neighbors to the east, 15,000 of which were sheltered in the Astrodome, which is in my Congressional District.

Several organizations in the Houston area are leading the disaster relief effort. Some of the help is coming from volunteers with Operation Compassion, a massive relief effort led by Interfaith Ministries for Greater Houston and spearheaded by the Second Baptist Church. The thousands of volunteers from 131 local congregations have assumed primary responsibility for feeding the masses of storm victims who have taken refuge there. I commend them and others for extending their good will towards others.

As we in Congress look towards our next steps, we must ensure that our top priority remains caring for those who have lost loved ones, lost their homes, and lost their means of providing for their families. They have, through no fault of their own, become the least, the last, and the lost of our society. It is our responsibility to help them back on their feet. To do so they will need food stamp assistance and access to Medicaid. They will need temporary emergency housing and the federal assistance to help them rebuild their homes and their lives.

We have taken important first steps by passing a \$10.5 billion disaster relief bill last Friday, followed by an additional \$51.8 billion for the Departments of Defense and Homeland Security today. But these are only the first in a long series of actions that we will need to try to repair the physical damage caused by Hurricane Katrina as well as the lives of those affected by the hurricane. I ask that all of my distinguished colleagues and the

people of this nation join in the effort to help rebuild and sustain the lives of the Hurricane Katrina victims.

CONCERNING THE DEVASTATION
AND FEDERAL RESPONSE TO
HURRICANE KATRINA

HON. ELIJAH E. CUMMINGS

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. CUMMINGS. Mr. Speaker, I ask that we consider four realities about our nation's response to Hurricane Katrina.

Allow me first to commend all of the Americans who have responded so nobly. They have demonstrated the best of our shared humanity.

That brings me to a second, less-praiseworthy reality. Poverty, age and skin color—in that order—have been major factors in this life-or-death equation for the vast majority of the victims. That is a fact, not an opinion—a fact that we must address as a nation.

As Americans, we are all in this life together—especially during times of imminent danger and emergency. And the policies and actions of our Federal Government should reflect this reality.

Third, as we respond to this disaster—and as we prepare for the dangers that the future will surely bring to our country—we cannot eliminate the reality of widespread (and growing) poverty on the Gulf Coast and throughout this country. And we must not act as if what we do here in Washington has no impact upon that deprivation. The Census Bureau just reported that for the fourth straight year, the number of Americans falling into poverty has increased. Thirty-seven million Americans now live in poverty, including 13 million children.

Not surprisingly, those who were already most vulnerable were the largest group of Americans left stranded, unable to escape the storm or the flood that followed.

The poor, the sick, the weak, the vulnerable—so often after-thoughts in today's Federal budget decisions—were left behind again. We must care for them and help those who survived to reclaim their lives.

That means, in the first instance, that we must not further penalize those who have suffered so much.

For those who were living in the Gulf Coast disaster area, we should: (1) Stop the clock on Federal time limits for all income related benefits (including those related to TANF, food stamps, and Federal Unemployment Insurance benefits); (2) Suspend the work requirements for TANF and the requirement that those who receive unemployment insurance continue to look for work; (3) We should extend Medicaid eligibility to CHIP parents for 12 months; and (4) The Federal Government should cover all the costs for these programs, relieving the hard-hit states of this burden.

In addition, we should do everything within our power to employ the people who have lost their jobs and homes as a result of this disaster in the rebuilding of New Orleans and the Gulf Coast. Government and the private sector should begin immediately to retrain and hire these Americans to participate in the rebuilding of their communities.

We should make sure they are mentally ready to begin rebuilding by offering coun-

seling services, similar to those offered after 9-11. With skills, job and counseling where necessary, they will be able to become home owners and re-establish the foundation of their communities.

Finally, we also must face and overcome another reality. Federal budget choices (misguided choices, in my view) have seriously weakened the Federal Emergency Management Agency, the federal agency that is supposed to be our safety net of last resort when disaster strikes.

The media has been accurate in reporting how decisions by the Administration and the leaders of this Congress to cut funding to the Army Corps of Engineers and the FEMA disaster prevention programs have weakened our ability to respond effectively.

Choices made in Washington have resulted in deaths in New Orleans. The President and this Congress must account for the shortcomings in the Federal disaster effort for which we are responsible—and work together to do a better job in the future.

As I close, allow me to say that I remain optimistic. I am optimistic that we will find a way to organize FEMA in a way that allows it to respond effectively—maximizing the saving of lives.

I am optimistic that this Congress will come up with a viable plan to try to make these victims and evacuees whole again—partisanship aside.

I believe that the American people are up to this test—that we truly can rise to overcome almost any hardship that is thrust upon us.

Any of us—and our families—could well be facing the same hardships, the same pain, the same loss of home and job and dignity that the survivors of Hurricane Katrina must now overcome.

These are our people, my friends, and this is our country. We have it within our power to rise from the hesitancy and failure of past days and rebuild. We shall rebuild New Orleans. We shall rebuild the Gulf Coast. And we shall rebuild our self-confidence as a great Nation and a great people.

COMMEMORATING THE SESQUI-
CENTENNIAL CELEBRATION OF
ARCADIA, WISCONSIN

HON. RON KIND

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. KIND. Mr. Speaker, I rise to commemorate Sesquicentennial celebration of Arcadia, one of Wisconsin's many treasures. Named after the Arkadha Mountains in Greece, Arcadia boasts an historic downtown in the midst of some of the most beautiful farmland and countryside in western Wisconsin.

It is fitting that I join with the 2,400 residents of Arcadia to celebrate the town's founding, because this truly is a town that has not forgotten where it came from. Perhaps Arcadia's most storied attraction is its Memorial Park. The park's 54 acres display monuments and tributes to the town's history, our nation's wars and conflicts, and those men and women who fought and died in them. The walkway through the park is measured so that each meter represents one year, so visitors complete their own guided tour of history. Joining the statues,

plaques, and monuments are some of the real instruments of war: a tank, a Howitzer artillery gun, and an F-16 fighter jet. The dedication shown in procuring these artifacts and the endless care that go into maintaining the grounds demonstrate that the spirit of America runs through Arcadia.

Apart from Memorial Park, Arcadia exemplifies the quality of life available to those who call rural America home. The Trempealeau River, which flows to the Mississippi, offers opportunities for fishing and canoeing, eagle-watching is popular year-round, and stock car races are held every Friday in the warmer months at the Fox Ridge Speedway. The town also hosts the Arcadia Broiler Dairy Days celebration over Memorial Day Weekend, which includes the 62-mile Memorial Bike Tour. This vibrant community truly is a model for rural areas across the state of Wisconsin and America, proving that a city doesn't have to be big to be creative, exciting, and fun.

A giant corn maze in town already announces the sesquicentennial celebration, which will be held this Saturday, September 10, 2005. Arcadia will mark its first 150 years with such events as the dedication of a local firefighters memorial, a classic car rally, and the entombing of a time capsule to remind future generations of this great milestone. I congratulate the residents of Arcadia on their sesquicentennial, and I thank them for all they have contributed to the character and economy of western Wisconsin. I wish them continued happiness and prosperity in the next 150 years.

STATEMENT OF INTRODUCTION OF
THE HURRICANE KATRINA BANK-
RUPTCY RELIEF AND COMMU-
NITY PROTECTION ACT OF 2005

HON. JOHN CONYERS, JR.

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. CONYERS. Mr. Speaker, today Rep. MEL WATT, Rep. JERROLD NADLER, Rep. SHEILA JACKSON-LEE and twenty four additional original co-sponsors have joined me in introducing the "Hurricane Katrina Bankruptcy Relief and Community Protection Act of 2005", to protect the thousands of families and small businesses financially devastated by Hurricane Katrina from being penalized by anti-debtor provisions contained in a new bankruptcy law scheduled to take effect on October 17, 2005.

We are concerned that, just as survivors of Hurricane Katrina are beginning to rebuild their lives, the new bankruptcy law, effective October 17, 2005, will result in a further and unintended financial whammy.

Unfortunately, the new bankruptcy law will have the consequence of preventing thousands of devastated families from being able to obtain relief from the massive and unexpected financial obligations they are incurring. The inflexible bankruptcy law will force victims of Hurricane Katrina to repay debt with income they no longer have, file paper work with documents that no longer exist, and travel to courts that are possibly hundreds of miles away. It is simply absurd to place these obstacles between survivors and financial security.

When the Judiciary Committee considered the Bankruptcy Abuse and Consumer Protection Act earlier this year, Ms. JACKSON-LEE offered an amendment to protect the victims of

natural disaster like those now devastated by Hurricane Katrina. While the amendment was defeated on a party line vote without any debate, we hope that in light of recent events our colleagues will recognize the importance of protecting our most financially vulnerable Americans.

This bill will prevent new bankruptcy provisions from having adverse and unintended consequences for the hundreds of thousands now facing financial catastrophe by providing needed flexibility for victims of natural disasters in bankruptcy proceedings.

This common sense bill will insure that we do not compound a natural disaster with a man made financial disaster. I hope there will be bipartisan support for expedited consideration of this critical legislation.

HONORING THE MALAKOFF
ROTARY CLUB

HON. JEB HENSARLING

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. HENSARLING. Mr. Speaker, today I would like to commemorate two significant anniversaries of Rotary International. This year, Rotary International celebrated its 100th anniversary. From its humble roots in Chicago, Illinois, Rotary has grown into a worldwide organization of business and professional leaders who provide humanitarian service, encourage high ethical standards in all vocations, and help build goodwill and peace in the world. Since 1943, Rotary International has distributed more than \$1.1 billion to combat Polio, promote cultural exchanges and encourage community service.

I also want to recognize the Malakoff Rotary Club for their 66 years of service to Henderson County. Throughout its history, the Malakoff Rotary Club has achieved great success in carrying out the mission of Rotary International.

In past years, the Malakoff Rotary Club has raised money to provide scholarships for local students and sponsored programs to improve area literacy. In addition, they have sponsored numerous activities with Court Appointed Special Advocates (CASA) programs, Eustace Children's Home and the Henderson County Crisis Center.

Through these initiatives, the Malakoff Rotary Club exemplifies the values of service and charity that lie at the heart of American society. As the Congressional representative of the members of this outstanding organization, it is my distinct pleasure to honor them today on the floor of the United States House of Representatives.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. BART STUPAK

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Mr. STUPAK. Mr. Speaker, my deepest sympathies are with those families who are af-

fected by the worst natural disaster our country has ever seen. I also extend my gratitude to those first responders, members of the U.S. Coast Guard, the National Guard, and U.S. Army Corps of Engineers for their aid and assistance in relief and recovery efforts.

Like the rest of America, I was extremely frustrated and angered with the lack of preparedness and timely response by the Federal Government. This was an instance where the system failed. Five days after the hurricane, thousands were still without food, shelter and clothing. We saw on television grueling pictures of our most needy: the poor, elderly, and children stranded in unbelievable conditions. Many Americans, Democrats and Republicans alike—even President Bush himself—have recognized that the initial federal response was “not acceptable”.

New Orleans is the only major American city below sea level, and it is wedged between Lake Pontchartrain and the Mississippi River. In the case of a bad hurricane hitting, experts have said for some time now, that the city could “fill up like a cereal bowl, killing tens of thousands and laying waste to the city’s architectural heritage.” Despite speculation that a disaster of this magnitude could occur in this region, the President’s recent budgets have actually proposed to reduce funding for flood prevention in the New Orleans area.

