House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. PETRI).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC, October 24, 2005.

I hereby appoint the Honorable Thomas E. PETRI 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:

Lord our God, in nature as well as the scriptures, You reveal Your creative goodness and Your saving power. Give us grateful hearts for all we have received and make us good stewards of all we possess. Help us to find balance in our lives. May all who labor find satisfaction in their work and enjoyment in their leisure.

May those who are retired, ill, or incapacitated discover involvements that engage their gifts and reveal Your peaceable presence. You are the Lord and source of life and love 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. The Chair will lead the House in the Pledge of Allegiance.

The SPEAKER pro tempore led the Pledge of Allegiance as follows:

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

COMMUNICATION FROM STAFF MEMBER OF HON. JEFF MILLER, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from Bob Black, Military Field Representative of the Honorable Jeff Miller, Member of Congress:

WASHINGTON, DC, October 7, 2005.

Hon. J. Dennis Hastert,
Speaker, U.S. House of Representatives, Washington, DC.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I was served with a subpoena, issued by the U.S. District Court, Northern District of Florida, for testimony in a criminal case.

After consultation with the Office of General Counsel, I have determined that compliance with the subpoena is consistent with the precedents and privileges of the House.

Sincerely,

Bob Black,
Military Field Representative.

ADJOURNMENT

The SPEAKER pro tempore. Without objection, the House stands adjourned until 12:30 p.m. tomorrow for morning hour debates.

There was no objection.

Accordingly (at 12 o’clock and 3 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, October 25, 2005, at 12:30 p.m., for morning hour debates.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:

4664. A letter from the Under Secretary for Personnel and Readiness, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General John W. Rosa, Jr., United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

4665. A letter from the Secretary, Department of Defense, transmitting a letter on the approved retirement of Lieutenant General Gerald L. Howing, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

4666. A letter from the FMCSA Regulatory Ombudsman, Department of Transportation, transmitting the Department’s final rule—Parts and Accessories Necessary for Safe Operation; General Amendments [Docket No. FMCSA-1997-2964] (RIN: 2126-AA61) received August 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.


4669. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department’s final rule—Federal Motor Vehicle Safety Standards;
Amdt. No. 3135] (received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4702. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule—Standard Instrument Approach Procedures, Weather Takoff [Docket No. 36157; Amdt. No. 3134] received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4703. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30465; Amdt. No. 457] received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4704. A letter from the Attorney-Advisor, Maritime Administration, Department of Transportation, transmitting the Department’s final rule—Maritime Security Program [Docket No. MARAD-2004-18489] (RIN: 2133-A162) received September 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4705. A letter from the Attorney, Pipeline & Hazardous Materials Safety Administration, Department of Transportation, transmitting the Department’s final rule—Applicability of the Hazardous Materials Regulations to a “Person who Offers” a Hazardous Material for Transportation in Commerce [Docket No. PHMSA-04-19173 (HM-223A)] (RIN: 2137-AE04) received August 2, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4706. A letter from the Attorney-Advisor, Pipeline & Hazardous Materials Safety Administration, Department of Transportation, transmitting the Department’s final rule—Hazardous Materials Regulations: Minor Editorial Corrections and Clarifications [Docket No. PHMSA-2005-22971 (HM-1089Y)] (RIN: 2137-AE08) received September 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4707. A letter from the FMCSA Regulatory Ombudsman, Department of Transportation, transmitting the Department’s final rule—Commercial Driver’s License Standards; School Bus Endorsement [Docket No. FMCSA-2005-21603] (RIN: 2126-AA94) received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4708. A letter from the FMCSA Regulatory Ombudsman, Department of Transportation, transmitting the Department’s final rule—Title VI Regulations for Federal Motor Carrier Safety Administration Financial Assistance Recipients [Docket No. FMCSA-2002-13256] (RIN: 2126-A79) received October 6, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4709. A letter from the Trial Attorney, NHTSA, Department of Transportation, transmitting the Department’s final rule—Civil Penalties [Docket No. NHTSA-05-21616; No. 30459; Amdt. No. 3134] received September 23, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4710. A letter from the Attorney-Advisor, NHTSA, Department of Transportation, transmitting the Department’s final rule—Procedures for Participating in and Receiving Data From the National Driver Register Problem Driver Pointer System [Docket No. NHTSA-04-17326] (RIN: 2127-A156) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4711. A letter from the Secretary, Department of Veterans Affairs, transmitting a copy of a draft bill, “To amend title 38, United States Code, to improve veterans’ health care benefits and for other purposes”; 20 copy of a draft bill, “Veterans Programs Improvement Act of 2005”; to the Committee on Veterans’ Affairs.