In June 2004, Walter Maestri, emergency management chief for Jefferson Parish, fretted to The Times-Picayune in New Orleans: “It appears that the money has been moved in the President’s budget to handle homeland security and the war in Iraq, and I suppose that’s the price we pay. Nobody locally is happy that the levees can’t be finished, and we are doing everything we can to make the case that this is a security issue for us.”

With hundreds of millions of dollars and 40 percent of our National Guard already dedicated to the War in Iraq, Katrina is a glaring example of the question of whether or not we are able to effectively handle problems that arise here at home.

While this is most certainly concerning, the important thing right now, is ensuring that the Federal Government is doing everything humanly possible to help the victims of this catastrophe. As this crisis continues, our first priority must be to provide those affected with basic human needs.

Looking to the days and weeks ahead, Congress also needs to investigate the lack of response of government and look into what hampered relief efforts at the most critical time. In this regard, particular focus should be placed on the organization of DHS and FEMA.

Again, it is clear that there was a lack of adequate preparedness and response. I had concerns during the creation of the Department of Homeland Security (DHS) about whether it was appropriate to fold this vital agency for national emergency preparedness into DHS, rather than leave it as an independent agency.

I voted against the inclusion of FEMA into the Department of Homeland Security back in 2002. My concerns in this instance may have been well founded, as FEMA’s initial response was lacking at best and failed to deliver urgently needed help.

I have joined with Congressman DINGELL to introduce legislation to remove FEMA from DHS so it will once again be an independent agency with cabinet-level status. The bill also

requires that the Director of FEMA be an emergency management professional, and creates two deputy directors—one responsible for natural disasters and the other responsible for terrorism related disasters with each required to have significant experience related to their positions.

While this legislation would be a start in addressing concerns of the American people about the handling of emergency situations, the fact remains that it is still the responsibility of the appropriate agencies to have comprehensive plans in place beforehand in order to avoid the situation we are currently finding ourselves in.

At this time, we don’t have all of the answers as to why relief and recovery efforts fell short. One thing we do know is this national tragedy in the Gulf States highlights the importance of the ability of our first responders to communicate in the event of a national emergency. Public safety, government and military leaders have all said that the inability of local, State, and Federal agencies to communicate was a major obstacle that made the crisis worse. As President Bush said after September 11th, the ability for first responders to communicate is critical in the hours after a crisis. Unfortunately, it has been 4 years since September 11th, and clearly we have made little progress in addressing our first responders’ communications needs. I call on Congress to make a real commitment to the public safety officers who are working so bravely and diligently to help the victims of this national disaster.

Finally, I was very pleased Congress acted quickly to pass the \$10.5 billion emergency supplemental bill. This is an important first step in the effort to provide direct relief. We are now hearing that the devastation this deadly storm has left in its path may cost upwards of \$40 billion. That is equal to the funding provided in the emergency supplemental bill passed after the September 11th terrorist attacks. Congress must provide whatever is necessary to help our Southern friends.

It is a travesty that here in America we have seen our own citizens affected by Hurricane Katrina suffer without the basic necessities required for survival, including food, water, clothing and shelter. However, communities across our country are coming together to help provide much needed assistance. The Mayor of Detroit, Michigan, has announced that Detroit will provide transportation to the Detroit region, temporary housing, food, and even open their schools and provide counseling for the victims. This is just one example of many across our Nation where the American people are pulling together and showing an outpouring of generosity and regard for humanity.

My thoughts and prayers are with all of those who have suffered throughout this tragedy. My colleagues and I in Congress must and will do whatever is in our power to assist the ongoing rescue and relief efforts.

ART CANTU: 2005 LABOR LEADER
OF THE YEAR

HON. BOB FILNER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. FILNER. Mr. Speaker, today I acknowledge a great friend of labor, Art Cantu—

named the 2005 Labor Leader of the Year. Art is currently the Secretary-Treasurer and Principal Executive Officer of the International Brotherhood of Teamsters Local 36, which represents Building Material, Construction, Industrial, Professional and Technical Employees.

Art is a native San Diegan and graduated from Chula Vista High School in 1975. Art also attended San Diego City College where he completed the Business and Labor Studies Program.

Art began his career working at Nabisco Company for Teamsters Local 316 in Syracuse, New York in May of 1976. In December 1977, he transferred to Local 36 and began driving for Oberg Construction and later at Bechtel Power Corporation at the San Onofre Nuclear Generating Station and then moved to Hubbard Construction Company. In January 1990, Art began working at Teamsters Local 36 as an Organizer and Business Agent, and in May of 1995 was elected as the Recording Secretary on the Executive Board of Teamsters Local 36. In August of 2000, Art was appointed Secretary-Treasurer. He has since been re-elected twice.

Art serves as co-chair for San Diego County Teamsters Construction Trust for Health and Welfare, Pension, Vacation and Training Trusts, as well as Alternate Trustee of the San Diego County Teamsters Employers-Insurance Trust Fund. Art currently serves on the Advisory Committee of the Industrial Relations Research Association (IRRA), and the Executive Board of the San Diego-Imperial Counties Labor Council as well as being the Treasurer and Executive Board member of The San Diego County Building and Construction Trades Council. His newest position is with the San Diego County Chamber of Commerce Transportation Sub-committee.

Art also serves as the Recording Secretary of the California Teamsters Hispanic Caucus and the Executive Director of the National Teamsters Hispanic Caucus. Art is extremely proud of organizing the Annual Teamsters Hispanic Golf Tournament held at Torrey Pines every year. The event has raised over \$300,000 in scholarships for the sons and daughters of Teamsters. Since 2000, Art and Kris Hartnett have co-chaired the John S. Lyons Memorial Banquet which has raised over \$1.2 million.

Art currently resides in Carmel Mountain Ranch in San Diego. Art has 2 sons, Art Jr., 26, and Wesley, 24. Art Jr. currently works in Seattle, Washington and is a software engineer for Marchex Corporation. Wes works for the City of Santa Monica in the Engineering Department. Art's proudest moment was seeing Art Jr. graduate from Berkeley and Stanford and Wes from the University of California at Santa Barbara. Art enjoys golf, tennis and traveling.

I am proud to salute Art Cantu—Labor Leader of the Year.

CONGRATULATING RABBI AMIEL
WOHL

HON. NITA M. LOWEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mrs. LOWEY. Mr. Speaker, I rise today to recognize Rabbi Amiel Wohl of New Rochelle

for being honored with the 2005 Yitzhak Rabin Peacemaker Award.

The Yitzhak Rabin Peacemaker Award is given annually to an individual who has sought to bring better understanding and harmonious relationships between various religious and ethnic groups. Rabbi Wohl has carried out this mission time and time again, including efforts to aid Christians suffering in Lebanon through his organization, People for Relief in Lebanon.

Rabbi Wohl has been committed to inter-faith communication since his arrival at Temple Israel of New Rochelle in 1973. Almost immediately, he coordinated the Interreligious Council, which brought together Catholic, Protestant and Jewish houses of worship and religious organizations. He has also been instrumental in other groups dedicated to inter-faith communication, including the Westchester Jewish Conference, which has sought to cross both denominational and municipal lines.

Rabbi Wohl has exemplified the ideals we seek in individuals of faith. From creating the Coalition for Mutual Respect in 1979 to traveling as far as Sacramento, California, to participate in inter-faith efforts, Rabbi Wohl has worked tirelessly to sustain the dialogue necessary to address conflicts among the different faiths in our country.

Mr. Speaker, I ask my colleagues to join me in honoring Rabbi Amiel Wohl on his accomplishments and in congratulating him on receiving this award.

BUSH POLICIES CONTRIBUTE TO HURRICANE CATASTROPHE

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. RANGEL. Mr. Speaker, I rise today to outline how President Bush's policies contribute to the Hurricane Katrina catastrophe that took place in the Gulf Coast area of our nation. Just as in Iraq, the President's policies and unbelievable mismanagement on the domestic front have brought pain and suffering to American people.

Thousands of people may have been killed by Hurricane Katrina and many more could die in its aftermath because of the President's refusal to heed the calls of the governors for help in repairing the infrastructure in their states. In Louisiana, everybody knew that the levees that hold back flood waters were in disrepair. But instead of listening to the governors, the President cut funding for this purpose. Again and again vital domestic priorities have been sacrificed in order to pay for the occupation and rebuilding of Iraq, and these choices are now being revealed as harmful to our nation and people.

In addition to depriving the affecting areas of the funding that would have enabled them to prepare for Hurricane Katrina. The President's commitment to Iraq has impaired the response to the crisis. It is this commitment that has contributed to the slow response of federal troops who should have been on alert before the hurricane struck. Now, as bedlam reigns in New Orleans, 35 percent of Louisiana's and 37 percent of Mississippi's National Guard troops are in Iraq. The hurricane is clear evidence of how the war directly affects the domestic security of our country.

The President is destroying the fabric of America with a combined policy of war, tax cuts for the wealthy, and reductions in spending for domestic needs. These policies are supported by the Republican-dominated Congress. Even so, it was shocking to read reports that DENNIS HASTERT, the Speaker of the House, said that rebuilding New Orleans made no sense to him.

The President's policies have not only made us less secure, they have widened the chasm between the well-to-do and the poor. The people who couldn't get out of New Orleans to escape the storm were predominantly Black and poor. They stayed behind not because they wanted to risk the danger of the hurricane, but because they don't have cars or any other means of escape. No one is even talking about the poor in more rural areas—Blacks and Whites—who have not even been reached by rescue teams.

President Bush has tried to turn this tragedy into a political victory by flying in on a helicopter to examine the damage. But he is in store for more genuine outrage resulting from his failed policy in Iraq and the anger of the U.S. governors whose constituents are paying the price for the domestic policies of the "war president".

Please find below my letter to President Bush about the Federal Government's response to Hurricane Katrina.

SEPTEMBER 2, 2005.

President GEORGE W. BUSH,
The White House,
Washington, DC.

DEAR PRESIDENT BUSH: I am writing to strongly urge you to use your power and leadership to provide the most aggressive possible response to the humanitarian crisis taking place in Louisiana, Mississippi and Alabama. The response so far has been unsatisfactory.

Food, water, medicine and emergency housing is in critical need. In addition, with the crisis seemingly affecting poor people most, arrangements should be made for emergency short term grants and loans to individuals, particularly those who head families and are taking care of children and the elderly.

Further, while we are all dismayed by television pictures of looters, we must not allow the focus of our humanitarian efforts to be diminished in any way by those actions. While criminal activity that threatens lives should not be tolerated, we must use maximum discretion in the use of force against individuals who may be motivated by poverty and hunger.

I have received many calls from constituents as well as Americans across the country, who believe that the victims of this catastrophe are receiving a lesser government response than would be provided for people of means. True or not, this perception will be aggravated if in coming days Americans do not see a more forceful and creative response to this crisis, whether it means using large military planes to bring in supplies, including temporary housing and the use of hotels or even cruise ships.

Mr. President, we must raise the level of response to this crisis, the greatest natural disaster in the nation's history, and it must be done immediately.

Thanks for your consideration.

Sincerely,

CHARLES B. RANGEL,
Member of Congress.

HONORING STEVE PALMER,
OWNER OF PALMER PLACE RESTAURANT ON WINNING THE RESTAURANT NEIGHBOR AWARD

HON. DANIEL LIPINSKI

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. LIPINSKI. Mr. Speaker, I rise today to honor Steve Palmer, owner of Palmer Place Restaurant and winner of the National Restaurant Association Restaurant Neighbor Award.

The Restaurant Neighbor Award is a component of the Association's Cornerstone initiative, a comprehensive effort to advance and promote the restaurant industry's role as the cornerstone of community involvement, the cornerstone of career and employment opportunities and the cornerstone of economy.