4712. A letter from the Secretary, Department of Veterans Affairs, transmitting a copy of a draft bill, “Veterans Programs Improvement Act of 2005”; to the Committee on Veterans’ Affairs.


PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. MARKKEY:
H.R. 4124. A bill to amend the Public Health Service Act to authorize funding for the establishment of a program on children and the media within the Centers for Disease Control and Prevention to study the role and impact of electronic media in the development of children; to the Committee on Energy and Commerce.

By Ms. MILLER-MCDONALD (for herself and Mr. GARY G. MILLER of California):
H.R. Res. 506. A resolution commending the Southern California Association of Governments for Forty Years of Planning and Advocacy in Transportation, Air Quality, and Growth Management; to the Committee on Transportation and Infrastructure.

By Mr. BARTLETT of Maryland (for himself, Mr. UDALL of New Mexico, Mr. GOOD, Mr. GRIJALVA, Mr. JONES of North Carolina, Mr. TANCE, Mr. GINGRICH, Mr. KUHL of New York, Mr. ISRAEL, Mr. BUTTERFIELD, Mr. UDALL of Colorado, Mr. VAN HOLLLEN, Mr. GILCHREST, and Mr. WYNN):
H. Res. 507. A resolution expressing the sense of the House of Representatives that the United States, in collaboration with other international allies, should establish an energy project with the magnitude, creativity, and sense of urgency that was incorporated in the “Man on the Moon” project to address the inevitable challenges of “Peak Oil”; to the Committee on Energy and Commerce.

ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 170: Ms. ZOE LOFGREN of California.
H.R. 219: Mr. NABABY.
H.R. 1159: Mrs. MUSGRAVE.
H.R. 1426: Mr. PALLONE.
H.R. 2048: Mr. PETTIT and Ms. SCHWARTZ of Pennsylvania.
H.R. 2132: Mr. PITTS, Mr. BURT of Indiana, Mr. CHOCOLA, Mr. BARRETT of South Carolina, Mr. GUTKNECHT, Mr. FENNEY, Mr. BISHOP of Utah, Mr. BARTLETT of Maryland, Mr. WELDON of Florida, Mr. BRADY of Texas, and Mr. TAHUT.
H.R. 3174: Mr. JACKSON of Illinois.
H.R. 3561: Mr. MCNULLY.
H.R. 3630: Mr. RYUN of Kansas and Mr. CAMP.
H.R. 3661: Mr. MILLER of Florida.
H.R. 3889: Mr. COOPER.
H. Con. Res. 190: Mr. FITZPATRICK of Pennsylvania and Mr. WEEXLER.
H. Con. Res. 221: Mr. OWENS and Mr. SWEENEY.
H. Con. Res. 269: Mr. BARRETT of South Carolina, Ms. ESTO, Ms. FOXX, Mr. GOMME, Mr. SHIMKUS, Mr. ROSS, Mr. LIPINSKI, Mr. PAUL, Mr. FOSSELLA, and Mrs. CHRISTENSEN.
H. Res. 477: Ms. VELAZQUEZ.
H. Res. 483: Mrs. JOHNSON of Connecticut.
The Senate met at 2 p.m. and was called to order by the Honorable PAT ROBERTS, a Senator from the State of Kansas.

PRAYER

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

Let us pray:

Creator of the universe, help us to grasp the length, breadth, and depth of Your love for us. We marvel that You desire a relationship with us and have given us the privilege of conversing with You in prayer.

Bless our Senators today and the many others who labor with them to keep our Nation strong. Open our eyes that we might perceive Your presence in our lives and world. Strengthen and sustain our loved ones who support and encourage us. Mold and meld us into the people You desire as we surrender ourselves to You for the business of this day.