This year's small business winner is Palmer Place. Creating a foundation sounds like a daunting task only achieved by huge corporations with lots of money to give away. But Small Business Winner Palmer Place Restaurant and its H Foundation is living proof that smaller restaurants can achieve big things in community outreach.

After a close friend and colleague died of cancer, Palmer Place owner Steve Palmer wanted to organize a fundraiser to raise money for cancer research. Palmer teamed up with local business owners John Rot and David Rizner to create the H Foundation where 100 percent of the money raised would go toward finding a cure for cancer.

The H Foundation aims to support innovative, forward-thinking cancer research. In 2003, the foundation donated \$170,000 to the Lurie center, from which researchers generated \$1.5 million in grants. Additionally part of the \$200,000 the H Foundation donated was used to create a program called Families After Cancer.

It is my honor to recognize Steve Palmer of Palmer Place Restaurant for his many achievements both within and outside of the business community, fostering the growth of a community as well as helping to create change and promote progress in cancer research.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. BETTY MCCOLLUM

OF MINNESOTA

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Ms. MCCOLLUM of Minnesota. Mr. Speaker, I rise in support of the Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From the Consequences of Hurricane Katrina, 2005 (H.R. 3645) and of the decision to call this special session to send resources to Louisiana, Mississippi and Alabama quickly.

The thoughts and prayers of all Americans go out to the citizens of the states and communities devastated by Hurricane Katrina. The

entire country has watched the images of the destruction caused by this natural disaster with shock and sadness. Those who have lost loved ones, their homes and their communities must receive immediate aid and the legislation we are passing today will start that process.

As we respond to the immediate needs of the families displaced by this tragic natural disaster, the citizens of Louisiana, Mississippi and Alabama also have my commitment that I will work with you to rebuild New Orleans and the rest of the Gulf Coast. The impacts of this disaster on families, communities, the economy, and the environment will be long lasting. It will take resolve and commitment to ensure that we complete this enormous task.

The American spirit and the generosity of our citizens will be there for the victims of this tragedy. The first responder in this effort, however, must be the federal government—both for immediate needs and for long term rebuilding. Today is a critical first step in that effort and I am pleased to support this bill.

TRIBUTE TO ARMY SPECIALIST TOCCARA RENEE GREEN

HON. C.A. DUTCH RUPPERSBERGER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. RUPPERSBERGER. Mr. Speaker, I rise today to pay tribute to Army Specialist Toccara Renee Green.

Toccara Green served in the Army's 57th Transportation Company, 584th Corps Support Battalion, headquartered at Fort Drum, NY. A talented and dedicated soldier, Specialist Green began her commitment to the U.S. Armed Forces at an early age. While a student at Forest Park Senior High School, Specialist Green spent four years in the Reserve Officers' Training Corps, where she was promoted to executive officer.

After her first year at Norfolk State University, Specialist Green decided to expedite her dream of serving in the Armed forces and enlisted in the Army. She served for nine months in Kuwait before beginning her first tour of Iraq as a motor and transport operator. Specialist Green was four months from completion of her second tour of Iraq when she was killed by a roadside bomb that detonated near her convoy in Al Asad on August 14, 2005.

Through her honor and service, Specialist Green dedicated her life to fighting for liberty so that others might taste the freedom that democracy brings. It is these ideals that America most cherishes, and that Specialist Green herself advanced.

Specialist Green's determination, enthusiasm, and ability to inspire others will be remembered by all who were privileged to know her. Mr. Speaker, I ask that my colleagues join me in honoring Specialist Green and the incredible sacrifice she made for her country.

SECOND KATRINA SUPPLEMENTAL APPROPRIATIONS BILL

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Ms. DeGETTE. Mr. Speaker, I rise to support the bills today to be taken up under sus-

pension of the rules. However, I strongly oppose taking up H.R. 3673, the Second Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From the Consequences of Hurricane Katrina, which includes \$51.8 billion for the relief effort, including \$50 billion for the Federal Emergency Management Agency (FEMA), under suspension. Doing so limits the opportunity for debate and amendments at a time when many legitimate questions are being raised about FEMA. We surely can spend some time debating these issues and offering amendments to make sure that FEMA spends this money properly.

Based on the performance so far, I have no confidence that either FEMA, or its director, Mr. Michael Brown, can manage the funds Congress is appropriating. Mr. Brown had no experience in disaster management prior to being appointed director of FEMA, and that lack of experience has shown all too clearly. Mr. Brown waited for hours after Hurricane Katrina hit the United States to issue a department-wide call for help from the Department of Homeland Security. According to Jefferson Parish President Aaron Broussard, FEMA also prevented the Coast Guard from providing fuel to local emergency personnel and turned back trucks filled with drinking water for victims. Neither FEMA nor any other federal agency appeared to be in charge as lawlessness broke out in New Orleans. Three days later, on Thursday, September 1, Director Brown said that federal officials had just learned that people had taken refuge in the New Orleans Convention Center. This was despite numerous previous news reports showing Americans gathering there. These are just a few examples of the delayed and badly conceived response to this disaster.

Many of these problems stem from the incompetence of FEMA management or perhaps its position in the enormous Department of Homeland Security, which is the amalgamation of 22 federal agencies. FEMA is no longer a cabinet-level agency, reporting directly to the President, as it was under President Clinton. People have raised questions whether this change, and FEMA's move into the Department of Homeland Security with a focus on dealing with terrorist events, have made it less able to help Americans deal with and recover from natural disasters. With the situation ongoing and FEMA to be heavily involved for months to come as the Gulf region recovers, we need to get the answers to these questions now. We cannot do that when the majority shuts off debate and prevents amendments.

Furthermore, I am concerned about providing FEMA more money, \$50 billion, at a time when many Americans, including myself, have lost confidence in its ability to manage this crisis. How can we have faith that this money will not be wasted, based on FEMA's performance to date? Particularly now, with a budget deficit of over \$300 billion, we cannot afford to waste any of our resources. In this time of need, we must come together as Americans and spend whatever is necessary to help our citizens rebuild. But, quickly appropriating money without accountability will not solve the problems of the Gulf region, if that money is not going to be well-spent. Instead of ramming this money through without discussion, we should be talking about how we can ensure FEMA uses this money in the best way

possible to help the citizens affected by Hurricane Katrina without unnecessarily blowing an even bigger hole in the budget deficit.

INTRODUCING A BILL ESTABLISHING A NATIONAL INDEPENDENT INQUIRY COMMISSION ON DISASTER PREPAREDNESS AND RESPONSE

HON. ALCEE L. HASTINGS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. HASTINGS of Florida. Mr. Speaker, I rise today to introduce legislation establishing a National Independent Inquiry Commission on Disaster Preparedness and Response (NIICDPR) to examine and evaluate the Federal Government's response to Hurricane Katrina and assess our ability to respond to future large-scale disasters.

While the long-term impact of Hurricane Katrina will be felt for years, our evaluation of the Federal Government's response to, and preparation for, this and other major disasters—natural and man-made—must begin immediately.

Mirrored after the 9–11 Commission, the NIICDPR will consist of 10 members with no more than 5 being from either the Republican or Democratic parties, thus ensuring an independent and diverse make-up of commission members. The NIICDPR will be afforded the same powers which the 9–11 Commission enjoyed and will be tasked at finding the answers to the critical questions that we all have. These include but are not limited to:

Were we adequately prepared to respond to a disaster of this magnitude? Are we any more prepared today than we were before Katrina?

What plans were in place before Katrina made landfall to meet power, utility, and telecommunications needs following the storm? What plans are in place for future disasters?

What was the availability of adequate resources to meet the needs of displaced individuals and families, including temporary housing, medical services and facilities, transportation, and food and water supplies?

Did our federal disaster response plans consider the needs of all communities? What plans existed to ensure that underserved communities reached safety before and after Katrina?

How effective was the Federal Government in its rescue and other life-saving techniques?

Was the federal response to Hurricane Katrina efficiently coordinated with State and local governments? Was it adequate and appropriate in size and scope?

What improvements do the Executive and Legislative Branches need to make to increase the efficiency and effectiveness of our disaster response programs?

Mr. Speaker, my Congressional District received the brunt of three major hurricanes last year. As I said earlier today, certainly our first priority has to be to rescue those who are still alive and provide them with housing, medical attention, food, and water. However, as the Gulf Coast turns to the recovery and rebuilding processes, the billions that Congress will spend will not be enough to fix the problems that exist within FEMA.

Based on my own personal experience dealing with FEMA and its director over the last year, I warn the Members of this body that the problems you see today are just the tip of the iceberg—and it has nothing to do with the magnitude of the disaster.

Inconsistency in FEMA regulations, constant reinterpretations of the Stafford Act, federal officials treating local emergency operations centers like revolving doors, lack of coordination, and FEMA's fluid and unclear chain of command are just a few of the many significant and real problems that Floridians dealt with last year and are still dealing with today.

I have literally begged the committees of jurisdiction in this body to hold hearings on these shortcomings. I even introduced bipartisan legislation in March with our colleague, CLAY SHAW, to address a slew of institutional problems within FEMA that we experienced first-hand last year.

Yet every time we take our concerns to the committees, we're told, "It's not a big enough problem to consider on its own." Well, Mr. Speaker, is the problem big enough now? How many people must die in a disaster before something becomes a "big enough problem" in this Congress?

Accountability is the only way to restore integrity in a broken system. An independent commission is the first step in repairing our disaster response system, which we all now know is woefully inadequate.

I ask for my colleagues support for this legislation, and I urge the House Leadership to bring it swiftly before the House for its consideration.

EXPRESSING CONDOLENCES OF NATION TO VICTIMS OF HURRICANE KATRINA

HON. CHARLES A. GONZALEZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. GONZALEZ. Mr. Speaker, I rise today to share my thoughts on perhaps the worst natural catastrophe to occur in America in my lifetime. Hurricane Katrina wreaked devastation beyond any we've seen and we will feel its wrath for years to come. As a Nation, we will continue to grapple with the destruction and the task of rebuilding.

In the days and weeks to come, we will keep the survivors and victims in our thoughts and prayers while we begin the arduous process of surveying the damage. As of yet, we still do not know how many lost their lives during the onslaught of the storm or in the aftermath. The early estimates place the lives lost in the thousands, and the coming days may push that tally higher.

We will also pray for the survivors many of whom have been evacuated to the surrounding states. I am proud that San Antonio, my hometown, is opening its doors for thousands of Americans who have nowhere else to go. In some ways, this is America's finest hour as strangers have opened their homes and communities to people who departed from New Orleans on buses or planes often with just the clothes on their backs.

Of course, we cannot praise enough the brave men and women of the Gulf region's police departments, rescue teams, the National

Guard, and the Armed Services. Time and again, they risked their lives to rescue the thousands of stranded people in Mississippi, Alabama, and Louisiana. When their Nation called, they answered. This week, we will fill the CONGRESSIONAL RECORD recounting their bravery and selflessness in the face of horrors and danger rarely seen in this country. They did better than could be expected with the resources and supplies they had.

Inexcusably, the administration failed both these heroes and those in need of aid. In the days after the hurricane had passed, the slow and inadequate response created another crisis that compounded the initial damage. Who was not angered and frustrated as the images from New Orleans washed over us like the floodwaters that engulfed the city after the levees were breached? How is it possible that we could not transport food, water, and medicine to the thousands trapped in the city? How could the conditions in the Superdome and the Convention center grow so dire?

We could assemble one of the world's most formidable military forces to invade Iraq which is halfway across the globe, yet we could not transport the essentials to a major American city. This simply boggles the mind and moves the conscience to anger and shame. Because the various governmental agencies lacked direction, thousands may have died days after the storm subsided. Will the administration continue to blame the State and local governments for being unable to coordinate a relief effort too big for any one entity save the Federal government? This is unacceptable, and clearly Congress will need to investigate and remedy the shameful shortcomings of the current Federal emergency management system.

Some of my colleagues say that the race and the poverty of the victims dictated the speed of the relief effort. Some would also condemn the fiscal priorities of an administration that has pursued reckless tax cuts during a time of war and while our national infrastructure literally crumbles. Early reports indicate the administration cut funding for the Army Corps of Engineers to maintain the levee system in New Orleans. Yet, until all the facts are in, I urge my colleagues to reserve judgment, yet failing to fully investigate this calamity no matter how painful or embarrassing it may prove would breach our duty to the American people. We owe this to those the administration failed.

H.R. 3673, THE SECOND SUPPLEMENTAL FOR HURRICANE KATRINA

HON. MICHAEL M. HONDA

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. HONDA. Mr. Speaker, I rise in strong support for H.R. 3673, the Second Emergency Supplemental Appropriations for Hurricane Katrina Response. This measure provides an additional \$51.8 billion for hurricane relief, with \$50 billion of that for relief and cleanup activities by the Federal Emergency Management Agency, FEMA, \$1.4 billion for hurricane-related activities by the military, and \$400 million for the Army Corps of Engineers for restoration work on navigation locks and for channel dredging.

We have all been moved by the devastation wrought by Hurricane Katrina, and we must now all pull together to help those who are facing the greatest challenges in their attempts to recover and respond to Katrina's wake. In times of hardship, Americans come together to help each other. Time is of the essence, and each of us must do what we can to respond to this natural catastrophe.

Once the deadly threat posed by Hurricane Katrina became apparent, Democratic Leader NANCY PELOSI publicly called for a special session of Congress to get to work and send relief to the victims struggling in the Gulf Coast. I was pleased that Republican leadership finally answered Leader PELOSI's call and convened the U.S. Congress to pass a \$10.5 billion emergency supplemental spending bill for the people suffering in Louisiana, Mississippi, and Alabama.

Today we will pass an additional \$51.8 billion in the Second Emergency Supplemental for Hurricane Katrina. While these funds are much needed they are coming before us today on the suspension calendar which does not allow us adequate time for debate or an opportunity to add important amendments. Hurricane Katrina is clearly the worst natural disaster in U.S. history, and we are missing the opportunity to address some critical issues, such as creating a commission to investigate the federal response to this disaster and making FEMA an independent agency.

Mr. Speaker, the Congress must provide leadership in helping those displaced by the hurricane to rebuild their lives and communities out of the wreckage left in Katrina's wake. In the weeks and months ahead, Congress will consider additional spending measures to aid victims of the hurricane. As Americans, we have pulled together through tragedies in the past, and I know that we will demonstrate that same unity in overcoming the devastating effects of Hurricane Katrina.

PERSONAL EXPLANATION

HON. DAVID DREIER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. DREIER. Mr. Speaker, as you know, on the afternoon of September 7th, I was in New York at the United Nations formally thanking the international delegates on behalf of the House of Representatives for their support and assistance in the wake of Hurricane Katrina. Over 90 countries have offered to help us recover from this natural disaster, and I was privileged to have the opportunity to thank the international community on your behalf.

As a result of my presentation in New York, I was unfortunately unable to be present for two recorded votes that day. Had I been present, I would like the record to reflect that I would have voted "aye" on H.R. 3169, to provide the Secretary of Education with waiver authority for students who are eligible for Pell grants who are adversely affected by a natural disaster. I likewise would have voted "aye" on H.R. 3650, to allow United States courts to conduct business during emergency conditions.

THE NEW ORLEANS CRIME VICTIMS DESERVE COMPENSATION

HON. MAJOR R. OWENS

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. OWENS. Mr. Speaker, I rise in support of those who demand a more detailed legislative effort. Official criminal neglect is the crime of New Orleans. First response neglect is the immediate and short-term crime. Our government should've responded faster with more. Long-term crime caused by partisan politics, the greed of powerful selfish legislators who lack compassion, the looting of billions from the Federal treasury for the wrong reasons, the institutionalized prejudices against big cities; all of these evils have festered over the years to produce the highly visible, horrifying gangrene of the New Orleans disaster.

Congress and the President deserve high praise for the emergency appropriations. But this allotment is for the weeks and months ahead. On day one of this disaster the U.S. already had all of the resources necessary to achieve the safer, faster and more thorough rescue of the desperate population of New Orleans. Criminal incompetence and some contempt for the stranded population blocked the perceptions of how to speedily mobilize resources. In 1940 at Dunkirk, under heavy fire from German forces, more than 300,000 British troops were rescued and ferried back to England. Success was achieved because Winston Churchill immediately understood the gravity of the situation and called for the mobilization of every vehicle that could float. The crime and the pity is that all of the helicopter and naval craft marvels of our military were not immediately ordered to blanket the flooded neighborhoods of New Orleans.

Decades of debate and refusals to seriously address an obviously dangerous set of circumstances facing one of America's great cities is the long-term crime at the heart of this involuntary manslaughter. For decades Washington refused to finance state of the art technology to lessen the dangers of flooding in New Orleans. In recent years the Bush administration has compounded the problem by cutting already inadequate budgets.

Since we refused to shield this crime victim from the life-threatening assault that has now been perpetrated, the bleeding New Orleans deserves maximum compensation. The Hurricane Katrina emergency appropriation is a promising beginning. To accomplish its purpose the provisions of the legislation must be expanded to include the following:

The establishment of a Right of Resettlement for all who want to return.

The immediate establishment of an Emergency Free Communications Network with cell phones for all refugee families.

The establishment of a Job Corps for able bodied refugees which mandates their priority hiring for jobs related to the cleanup and rebuilding.

The establishment of Faith and Community Based Family Resettlement Projects to assist in the relocation of refugee families.

The establishment of Family Resettlement Accounts for families who wish to relocate to some other part of the country.

The establishment of an Emergency College Student Temporary Resettlement Program utilizing Colleges that volunteer to receive students, faculty and administrators.

The provision of Impact School Aid for school districts where large numbers of refugee families are located.

A mandatory review and revamping of the Corps of Army Engineers Master Plan for New Orleans.

A federally funded initiative to establish "Fail Safe" Committees in local communities.

In summary, Congress must act immediately to specify how the Hurricane Katrina appropriation will be spent. There is a clear and present danger that billions will be contracted out to Haliburton type corporations and refugees will receive only a very meager benefit. We members of Congress must remain vigilant to guarantee that no more official crimes will be perpetrated against New Orleans.

INTRODUCTION OF THE PENTAGON 9/11 MEMORIAL RESOLUTION

HON. JAMES P. MORAN

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. MORAN of Virginia. Mr. Speaker, today I am pleased to be joined by my colleagues from Virginia, Maryland, D.C., Pennsylvania, New York and New Jersey to introduce legislation recognizing the importance of a national memorial at the Pentagon to commemorate and mourn the terrorist attack against the Pentagon on September 11, 2001.

This legislation is modeled after a resolution (H. Res. 175) my friend and colleague from New York introduced earlier this year in support of efforts to create a September 11, 2001 memorial at the site of World Trade Center.

Mr. Speaker, as we approach the 4th anniversary of the terrorist attacks of September 11, 2001, it is appropriate that we establish memorials at the sites of these attacks to honor the victims.

On that fateful day four years ago, the 59 victims of American Airlines Flight 77 and 125 military personnel and Defense Department employees at the Pentagon died and scores more were injured in a dastardly and unprovoked attack against the American people.

The terrorist attacks of September 11, 2001, have joined the pantheon of national tragedies and become a defining moment in United States history.

These attacks of September 11, 2001 affected all Americans, not only for the tragic loss of life, but also for its emotional toll on our public conscience. Two-thirds of Americans report that the attacks had a great emotional impact on them, and virtually all Americans can recall precisely where they were and what they were doing when they learned of the attacks.

And while all of us were beset by the tragic loss of life and untold suffering, we found solace in the inspiring and heroic actions taken by the crew and passengers of Flight 93 and by the firefighters, police officers, rescue workers, military personnel and ordinary citizens who raced to the scene of these attacks and saved lives, keeping the attacks from taking an even greater toll.

It was a tragic day, but a defining moment in our nation's history.

I applaud the efforts of those who have worked to build the memorials to honor and

commemorate the fallen and to acknowledge the impact the horrific attacks have had on all of us.

I encourage my colleagues and those listening to support these memorials and urge my colleagues to support this resolution.

TRIBUTE TO THE YWCA
PASADENA-FOOTHILL VALLEY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. SCHIFF. Mr. Speaker, I rise today to honor the YWCA Pasadena-Foothill Valley upon its 100th anniversary.

In 1905, a group of prominent Pasadena women formed a branch of the National Consumers League in an effort to hold local employers accountable to statewide labor laws for young working women. As affordable housing for these young women became a concern, this same group formed the Young Women's League and provided rental housing for working women. This was the start of what was to become, in 1909, the Pasadena Young Women's Christian Association, YWCA. In 1910, they purchased a property in Pasadena and in the 1920s, hired Julia Morgan, California's first woman architect, to design the landmark building on that same land.

During the First World War, the YWCA offered Red Cross training and classes in the arts to young working women, while actively rallying for women's suffrage and better working conditions for California's migrant workers. In the 1920s, the YWCA made special outreach efforts to include African-American and Japanese-American girls.

During the Great Depression, the YWCA offered loans and free room and board to women in need, and opened new clubs for Mexican-American and African-American girls. Ahead of its time, the YWCA Board agreed that "the use of facilities be based on general fitness without reference to race, religion, or nationality."

In 1940 a Japanese Girls Reserve was formed. When the war ended, the YWCA assisted in facilitating the interned Japanese-Americans' return to the community. During these years, the Pasadena YWCA, with its active social conscience, led the community on issues such as juvenile delinquency, housing, childcare and discrimination.

In the 1940s and 50s, programs that targeted delinquent teens and a childcare nursery were developed. The 1960s saw the Back Yard Mothers Project, the Mexican Bi-Cultural Club, the Pasadena Free Clinic, and in 1966, the Federal Government selected the Pasadena YWCA as the site for its Job Corps girls program.

The 1970s and 80s brought a Rape Advocacy Program, a program to train women for non-traditional jobs that paved the way for the Women at Work program, and Hestia House, a shelter for women and their children in crisis. In 1996, the YWCA Board sold the historic Julia Morgan building, moved into administrative offices, but continued to meet the needs of girls and women, never forgetting its mission to work for the empowerment of women and the elimination of racism.

Today, programs like Just for Girls meet on school campuses and offer assistance to at-

risk youth and the sports program brings together girls from varied economic and ethnic backgrounds. The YWCA hosts the annual Week Without Violence and an annual Racial Justice Committee Breakfast.

I am proud to recognize the YWCA Pasadena-Foothill Valley for its 100 years of offering a diverse place of acceptance to the women of the San Gabriel Valley and I ask all Members to join me in congratulating the YWCA for their remarkable achievements.

STATEMENT ON HURRICANE
KATRINA

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Ms. LORETTA SANCHEZ of California. Mr. Speaker, I rise today to offer my heartfelt sympathy to the people in the Gulf Coast area who have been so profoundly affected by Hurricane Katrina. The loss of lives, property, and livelihoods is a shocking tragedy, the full extent of which is only starting to be known.