Lord, we also pray for those affected by Hurricane Wilma and ask that You encourage us. Mold and meld us into the people You desire as we surrender ourselves to You for the business of this day.

We pray in Your strong Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable Pat Roberts 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 assistant legislative clerk read the following letter:

The following letter:

Mr. ROBERTS thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The distinguished majority leader is recognized.

SCHEDULE

Mr. FRIST. Mr. President, today we will immediately resume consideration of the Labor-HHS appropriations bill, following statements by myself and the Democratic leader. Amendments may be offered during today’s session, and we hope Senators will come to the floor and offer their amendments. If Senators are unable to come to the floor, we ask that they notify the two managers or their respective cloakrooms of their intention to offer amendments and the specific subject matter. I know the distinguished chairman will have made it clear that at the appropriate time, he will go to third reading in order to complete this bill. His statement in saying that and my statement in re-stating that is that we will finish this bill this week. We absolutely must have people come to the floor today as soon as possible, instead of doing what has become almost a custom here, wait a few days before making the managers aware of their amendments.

It means that we will be voting, of course, through this week. We will have votes later tonight which I will speak to. As I have said before, working with the Democratic leader, it is very important that we work Monday, Tuesday, Wednesday, Thursday, and Friday. We have asked all of our colleagues, between now and Thanksgiving, to give us every Monday and every Friday instead, as has become the custom, of working Tuesday, Wednesday, Thursday on the floor and not Monday and Friday. We will have to ask everybody’s cooperation and participation. The chairman will have more to say about that momentarily. We will have one vote, probably two votes, possibly three votes, but we will have one or more votes today beginning at 5:30. We hope we can have a vote on the Labor-HHS bill, if an amendment is offered and debated this afternoon. In addition, we have three district judges on the Executive Calendar, and those may require rollcall votes. Therefore, Senators can expect to begin voting at 5:30 today.

I remind Senators, we will have a very busy week with this particular bill. Senators are asked to report on time when we call a vote. Again, the tendency has been to go beyond 15 minutes and, indeed, beyond 20 minutes. Because we have so much to do in such a limited amount of time over the next 4 weeks, we will have to tighten that up and ask people to be more responsible than in the past.

Mr. REID. Will the Senator yield?

Mr. FRIST. I am happy to yield.

Mr. REID. Mr. President, I have kept quiet the last 8 or 9 months on this issue, but I am glad to hear somebody raising the issue of how long these votes take. It is so discourteous, so impolite of Senators to have us wait around here for 35, 40 minutes on a vote. It is not right. People have other

***This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.***
things to do than wait for somebody who is finishing a phone call or some appointment. The only way to do this is to cut off the vote, have people miss votes. If I am late, cut off the vote. Senators come in here ‘hang tough,’ say that they missed a vote, after we keep them going for 35 or 40 minutes. I served in the House of Representatives. We had 15 minutes to vote in the House. It is over with. There are 435 Members over there. They all manage to get over and vote on time. I know how to have a rollcall, but it is simply unfair to this institution to waste hours every week. My Democratic Senators, if they are late and there is equal pain around here and you cut off your Republicans, I will cut off my Democrats, and I will handle them. I want everyone within the sound of my voice, all the staffs, to hear that it is my understanding, based upon the urging of Senator Specter, that we are going to cut these votes off. I hope that is the pet peeve they are around here. Where else in the world would you be so discourteous as to have people standing around waiting for you to do something that none of us care about? I don’t know what they are doing over there. We hear the excuses, the plane has just landed, they are on their way. They have had too many tardy slips. Let’s not accept that anymore. I think if we did it once, the second time it would be a lot easier. And the third time it would never happen. I hope if I pushed Republican leader will force our Senators to recognize that they have the obligation of voting on time. It is the main reason we are here. If they miss a vote, they miss a vote.

Mr. Frist. Mr. President, you have heard it now from the two leaders and the chairman and the ranking member. Let’s plow ahead, again being respectful of the body itself and the use of time, and keep the bill moving forward and America moving forward.