The number one priority now must be safeguarding and improving the lives of the hundreds of thousands of people who have been evacuated from their homes, or whose homes have been damaged or destroyed. We must ensure that all people affected by this disaster have food, water, shelter, clothing, and healthcare. To achieve this, the government must commit to fast tracking needed public services like unemployment insurance and compensation, food stamps and Medicaid. In addition, we must be prepared to provide ongoing support through housing loans, job information networks, and aid to school districts that will enroll evacuated students. These measures are critical in helping people as they start to put their lives back together.

The tragedy of Hurricane Katrina was compounded by a sluggish response by the Federal Government that trapped people in harm's way, and failed to provide them with the basic necessities of food and water. I believe that the Department of Homeland Security and the President must ultimately account for the failure in preparing for this disaster in an efficient and comprehensive manner. As a member of the Committee on Homeland Security, I am dedicated to finding solutions to the systemic problems in DHS, as evidenced by its weak initial relief efforts in response to the devastation wrought by Hurricane Katrina.

Despite the substantial problems that plagued the relief effort, the rescuers on the ground performed 47,300 life-saving rescues, and managed to find shelter for 235,200 people whose homes were damaged or destroyed. As the first responders continue working in the Gulf Coast, our thoughts and good wishes, and those of the entire Nation are with them. In Orange County, CA, I am proud to say our communities are doing their part. There are numerous efforts to assist the people affected by this disaster. Mr. Frank Garcia of the La Casa Garcia of Anaheim and volunteers from Orange County, CA, are traveling right now to Texas to set up a kitchen to help feed the evacuees. I am confident that the generosity of the American people will continue and grow. We have all been touched by the pain and shock of this disaster. And I hope

that this outpouring of support and solidarity will help the people of the Gulf Coast to rebuild their lives and give them hope for a better future.

STATEMENT ON H.R. 3673, MAKING
EMERGENCY SUPPLEMENTAL
APPROPRIATIONS FOR 2005

HON. RON PAUL

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. PAUL. Mr. Speaker, I rise in opposition to this ill-considered \$51.8 billion disaster relief appropriation. Many have come to the floor today to discuss how we must help the victims of this terrible disaster and its aftermath. But why do they think that the best way to do so is simply to write a huge check to the very government agency that failed so spectacularly? This does not make sense. We have all seen the numerous articles detailing the seemingly inexcusable mistakes FEMA made—before and after the hurricane. Yet, in typical fashion, Congress seems to think that the best way to fix the mess is to throw money at the very government agency that failed.

Mr. Speaker, considering the demonstrated ineptitude of government on both the Federal and State level in this disaster, the people affected by the hurricane and subsequent flood would no doubt be better off if relief money was simply sent directly to them or to community organizations dedicated to clean-up and reconstruction. Indeed, we have seen numerous examples of private organizations and individuals attempting to help their fellow Americans in so many ways over the last 10 days, only to be turned back by FEMA or held up for days by government red tape. We have seen in previous disasters how individuals and non-governmental organizations were often among the first to pitch in and help their neighbors and fellow citizens. Now, FEMA is sending these good Samaritans a troubling message: stay away, let us handle it.

In several disasters that have befallen my Gulf Coast district, my constituents have over and over again told me that they prefer to rebuild and recover without the "help" of Federal agencies like FEMA, which so often impose their own bureaucratic solutions on the owners of private property.

Mr. Speaker, we see here once again the Federal Government attempting to impose a topdown solution to the disaster. No one is questioning from where this \$52 billion will come. The answer, of course, is that the Federal Government is going to simply print the money up. There are no reductions in Federal spending elsewhere to free up this disaster aid. Rather, the money will come from a printing press. The economic devastation created by such a reckless approach may well be even more wide-reaching than the disaster this bill is meant to repair.

I ask my colleagues to consider more constructive ways to help New Orleans and the other affected areas recover from this tragedy. There are numerous approaches, such as the creation of no-tax enterprise zones, that would attract private enterprise and capital to the area and would result in a much quicker and more responsive recovery. The citizens of the

affected area and the rest of the country deserve a more sustainable and financially rational approach than simply printing and spending money.

EMERGENCY SUPPLEMENTAL APPROPRIATIONS ACT TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA, 2005

SPEECH OF

HON. ROBERT E. ANDREWS

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, September 2, 2005

Mr. ANDREWS. Mr. Speaker, today I stand in full support of H.R. 3645 to provide financial relief to the millions of those affected by Hurricane Katrina. My prayers go out to the victims and their families. Despite a massive search and rescue effort to locate victims of Hurricane Katrina, many still remain in harm's way while scores of others attempt to piece together what is left of their lives. As such, we are faced with the difficult task of providing the attention and resources in order to rescue those still in danger; providing comfort to those without food, clean water, or shelter; and preventing further devastation from disease. This funding will provide the Federal Emergency Management Agency with just enough money to get started on immediate disaster assistance.

However, this is just the beginning of our financial commitment to the people of these ravaged areas. The \$10 billion will give our emergency responders the means to save and help rebuild lives in the short-term, but the long-term funding situation is uncertain and daunting. It is too early to estimate the final cost of rescue operations or the huge task of caring for the victims of this enormous tragedy. It is my understanding that total costs could exceed \$100 billion. I will continue to support whatever funding is needed for as long as it takes to rescue all in danger and to help our fellow Americans rebuild their lives.

As is always the case with a disaster of this magnitude, we must closely examine what could have been done differently and try to make right what once was wrong. In this instance, many factors combined to cause such widespread destruction and loss of life. The key questions are: what could have been done to properly plan for such a disaster and what should have been done to respond more quickly once the destination of Katrina was confirmed.

Proper planning on the part of the local and State governments was severely lacking. The decision to evacuate New Orleans without making provisions to transport people too poor to own or too sick to operate a vehicle was a moral abomination. We basically left people to see if they would die and many of them did. Every evacuation response plan in the Nation should, by federal law, be required to include transportation plans for such people. The excuse that this catastrophe was unpredictable is nonsense—scientists and engineers have been saying for years that a hurricane with Katrina's force could break the levees and flood the city of New Orleans. Despite these specific warnings, the local and State governments were woefully underprepared to deal with the magnitude of this disaster.

The slow response of the Federal government is equally abysmal and even more troubling. The Administration showed its indifference to the people in the Gulf by waiting until Saturday, September 3rd to deploy 7,200 active-duty ground troops. However as soon as the storm passed, it was clear that the local and State governments were overwhelmed by the magnitude of the disaster. President Bush should have deployed these troops to the region as soon as the levee broke on Tuesday, if not sooner. All of the available resources of the federal government should have been mobilized immediately to evacuate people and organize food, shelter, and medical operations. In the days after Katrina's winds and rain subsided, it is indisputable that the Federal government failed the people of the Gulf Region.

Rather than acknowledge these shortcomings, the administration has brazenly lauded the Federal response. President Bush and others glossed over the fact that many people died as a result of the government's incompetence and indifference. The inadequate response to this disaster demonstrated to me that we have learned little from the lessons of September 11, 2001, and we are ill-prepared to deal with a major national disaster whether it be a natural or man-made.

I am determined to play whatever role I can in changing our Federal response system so that this type of gross negligence does not happen again. Mr. Speaker, I reiterate my support for H.R. 3645 and I pledge my continued support for the victims of Hurricane Katrina.

HURRICANE KATRINA

HON. ANDER CRENSHAW

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. CRENSHAW. Mr. Speaker, I rise today to express my appreciation for the thousands of emergency personnel who continue to work tirelessly to help the hundreds of thousands of people affected by Hurricane Katrina. The devastation caused by this hurricane is epic and we are only beginning to learn of the total destruction it caused. Yet, in the face of enormous adversity, thousands of Americans put their own lives on the line to help their fellow Americans in need.

These individuals worked themselves into exhaustion both mentally and physically. Without their sacrifice, thousands more Americans would have lost their lives from this devastating storm. Mirroring September 11, 2001, local first responders were once again on the front lines.

None of us shall soon forget the images of our brave men and women who serve in the United States Coast Guard. This disaster brought a new meaning to the term "search and rescue." Petty Officer Eric Sciubba arrived in New Orleans Monday and said crewmembers found themselves trying rescue techniques never before attempted. Replacing Scuba gear with axes, Americas' "Coasties" found themselves chopping through roof tops to reach trapped victims.

At one particular house, Petty Officer Sciubba found an invalid woman in even more peril than most in New Orleans. Her feeding tube had stopped working, and Sciubba found

her in bed on her home's first floor, with her head barley sticking above water. The helicopter couldn't reach the stranded couple through the back yard, and with the front door locked, Sciubba knew that time was their number one enemy. Finally, the man inside the house was able to get the door unlocked and both individuals were brought to safety. This couple was among the 109 people Petty Officer Sciubba's crew pulled from disaster to safety before returning to Ellington Field on Thursday.

And that is just one of the hundreds of incredible rescues made by the Coast Guard.

We certainly will not forget the sacrifice made by the tens of thousands of National Guard, many of whom recently returned or are soon being deployed to Iraq, who sacrificed their precious time with family and loved ones to help those in need and return order to a city in chaos.

America has faced many challenges in its history and Hurricane Katrina will be written as one of its greatest. Yet once again, this great country will meet and overcome this latest challenge and will triumph in the face of adversity. This great Nation of ours will once again show the world its courage, conviction and will to overcome.

EVERGREEN TROOP 361

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. SCHIFF. Mr. Speaker, I rise today to recognize Evergreen Troop 361 of the Mission Amigos District from the San Gabriel Valley Council, Boy Scouts of America. On October 22nd, Troop 361 will celebrate its 50th anniversary.

Troop 361 was founded with twelve boys in 1955 by members of the Evergreen Baptist Church in Los Angeles. Since 1955, Troop 361 has enjoyed the excellent sponsorship of the Evergreen Baptist Church. The Church, and Troop 361, subsequently moved to the City of Rosemead, and the Troop transferred to the Mission Amigos District of the San Gabriel Valley Council. With its beautiful mountains and proximity to the ocean, the San Gabriel Valley is the ideal place for boys to learn the scouting ways, as one of the mainstays of the Boy Scouts program is participation in a wide array of outdoor activities.

Over the years, Troop 361 has grown and thrived. Hundreds of scouts have passed through the ranks of Troop 361, and it is a further testament to the strong leadership and high caliber of young men that over 80 scouts in this troop have earned the most prestigious rank of Eagle Scout. Today, Troop 361 is proud to have 55 outstanding scouts under the leadership of Ted Sakamoto, a Scoutmaster who has dedicated thousands of hours to ensuring that Troop 361 remains strong and successful.

Troop 361 is an integral part of the proud tradition of the Boy Scouts of America. The Boy Scouts of America develop and nurture in our youth a strong sense of character, leadership, and respect. Boy Scouts are well-rounded, resourceful, and responsible, and Troop 361 exemplifies all of these qualities.

I am proud to congratulate Troop 361 on the occasion of its 50th anniversary, and I ask all

Members of Congress to join me in honoring this Troop for its dedication to scouting and for helping boys become upstanding young men.

PERSONAL EXPLANATION

HON. LORETTA SANCHEZ

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Ms. LORETTA SANCHEZ of California. Mr. Speaker, on Wednesday, September 7, 2005, I was unavoidably absent due to a previously scheduled engagement.

Had I been present and voting, I would have voted as follows:

(1) Rollcall No. 464. On H. Res. 427, relating to the terrorist attacks against the United States on September 11, 2001, "yes."

(2) Rollcall No. 463. On H. Res. 428, expressing the sincere gratitude of the House of Representatives to the foreign individuals, organizations, and governments that have offered material assistance and other forms of support to those who have been affected by Hurricane Katrina, "yes."

(3) Rollcall No. 462. On H.R. 3668, the Student Grant Hurricane and Disaster Relief Act, "yes."

(4) Rollcall No. 461. On H.R. 3669, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program, "yes."

(5) Rollcall No. 460. On H.R. 3673, further Emergency Supplemental Appropriations, Hurricane Katrina, 2005, "yes."

(6) Rollcall No. 459. On H. RES. 426, providing for consideration of motions to suspend the rules, "no."

(7) Rollcall No. 458. On H. RES. 426, providing for consideration of motions to suspend the rules, "no."

RECOGNIZING REVEREND C. DALE EDWARDS OF THE O'FALLON ASSEMBLY OF GOD, ON THE OCCASION OF HIS 50TH ANNIVERSARY OF PASTORAL SERVICE

HON. JERRY F. COSTELLO

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. COSTELLO. Mr. Speaker, I rise today to ask my colleagues to join me in recognizing Reverend C. Dale Edwards, of the O'Fallon Assembly of God, in O'Fallon, Illinois, on the occasion of his 50th Anniversary of pastoral service.

C. Dale Edwards was born in New City, Illinois, a community just southeast of the State Capitol of Springfield. During his early years on the farm and later, when the family moved to the nearby town of Edinburg, his mother always made sure the family faithfully attended the Gospel Tabernacle in Edinburg. During those early days at the Gospel Tabernacle, Reverend Edwards first realized his calling when, as a teenager, he was invited by Pastor Best to preach on occasion.

An accident in an elevator shaft left Reverend Edwards with a badly damaged foot that looked as if it was going to require amputa-

tion. Through the intervention of a family friend, Reverend Edwards attended a revival meeting where his foot was healed. This experience, coupled with his preaching at the Gospel Tabernacle, spurred Reverend Edwards to apply to North Central Bible College in Minneapolis, Minnesota.

While at NCBC, Reverend Edwards became youth pastor in Hopkins, Minnesota in 1955, thus beginning the 50 years of pastoral ministry that we commemorate today.

After building congregations in Minnesota, South Dakota and Rock Island, Illinois, Reverend Edwards became the Senior Pastor of First Assembly of God in Granite City, Illinois where he served from 1974 through 1991. For the next six years, Reverend Edwards served as the Executive Secretary/Treasurer of the Illinois District Assemblies of God, where he oversaw the credentialing of all Assembly of God ministers in Illinois. In this capacity, he also served as chairman of the Illinois District 75th Anniversary Celebration.

Reverend Edwards and his wife, Dottie, currently reside in O'Fallon, Illinois where they serve as Senior Pastors at O'Fallon Assembly of God. Reverend Edwards and Dottie have four children, all serving the Lord.

Mr. Speaker, I ask my colleagues to join me in an expression of appreciation to Reverend Edwards for his 50 years of dedicated ministry and to wish him the very best in the future.

AMERICAN SOCIETY OF INTERVENTIONAL PAIN PHYSICIANS (ASIPP)

HON. FRANK PALLONE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. PALLONE. Mr. Speaker, earlier this summer the National All Schedules Prescription Electronic Reporting (NASPER) Act of 2005 was approved by both houses of Congress and signed into law by President Bush. I rise today to recognize the important contributions of Dr. Laxmaiah Manchikanti and the American Society of Interventional Pain Physicians (ASIPP) in accomplishing this important achievement.

Dr. Manchikanti is a physician of Indian origin who has practiced medicine in Paducah, Kentucky for the last 25 years. He is a well-known and well-respected physician with interests in many aspects of medicine, both in patient care, as well as academics.

Dr. Manchikanti is a recognized leader in the circles of interventional pain management. Apart from his interest in the clinical practice of anesthesiology and interventional pain management, he is also proficient in administrative medicine, patient advocacy, the economics of healthcare, medical ethics and various other aspects of the profession. He is an avid clinical researcher with numerous publications in peer-reviewed journals with original contributions.

Dr. Manchikanti currently serves as Chief Executive Officer of the American Society of Interventional Pain Physicians. With over 3,400 members, ASIPP is the largest organization in the country that represents physicians involved in trying to alleviate the intractable pain experienced by millions of Americans. Because of their professional involve-

ment with pain medicine many ASIPP members have a vested interest in solving the problem of prescription drug abuse and diversion.

Mr. Speaker, one of the fastest growing areas of drug abuse in our nation today is the diversion of prescription drugs. According to the National Institute of Health—National Institute on Drug Abuse, approximately 9 million Americans are misusers of prescription drugs. Furthermore, in 2001 the National Household Survey on Drug Abuse, found statistically significant increases between 2000 and 2001 in the use of multiple drugs including non-medical use of pain relievers and tranquilizers.

Prescription drug abuse is an issue that transcends societal boundaries, and affects all areas of our nation and all income levels. In an effort to prevent prescription drug abuse the NASPER Act establishes a federal system for electronic prescription databanks, which a doctor could access to determine what, if any, medication their patient should be given.

From the very beginning, Dr. Manchikanti and his colleagues at ASIPP have played a crucial role in the development of the NASPER Act. Thanks to their active involvement and insightful guidance, we were able to craft a thoughtful policy that will give physicians, pharmacists, and law enforcement agents the tools necessary to curb prescription drug abuse.

Mr. Speaker, next week ASIPP will hold its 7th annual legislative session in Washington. I would like to welcome ASIPP to our nation's capital, and offer my gratitude for all of their efforts over the past several years. Thanks to the hard work of Dr. Manchikanti and all of his colleagues the NASPER Act has finally become law and we can begin to address this very serious public health concern.

I must emphasize that this is only the beginning. There is still a lot of important work left to be done in terms of implementing and enforcing this new law. I am looking forward carrying my partnership with Dr. Manchikanti and ASIPP forward, as we continue to work together to help eliminate prescription drug abuse.

REGARDING H.R. 3673, MAKING FURTHER EMERGENCY SUPPLEMENTAL APPROPRIATIONS TO MEET IMMEDIATE NEEDS ARISING FROM THE CONSEQUENCES OF HURRICANE KATRINA

HON. SHEILA JACKSON-LEE

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Ms. JACKSON-LEE of Texas. Mr. Speaker, I rise in support of this bill because of the grave and immediate need that exists. As a representative of Houston, Texas, where over 150,000 Katrina evacuees were received, I can say from first hand knowledge that this is truly only a first step toward what is necessary and emergent. This measure is an initial investment—a down payment—for a long-term relief package—that unfortunately has not yet been codified.

Here we are, nine days after Hurricane Katrina devastated parts of Louisiana, Mississippi and Alabama. I want to thank Congressmen JEFFERSON and THOMPSON, who

have displayed great courage and resolve to help their constituents through the aftermath of this natural disaster. In my Congressional District in Houston tens of thousands of evacuees are being sheltered and fed. In fact, Americans throughout this country are stepping up to help those affected by this disaster. It demonstrates that once again in our darkest hour that we have united as a Nation to help our brothers and sisters who now seek to rebuild their lives.

Dollars spent through the Department of Defense must be re-channeled directly to the affected regions and people in order to provide relief in a timely manner.

Furthermore, we must find steps to move forward immediately to help those affected by this disaster and to try to prevent such an ineffective response from taking place again. I plan to introduce a number of legislative measures that will seek to alleviate the suffering of the survivors of the most devastating natural disaster in modern American history.

Hurricane Katrina has traumatized children on a frightening scale. According to the United Nations, as many as 400,000 children have been left homeless. The United Nations Children's Fund (UNICEF) estimated that the greatest impact of the tragedy would be upon the young and that children make up between a third and a quarter of those affected by the catastrophe.

Of an estimated 1.32 million people made homeless, there are around 300,000 to 400,000 children—most of whom will remain so for weeks or months! This is the impetus behind legislation I plan to introduce that would provide a one-time grant for relief programs that would serve these children.

I along with my Judiciary colleagues led by Ranking Member CONYERS will introduce legislation to protect the hundreds of thousands of families and small businesses financially devastated by Hurricane Katrina from being penalized by debtor provisions contained in the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, scheduled to take effect on October 17, 2005. This legislation is based in part on an amendment I offered at the markup of the Bankruptcy bill. We expect a Senate counterpart to be introduced this week as well.

We are concerned that just as survivors of Hurricane Katrina are beginning to rebuild their lives, the new bankruptcy law will result in a further and unintended financial whammy. Unfortunately, the new law is likely to have the consequence of preventing devastated families from being able to obtain relief from massive and unexpected new financial obligations they are incurring by forcing them to repay their debt with income they no longer have, but which is counted by the law.

Our bill makes several important adjustments. First, it would specify that individuals who are victims of natural disasters, and who incurred a substantial portion of their debt as a result of that disaster, are not subject to the "means test" and therefore cannot be forced into burdensome repayment plans. Although the current law includes an exception to the means test if the debtor can demonstrate "special circumstances," qualifying for such an exemption will be quite costly and burdensome, and require numerous detailed filings and legal certifications. This is the last thing a hurricane victim should need to worry about. Since the current bankruptcy law counts all in-

come earned in the six months prior to the bankruptcy as part of future income, this means that hurricane victims who have lost their jobs will be considered high income debtors who are presumed to be abusing the bankruptcy system. This is obviously absurd; so our bill gives the hurricane victims an automatic carve out, as we already do for certain categories of veterans.

The legislation we plan to introduce will prevent new bankruptcy provisions from having adverse and unintended consequences for the hundreds of thousands of individuals now facing financial ruin by providing needed flexibility for victims of natural disasters in bankruptcy proceedings.

I also plan to introduce a bill that will provide tax breaks for individuals who take in evacuees into their home. These people are stepping up to provide shelter and relief to their fellow Americans, and I believe it is certainly proper to encourage this behavior through the implementation of tax breaks.

In addition, I propose legislation that will grant a minimum of 20,000 two-year tenant-based housing assistance vouchers for Katrina's victims, together with transportation and relocation assistance to be used where necessary. These vouchers should be administered by local housing agencies presently administering HUD-funded Section 8 Housing Choice Voucher assistance, which are located in or near the areas hardest hit by Katrina. These agencies are already positioned to provide housing assistance and can play an extremely helpful role meeting the immediate housing needs of Katrina's victims. This legislation would also allow the Secretary of Housing and Urban Development to issue a wide range of statutory and regulatory waivers in order to most effectively and flexibly utilize HUD resources to meet the needs of victims.

Finally, I am calling for the establishment of a Commission to study the genesis of the devastation caused by the hurricane. We need a 9/11 style commission to know everything that took place. In addition, I am calling for the establishment of a position of an ombudsman for FEMA in order to provide proper oversight. Without a proper investigation, we cannot get all the answers and without the answers we can not provide the necessary legislation and oversight needed to try to prevent this kind of human suffering from happening again in the future.

Mr. Chairman, the harm that has been incurred by the people of the many regions affected by the disaster—most of which could have been mitigated, will require many phases of rehabilitation. I support this legislation as an initial step.

ON THE CONTRIBUTION OF THE PRESS TO THE CIVIL RIGHTS MOVEMENT

HON. JOHN LEWIS

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. LEWIS of Georgia. Mr. Speaker, as the nation celebrates the 40th anniversary of Bloody Sunday and the conflict on the Edmund Pettus bridge, the 40th anniversary of the signing of Voting Rights Act, and the 50th anniversary of the Montgomery Bus Boycott

this year, I think it is fitting and appropriate that we take a moment to acknowledge the vital role that the press played in the success of the Civil Rights Movement.