DARFUR

Mr. Frist. Mr. President, the United States will very soon vote on a resolution urging the international community and the Government of Sudan to end genocide in Darfur. Since March of 2003, more than 181,000 people have died in the Darfur region, Darfur and the country on the western part of the country west of that, Chad, and the neighboring towns in that region. One hundred eighty-one thousand people have died of violence and disease. They are dying of malnutrition. More than 2 million people have been displaced from their homes, many times without their families, and remain scattered in these refugee camps in the Darfur region and in Chad. I have had the opportunity to travel to Sudan many times and to the Darfur region, last year to Chad. Along the border, there are a whole number of refugee camps, each with anywhere from 6,000 to as many as 12,000 people. When you go into these refugee camps and you sit down on a little mat with all these little makeshift tents with 8,000 people who have had to leave their homes, you hear the stories of murder, the stories of rape from young women. You hear the stories of violence, of terrorism, but many with descriptions of the Government of Sudan’s jeeps driving through these villages as they are pushed forward. I have heard the stories myself. I have talked to enough people on the ground; I have talked to enough people. It was clear, as I was there, as it is now, that the death toll is going to increase. It is going to increase unless we have stronger action, unified action, but not just by the Government of Sudan, because they are not going to act, but the entire international community against Khartoum, where the Government of Sudan is centered. President Bush and former Secretary of State Colin Powell and the Senate have all declared that this crisis is, in fact, genocide. It was the Senate that officially condemned it as genocide. Once again, we see no real response by the international community.

This past Friday, the United Nations High Commissioner for Refugees warned that the situation in the Darfur region of the Sudan is getting worse. Where is the international community’s response? Innocent civilians continue to be targeted by both the Sudanese Government in Khartoum and its allied Janjaweed militias. The Janjaweed have even caused the United Nations to temporarily suspend some of its relief activities in many areas of Darfur. In the words of the High Commissioner, the situation is “extremely nasty, with ugly events.” Last month, 400 Janjaweed Arab militia on camels and horseback attacked a refugee camp killing 35 people, wounding 10 others. More than 80 civilians were displaced on October 8, 2005. The African Union convoy was ambushed in the southern part of Darfur. Four Nigerian soldiers and two civilian contractors were killed. The very next day, a group of rebels abducted 38 African Union soldiers in the border town of Tine, threatening the African Union to stay out of the territory.

Today there are fresh reports of heavy gunfire over the weekend in half a dozen towns in the region. The African Union forces deployed to the Darfur region have done a professional job and deserve praise for their determination. But they are up against ruthless opponents who attack and maim and kill their opponents. Nearly 200,000 civilians are dead, 2 million more displaced and suffering. The violence must stop. Those who are responsible for genocide for these war crimes against humanity and these criminal acts must be brought to justice.

I urge the United States to renew efforts to implement additional sanctions on the Government of Sudan through the United Nations Security Council. I also support an expansion of the size and mandate of the African Union mission in Darfur, and I encourage my colleagues to continue to support its efforts.

Time is running out. We cannot wait and see. The international community must live up to its declared responsibility to protect innocent citizens targeted for genocide. The credibility of the international community is at stake. Even more important than that are the hundreds of thousands of innocent civilians whose lives now hang in the balance.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The acting President pro tempore. The distinguished Democratic leader is recognized.

AMERICA’S PRIORITIES

Mr. Reid. Mr. President, I think most Americans have been to Florida. It is such a pleasant place, and beautiful, with wonderful beaches and tropical weather. But nature has been very unkind to Florida in the past few years. There have been numerous storms, devastating storms. Florida is now being buffeted by Wilma. Winds are over 125 miles an hour with torrential rains, flooding many parts of Florida. Over 20,000 people have sought safety in shelters. Many have chosen to ride out the storm, and that is unfortunate. According to reports, less than 10 percent of the residents of the Florida Keys have evacuated, and it appears this may turn out to be the most damaging hurricane to hit this region in more than a decade. This afternoon, Wilma’s victims are certainly in our thoughts. The storm is still there. In recent weeks, we have seen how destructive nature can be. The people of Florida know we stand ready to help if, in fact, that is necessary. Victims of Hurricane Wilma join the growing list of the Americans who need our help. While Wilma is upon us—we had Rita before that—we cannot forget the people who have suffered such devastating losses from the storm that hit the gulf, Hurricane Katrina. But it is obvious that the majority has forgotten about them.

We have had bills agreed upon by the Finance Committee and others—bipartisan bills—that we cannot move to the Senate floor. We cannot move them. Now I am told a bill that started out at
$8 billion to help the people who are in such need of medical care and attention. The Medicaid bill, has now shrunk to less than $2 billion. It will be, of course, a Band-Aid. It will give the majority something to say: we are trying to help. The fact is, they are not trying to help.

Weeks have gone by, and now Wilma is upon us, and Wilma likely create the need for more help for people in Florida, which will push Katrina's victims, in the minds of the majority, further down the screen.

The American people, even before Wilma, were already looking to the Senate for help with rising energy prices, and preparedness for future disasters, such as the avian flu. We must add Wilma's victims to this list.

It is my hope that the majority in the Senate will join Democrats in focusing on these priorities. These priorities are about doing something about these staggering energy costs—heat—fuel, gas—price hikes. It is something about being prepared for what we have been told is going to be a pandemic, the avian flu. We have seen it leave the Far East and travel to Europe. And what are we going to do about it? With few weeks remaining in this work period before Thanksgiving, we need to come together and make sure the agenda of the Senate reflects the agenda of the American people. Unfortunately, it does not at the present time.

This week, the Senate Budget Committee will mark up the bills they get from the various committees and move forward with budget reconciliation. This is legislation that cuts health care for the neediest of the needy, the Medicaid recipients. It will cut housing. It will cut programs for farmers. It could put at risk the pensions of millions of working Americans. But the majority's plan is: Rich people of America, we are coming to your rescue; we are going to cut your taxes some more.

I am appealing to my colleagues in the majority: Don't do this. Postpone this effort. We have very real needs to address in this country. I repeat, rising energy prices, hurricane victims, and preparedness for the avian flu. These issues should be the focus of every Senator, not cutting programs to help those most in need and providing tax breaks for special interests. Democrats voted against this immoral Republican budget once before Katrina hit. Now, after all we have been through, I think it is even more of an embarrassment to this institution that we are moving forward to cut the poor even more and cut taxes for special interests even more.

After a summer of rising energy prices and multiple hurricanes, hundreds of thousands of families are struggling to meet basic needs. The cuts in the Republican budget will only make these problems worse. Of course, even if Republicans move forward with their plans, Democrats will continue to insist the Senate address the priorities of the American people.

As we did last week, we will continue to try to bring forward legislation that will help working families. On energy, we will fight to make sure the Senate takes action and takes steps to help millions of families fill their tanks and heat their homes. On avian flu, we will continue to push the Senate to consider our comprehensive, preparedness legislation so our communities have the tools and resources it needs to confront this pandemic. If we do not do something, we are told 48 percent of the people who get this flu are going to die. And with Katrina, we are going to do everything we can to make sure hundreds of thousands of victims get the health care, housing and economic opportunities they need.

This weekend brought a new round of stories about how gulf coast communities are struggling. The problems of Katrina have not gotten better. For many families they have gotten worse. With Katrina, we also have to ensure we get answers to how this happened so we can do everything possible to prevent it from happening again. The Senate has an obligation to act.

I say to my friends who now, as we see from the morning papers, are concerned about how many Iraqis are killed and soon—it may have already happened—just a matter of hours from now, 2,000 Americans will have been killed in Iraq. No one was looking for offsets and have not been looking for offsets on the billions of dollars being spent in Iraq.

Unfortunately, the Republicans blocked our attempts to help the American people last week. We could have made real progress. Instead, the Senate wasted much of its time. America can do better. We do not have time to lose. Every day that goes by, the problems caused by Katrina victims grow worse. Every day that goes by, families are squeezed tighter by the energy crunch. Every day that goes by, we lose precious time in preparing for the avian flu pandemic.

We can do better. America can do better. The ACTING PRESIDENT pro tempore. The distinguished Senator from Illinois is recognized.

Mr. DURBIN. I thank the President for recognizing me. I would like to follow on the remarks made by the Democratic leader of the Senate. The American people we represent expect us on the floor of the Senate to truly represent them and their real concerns—health needs of their families, the needs of their communities, the needs of businesses and farmers. We are elected to speak for them and to come together in common purpose on a bipartisan basis and deal with the real issues Americans face.