I have often said that without the media the Civil Rights Movement would have been a bird without wings. I am not certain where we would be today as a nation, if the American public had not been made to acknowledge the struggles we faced in the American South. The non-violent protests of the sixties used peaceful means to demonstrate the senseless injustice of *de facto* and *de jure* segregation, the inhumanity and indignity of the Jim Crow South, and the extraordinary persecution American citizens suffered trying to exercise their constitutional rights. Without the media's willingness to stand in harm's way and starkly portray events of the Movement as they saw them unfold, Americans may never have understood or even believed the horrors that African Americans faced in the Deep South.

That commitment to publish the truth took courage. It was incredibly dangerous to be seen with a pad, a pen, or a camera in Mississippi, Alabama or Georgia where the heart of the struggle took place. There was a violent desperation among local and State officials and the citizens to maintain the traditional order. People wanted to keep their injustice a secret. They wanted to hide from the critical eye of a disapproving world. They wanted to flee from the convictions of their own conscience. And they wanted to destroy the ugly reflection that nonviolent protestors and camera images so graphically displayed. So when the Freedom Riders climbed off the bus in Alabama in 1961, for example, there were reporters who were beaten and bloodied before any of us were.

And as they were attacked, I saw in them a resolve grow within them that was similar to what those of us in the Movement experienced. I have often said that the first time I was jailed, I felt so free. This Nation had dealt me its worst blow, and I had survived. I knew then that I was committed to the struggle for the long-haul. There were many reporters who felt that same curious strengthening when they too were attacked and beaten. Instead of scaring them away, those injustices created the opposite effect. It bonded them to the Movement, and it steeled their commitment to publish all that they saw.

There are so many moments poignantly depicted for posterity by television and newspaper camera men. It is easy to recall many of these now legendary images—Rosa Parks sitting on a bus in Montgomery in 1955; the bombing of the Greyhound bus outside Anniston, Alabama during the Freedom Rides in 1961; Gov. Ross Barnett of Mississippi and Gov. George Wallace in Alabama denying the entrance of black students to state universities in 1963 and 1964; the speeches on the steps of the Lincoln Memorial during the March on Washington in 1964; and the seminal speech President Lyndon Johnson made before a joint session of Congress encouraging the passage of the Voting Rights Act in 1965.

There are so many historic moments that were covered by the press, but there are two, which I count as turning points for me. The first is often heralded as the official beginning of the modern-day Civil Rights Movement, that is the photograph of a mutilated 14-year-old boy named Emmett Till who was killed in Money, Mississippi during a summer vacation.

Till's mother Mamie Till Mobley decided not to have a closed casket funeral, but she wanted to leave the casket open and let people see the horrifying injustice that had been done. Jet magazine carried photographs of Till's body and Look magazine published an interview with Roy Bryant and J.W. Milam who admitted to the murder.

I will never forget the way that image affected me. Something changed inside of me and inside of many people across America when we saw the body of Emmett Till. I was only a teenager at the time, but I knew that somehow, somehow the injustice of segregation had to come to an end.

Within a year of the Till murder, when I was 15 years old and the son of a sharecropper in rural Alabama, I heard the words of Martin Luther King, Jr. broadcast on an old radio. He was talking about the Montgomery Bus Boycott, and I felt somehow that he was speaking directly to me. That radio broadcast changed my life because that day I knew it was possible to strike a blow at racial segregation and discrimination in America. Those moments captured by the media changed my destiny.

The Civil Rights Movement is deeply indebted to the courage, the strength, the integrity, and the talent of print and broadcast journalists who overcame their fear and decided to tell the American story. America is deeply indebted to these moment-by-moment, modern-day griots who hold up a mirror image of our society for us to see. Without a free press, this Nation would not be, could not be a beacon of justice and equality that has inspired men, women, and children worldwide to try to build a better world.

A TRIBUTE TO THE MIJARES FAMILY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, September 8, 2005

Mr. SCHIFF. Mr. Speaker, I rise today to honor the Mijares Family, of Pasadena, who are celebrating the 85th Anniversary of Mijares Mexican Restaurant, their family business.

Jesucita Mijares immigrated to California in the early 1900s with her second husband, Juan, and infant son, Joe. The family settled in Pasadena where Jesucita gave birth to two more children and cared for her growing family. The young Jesucita began her legendary tortilla-making business in 1920 to provide for her family after the devastating loss of her second husband.

Mijares Mexican Restaurant began as a family and community operated business that supplied hand-made tortillas to local grocery stores and restaurants. Mrs. Mijares took in boarders to supplement her income, and soon, tables were spread throughout her home to accommodate the growing number of residents and guests. Slowly, her tortilla business expanded and she provided meals for guests, with traditional Mexican dishes such as tamales and menudo served daily.

In 1940, as the business continued to flourish, Jesucita moved the production out of her home to a location on Palmetto Drive in Pasadena to be used as a delicatessen and small tortilla business. What happened, however, was that tables were added, rooms were built and patios were poured to accommodate hundreds of guests daily at the restaurant.

During the late 1970s the Mijares family suffered a devastating loss when the family res-

taurant was destroyed by fire. Determined to continue what her mother had started, her daughter, Alice Mijares Recendez worked hard to rebuild the restaurant, which was completed in 1984. During the time of rebuilding, to help her employees, many of whom were out of work, Alice opened a second restaurant on Washington Blvd. in Pasadena which exists to this day.

In 1988, Jesucita Mijares died and Alice became the family matriarch. Today, Alice and her daughter R-lene Mijares de Lang are the owners of Mijares. Alice oversees the gardens and patios at Mijares, cultivating the same love of plants and flowers as her mother Jesucita. R-lene taught in San Diego for 12 years before returning to run her family business. Also contributing to the family business are R-lene's brother, Tom Recendez, who manages the restaurant on Washington Blvd., and her sister, Tina Jimenez, who supports the administration of the catering and restaurant business. The Mijares family warmly welcomes its guests and works hard at providing friendly, quality service.

The Mijares family has made Mijares Mexican Restaurant both an enjoyable dining establishment and a business that gives back to the community. The family actively contributes to a number of charities which include Women at Work, Child Care Information Services, P.E.O. Chapters, the Pasadena Tournament of Roses Association, Villa Esperanza, NOW, Pasadena Polytechnic School, El Centro de Accion Social, the Los Angeles Children's Chorus, Hospice of Pasadena, and the Girl Scouts of America.

I am proud to recognize the Mijares Family on the 85th anniversary of Mijares Mexican Restaurant and I ask all Members of Congress to join me in honoring this family for their 85 years of service to our community.

Daily Digest

HIGHLIGHTS

The House agreed to H.R. 3673, Second Emergency Supplemental Appropriations Act to Meet Immediate Needs Arising From the Consequences of Hurricane Katrina, 2005.

Senate

Chamber Action

Senate passed H.R. 3673, Second Emergency Supplemental Appropriations.

Routine Proceedings, pages S9741–S9864

Measures Introduced: Sixteen bills were introduced, as follows: S. 1632–1647. **Page S9833**

Measures Reported:

Special Report entitled “Review of Legislative Activity During the 108th Congress”. (S. Rept. No. 109–135) **Pages S9832–33**

Measures Passed:

Federal Judiciary Emergency Special Sessions Act: Senate passed S. 1634, to allow United States courts to conduct business during emergency conditions. **Pages S9774–76**

Federal Judiciary Emergency Special Sessions Act: Senate passed H.R. 3650, to allow United States courts to conduct business during emergency conditions, clearing the measure for the President. **Pages S9774–76**

Second Emergency Supplemental Appropriations Act: By a unanimous vote of 97 yeas (Vote No. 223), Senate passed H.R. 3673, making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, clearing the measure for the President. **Pages S9805–13**

National Flood Insurance Program: Senate passed H.R. 804, to exclude from consideration as income certain payments under the national flood insurance program, clearing the measure for the President. **Page S9861**

Commerce/Justice/Science Appropriations: Senate began consideration of H.R. 2862, making appropriations for Science, the Departments of State, Jus-

tice, and Commerce, and related agencies for the fiscal year ending September 30, 2006, agreeing to the committee amendment in the nature of a substitute, which will be considered as original text for the purpose of further amendment, and taking action on the following amendments proposed thereto:

Pages S9745–70, S9776–S9805

Adopted:

Shelby Amendment No. 1655, to provide funding for programs to promote travel to the United States. **Page S9779**

Shelby Amendment No. 1656, to provide funding and personnel for the National Hurricane Center. **Page S9779**

Shelby Amendment No. 1657, to strike certain provisions relating to Universal Service Fund program under the Federal Communications Commission. **Page S9779**

Shelby (for Dorgan) Amendment No. 1658, to expand the disaster loans that shall not be sold by the Small Business Administration. **Page S9779**

Pending:

Lincoln Amendment No. 1652, to provide for temporary Medicaid disaster relief for survivors of Hurricane Katrina. **Pages S9776–79, S9783–84**

Harkin Amendment No. 1659, to increase the appropriation for nationwide legal services field programs and to provide additional funds to programs providing legal services to the victims of Hurricane Katrina. **Page S9780**

Dayton Amendment No. 1654, to increase funding for Justice Assistance Grants. **Pages S9784–86**

Biden Amendment No. 1661, to provide emergency funding for victims of Hurricane Katrina. **Pages S9790–91**

Sarbanes Amendment No. 1662, to assist the victims of Hurricane Katrina with finding new housing. **Pages S9791–95**

Dorgan Amendment No. 1665, to prohibit weakening any law that provides safeguards from unfair foreign trade practices. **Pages S9795–99**

Sununu Amendment No. 1669, to increase funding for the State Criminal Alien Assistance Program, the Southwest Border Prosecutors Initiative, and transitional housing for women subjected to domestic violence. **Pages S9799–S9800**

A notice of intent was submitted to suspend paragraph 4 of Rule XVI of the Standing Rules of the Senate for the purpose of proposing a Dorgan Amendment to the bill. **Pages S9801–02**

A unanimous-consent agreement was reached providing that only certain amendments be in order to the bill, provided further, that they be subject to second-degrees which are relevant to the first-degree to which they are offered. **Page S9860**

A unanimous-consent agreement was reached providing for further consideration of the bill at 9:30 a.m., on Friday, September 9, 2005. **Page S9861**

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that on Thursday, September 8, 2005, the Majority Leader, be authorized to sign duly enrolled bills. **Page S9860**

Coal/Oil-Direct Utility Units Rule: A unanimous-consent agreement was reached providing that on Monday, September 12, 2005, at 5:30 p.m., Senate proceed to a period of morning business for one hour; that following the use or yielding back of time, Senate proceed to a vote on the motion to proceed to S.J. Res. 20, disapproving a rule promulgated by the Administrator of the Environmental Protection Agency to delist coal and oil-direct utility units from the source category list under the Clean Air Act; that if the motion to proceed is agreed to, the statutory time limit be reduced to 2 hours equally divided and following the use or yielding back of time, the joint resolution be read a third time and the Senate proceed to a vote on passage of the resolution. **Page S9860**

Chief Justice Rehnquist Tributes: A unanimous-consent agreement was reached providing that Senators be permitted to submit tributes to Chief Justice Rehnquist for the record until September 30, 2005, and that all tributes be printed as a Senate document. **Page S9861**

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to the Davis-Bacon Act, a report on the suspension of Subchapter IV of Chapter 31 of Title 40, United States Code, within a limited geographic area in response to the national emergency caused by Hurricane Katrina; which was

referred to the Committee on Health, Education, Labor, and Pensions. (PM–20) **Pages S9831–32**

Transmitting, pursuant to law, a report on the continuation of the national emergency with respect to certain terrorist attacks; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM–21) **Page S9832**

Nominations Received: Senate received the following nominations:

Charles R. Christopherson, Jr., of Texas, to be Chief Financial Officer, Department of Agriculture.

Edward F. Sproat III, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, Department of Energy.

Dale W. Meyerrose, of Indiana, to be Chief Information Officer, Office of the Director of National Intelligence.

7 Coast Guard nominations in the rank of admiral.

Routine lists in the Air Force, Army, Coast Guard, Marine Corps, Navy. **Pages S9861–64**

Messages From the House: **Pages S9829–30**

Executive Communications: **Pages S9830–31**

Executive Reports of Committees: **Page S9833**

Additional Cosponsors: **Pages S9833–35**

Statements on Introduced Bills/Resolutions: **Pages S9835–52**

Additional Statements: **Pages S9822–29**

Amendments Submitted: **Pages S9852–60**

Authority for Committees to Meet: **Page S9860**

Privilege of the Floor: **Page S9860**

Record Votes: One record vote was taken today. (Total—223) **Page S9813**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:12 p.m., until 9:30 a.m., on Friday, September 9, 2005. (For Senate's program, see the remarks of the Majority Leader in today's Record on page S9861.)

Committee Meetings

(Committees not listed did not meet)

COMMODITY FUTURES MODERNIZATION ACT

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the proposed reauthorization of the Commodity Futures Trading Commission, focusing on the Commodity Futures Modernization Act of 2000 and recent market developments, after receiving testimony from Randy K. Quarles, Under Secretary of the Treasury

for Domestic Finance; Robert L.D. Colby, Deputy Director, Division of Market Regulation, U.S. Securities and Exchange Commission; Patrick J. McCarty, General Counsel, Commodity Futures Trading Commission; Patrick M. Parkinson, Deputy Director, Division of Research and Statistics, Board of Governors of the Federal Reserve System; Charles P. Carey, Chicago Board of Trade, Terrence A. Duffy, Chicago Mercantile Exchange Holdings, Inc., and Daniel J. Roth, National Futures Association, all of Chicago, Illinois; John M. Damgard, Futures Industry Association, and Mark Lackritz, Securities Industry Association, both of Washington, D.C.; Meyer S. Frucher, Philadelphia Stock Exchange, Philadelphia, Pennsylvania, on behalf of the U.S. Options Exchange Coalition; and Robert G. Pickel, International Swaps and Derivatives Association, Inc., New York, New York.

NOMINATIONS

Committee on Foreign Relations: Committee concluded a hearing to examine the nominations of Robert A. Mosbacher, of Texas, to be President of the Overseas Private Investment Corporation, who was introduced by Senators Hutchison and Cornyn, Robert B. Holland III, of Texas, to be United States Executive Director of the International Bank for Reconstruction and Development, who was introduced by Senator Hutchison, and Jan E. Boyer, of Texas, to be United States Alternate Executive Director of the Inter-American Development Bank, who was introduced

by Senator Hagel, after the nominees testified and answered questions in their own behalf.

HURRICANE KATRINA

Committee on Health, Education, Labor, and Pensions: Committee met to discuss rebuilding lives and communities regarding Hurricane Katrina after hearing from numerous public witnesses.

BUSINESS MEETING

Committee on Health, Education, Labor, and Pensions: Committee ordered favorably reported the following bills:

S. 1614, to extend the authorization of programs under the Higher Education Act of 1965, with an amendment in the nature of a substitute; and

An original bill entitled "Defined Benefit Security Act of 2005".

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported the following business items:

S. 1197, to reauthorize the Violence Against Women Act of 1994, with an amendment in the nature of a substitute; and

The nomination of Kenneth L. Wainstein, of Virginia, to be United States Attorney for the District of Columbia, Department of Justice.

Also, Committee approved the issuance of various subpoenas relative to asbestos matters.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 39 public bills, H.R. 3696–3724; and 7 resolutions, H. Con. Res. 237–239 and H. Res. 432–435, were introduced.

Pages H7812–14

Additional Cosponsors:

Pages H7814–15

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative LaTourette to act as speaker pro tempore for today.

Page H7747

Consideration of Suspensions: The House agreed to H. Res. 426, providing for consideration of motions to suspend the rules, by a recorded vote of 235 ayes to 179 noes, Roll No. 459, after agreeing to order the previous question by a ye-a-and-nay vote of 221 yeas to 193 nays, Roll No. 458.

Pages H7749–59

Suspensions: The House agreed to suspend the rules and pass the following measures:

Increasing the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program: H.R. 3669, to temporarily increase the borrowing authority of the Federal Emergency Management Agency for carrying out the national flood insurance program, by a $\frac{2}{3}$ ye-a-and-nay vote of 416 yeas with none voting "nay", Roll No. 461;

Pages H7759–63, H7786

Student Grant Hurricane Disaster Relief Act: H.R. 3668, providing the Secretary of Education with waiver authority for students who are eligible for Federal student grant assistance who are adversely affected by a major disaster, by a $\frac{2}{3}$ ye-a-and-nay vote of 414 yeas with none voting "nay", Roll No. 462;

Pages H7763–66, H7786–87

TANF Emergency Response and Recovery Act of 2005: H.R. 3672, amended, providing assistance to families affected by Hurricane Katrina, through the program of block grants to States for temporary assistance for needy families; **Pages H7766–73**

Expressing the sincere gratitude of the House of Representatives to the foreign individuals, organizations, and governments that have offered assistance to those who have been affected by Hurricane Katrina: H. Res. 428, Expressing the sincere gratitude of the House of Representatives to the foreign individuals, organizations, and governments that have offered material assistance and other forms of support to those who have been affected by Hurricane Katrina, by a $\frac{2}{3}$ ye-a-and-nay vote of 410 yeas with none voting “nay”, Roll No. 463;

Pages H7773–74, H7787–88

Relating to the terrorist attacks against the United States on September 11, 2001: H. Res. 427, Relating to the terrorist attacks against the United States on September 11, 2001, by a $\frac{2}{3}$ ye-a-and-nay vote of 402 yeas to 6 nays, Roll No. 402; and

Pages H7774–77, H7788

Making emergency supplemental appropriations for 2005: H.R. 3673, making further emergency supplemental appropriations to meet immediate needs arising from the consequences of Hurricane Katrina, for the fiscal year ending September 30, 2005, by a $\frac{2}{3}$ ye-a-and-nay vote of 410 yeas to 11 nays, Roll No. 460. **Pages H7777–86**

Moment of Silence: In recognition of the approaching anniversary of September 11, 2001, the House observed a moment of silence for the victims of the terrorist attacks that occurred on that date.

Page H7788

Meeting Hour: Agreed that when the House adjourn today, it adjourn to meet at 12:00 p.m. on Monday, September 12, and when the House adjourns on Monday, it adjourn to meet at 12:30 p.m. on Tuesday, September 13, 2005, for Morning Hour debate.

Page H7790

Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, September 14.

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Late Report: Agreed that the Committee on the Judiciary may have until midnight on Friday, September 9, 2005, to file a report to accompany H.R. 3132, to make improvements to the national sex offender registration program.

Page H7790

Speaker Pro Tempore: Read a letter from the Speaker wherein he appointed Representative Wolf

to act as Speaker pro tempore to sign enrolled bills and joint resolutions through September 13, 2005.

Page H7809

Presidential Message: Read a message from the President wherein he notified Congress of the continuation of the national emergency with respect to the terrorist attacks on the United States of September 11, 2001—referred to the Committee on International Relations and ordered printed (H. Doc. 109–54).

Page H7809

Presidential Message: Read a message from the President wherein he notified Congress that he has exercised his statutory authority to suspend the provisions of 40 U.S.C. 3141–3148 in designated areas in the States of Alabama, Florida, Louisiana, and Mississippi—referred to the Committee on Education and the Workforce and ordered to be printed (H. Doc. 109–55).

Pages H7809–10

Senate Message: Messages received from the Senate today appear on pages H7766 and H7810.

Senate Referrals: S. 1634 was held at the desk.

Quorum Calls—Votes: Six ye-a-and-nay votes, and one recorded vote developed during the proceedings of today and appear on pages H7757–58, H7758–59, H7785–86, H7786, H7786–87, H7787–88, and H7788. There were no quorum calls.

Adjournment: The house met at 10 a.m. and adjourned at 8:05 p.m.

Committee Meetings

MEDICAID: EMPOWERING BENEFICIARIES ON THE ROAD TO REFORM

Committee on Energy and Commerce: Held a hearing on Medicaid: Empowering Beneficiaries on the Road to Reform. Testimony was heard from David Parrella, Director, Medical Care Administration, Department of Social Services, State of Connecticut.

ELECTRONIC WASTE

Committee on Energy and Commerce: Subcommittee on Environment and Hazardous Materials held a hearing entitled “Electronic Waste: An Examination of Current Activity, Implications for Environmental Stewardship, and the Proper Federal Role.” Testimony was heard from public witnesses.

WMD TERRORISM

Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack held a hearing entitled “WMD Terrorism and Proliferant States.” Testimony was heard from public witnesses.

U.S. AND INDIA: AN EMERGING ENTENTE?

Committee on International Relations: Held a hearing entitled “The U.S. and India: An Emerging Entente?” Testimony was heard from the following officials of the Department of State: R. Nicholas Burns, Under Secretary, Political Affairs; and Robert Joseph, Under Secretary, Arms Control and International Security.

SECURITY AND FAIRNESS ENHANCEMENT FOR AMERICA ACT

Committee on International Relations: Subcommittee on Immigration, Border Security, and Claims approved for full Committee action H.R. 1219, Security and Fairness Enhancement for America Act of 2005.

REVIEW OF U.S. PATENT AND TRADEMARK OFFICE OPERATIONS

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing entitled “Review of U.S. Patent and Trademark Office operations, including analysis of Government Accountability Office, Inspector General, and National Academy of Public Administration Reports.” Testimony was heard from Jon W. Dudas, Under Secretary and Director, U.S. Patent and Trademark Office, Department of Commerce; Anu K. Mittal, Director, Science and Technology Issues, GAO; and public witnesses.

FREEDOM IN THE WORKPLACE—AN EXAMINATION OF A NATIONAL RIGHT TO WORK LAW

Committee on Small Business: Subcommittee on Workforce, Empowerment, and Government Programs held a hearing entitled “Freedom in the Workplace—An Examination of a National Right to Work Law.” Testimony was heard from Representative Wilson of South Carolina; and public witnesses.

VETERANS LEGISLATION

Committee on Veterans' Affairs: Subcommittee on Economic Opportunity approved for full Committee action H.R. 3665, Veterans Housing Improvement Act of 2005.

BRIEFING—GLOBAL UPDATES/HOTSPOTS

Permanent Select Committee on Intelligence: Met in executive session to receive a Briefing on Global Updates/Hotspots. The Committee was briefed by departmental witnesses.

**COMMITTEE MEETINGS FOR FRIDAY,
SEPTEMBER 9, 2005**

(Committee meetings are open unless otherwise indicated)

Senate

No meetings/hearings scheduled.

House

No committee meetings are scheduled.

Next Meeting of the SENATE

9:30 a.m., Friday, September 9

Next Meeting of the HOUSE OF REPRESENTATIVES

12 noon, Monday, September 12

Senate Chamber

Program for Friday: Senate will continue consideration of H.R. 2862, Commerce/Justice/Science Appropriations.

House Chamber

Program for Monday: The House will meet in pro forma session at 12 noon.

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