I would like to acknowledge that the pending appropriations bill for Labor, Health and Human Services, which includes education as well, is one of the most important appropriations bills that addresses those needs. In years gone by, there was a Congressman from Kentucky named Bill Natcher who was the chairman of the subcommittee that handles this bill. He always called this bill on the House floor the "Bill of Rights." I think it was aptly named because it meant so much.

So as we visit this bill this week, it is time well spent, time to reflect on what we can do to help education in America. And what can we do to help health care for America, medical research for America. It is time to look at some of the most basic programs we count on.

Sadly, this bill is the exception, it is not the rule.

Too many times we come to the floor of the Senate not to serve the needs of the people of this great Nation, but to serve the needs of special interest groups. They dominate this process because the people in this country—most Senators, mere mortals, spend their time raising money. From whom? Well, from their voters somewhat but, by and large, from special interest groups. So it is no surprise that the agenda of the Senate reflects those special interest groups.

Two weeks ago, the new bankruptcy law went into effect. Professor Warren of Harvard Law School this morning in the New York Times talks about what it is going to mean. This was a 9-year effort by the financial institutions and credit card companies of America to make it more difficult for families to file for bankruptcy. Nine years they put into it, and they finally scored their big victory this year. They got this new bankruptcy bill passed.

What it means is fewer people who walk into bankruptcy court will be able to walk out with a clean slate. Many people walking in, crushed by debt, will find themselves walking out still carrying most of that debt.

Who are these people? Who are these folks who have been accused of abusing the bankruptcy system? Take a look at them: Over half of them are people who were overwhelmed by one thing—medical bills. There was an article in the New York Times this Sunday on the front page—my colleagues might have read it—of a family with health insurance and a sick baby who ended up losing their home, despite the fact they had health insurance, because of the serious medical problems that little baby faced.

This new bankruptcy law pushed on us by financial institutions and credit card companies will make it more difficult for families like that to ever erase the slate and start over. The special interests won again.

Then we had this debate on the floor of the Senate about the Department of Defense authorization bill. Can you
think of anything more important, certainly to the families of 150,000 American soldiers serving in Iraq today? Is there anything more important than the Department of Defense authorization bill, a bill which addresses the needs of our soldiers, the needs of the Pentagon, the security of our country? Could there be a higher priority for us to deal with on the floor of the Senate?

Do you know what happened to that bill? The Republican leadership pulled that bill off the floor and said: We don't have the time to consider it. And what did they replace it with? They replaced it with a bill pushed by the gun lobby, the National Rifle Association, a bill which says that gun manufacturers cannot be held liable in court for their wrongdoing. It doesn't apply to you, not as an individual. If you are guilty of wrongdoing? You are held accountable. It does not apply to 99.9 percent of the businesses in America.

Guilty of wrongdoing? You are held accountable. But the gun industry, this big special interest group, so powerful that Republican leaders pulled the Department of Defense bill off the floor and has never returned to it.

Mr. REID. Mr. President, will the Senator yield for a question?

Mr. DURBIN. I will be happy to yield for a question.

Mr. REID. I apologize for interrupting.

In the New York Times today on the front page there is a column that says: "GOI Testing Ways to Blunt Leak Charges." Is the Senator aware that the senior Senator from Texas said she agreed "that if there is going to be an indictment that says something happened”—referring to the Rove-Libby scandal in the White House—"that it is an indictment of the President and not something perjury technicality. . . ." Will my friend comment on this statement?

Mr. DURBIN. Mr. President, I did read the article on the plane coming out here. I think everyone knows, without saying this is a critical week, that something could happen this week. There are investigations under way of the Republican leadership, the House and the Senate, and now there is a question as to whether there will be indictments handed down for others in the executive department.

It is clear from the statement by some Senators, including the one quoted, that they are trying to prepare America for the shock that even higher level indictments could be handed down.

I say to the Senator from Nevada, and I think he would agree with me, the vast majority of the men and women serving in the House and Senate today are the most honest, hard-working people America could ever hope for. They come to work every day trying to serve the public good and yet in every institution, whether it is Government, business, families, even churches, there is wrongdoing. People do the wrong things.

I hope what we hear being said by some Members of the Senate minimizing the possibility of indictments at the highest level of our Government does not reflect the true feeling of this body. I honestly believe there has been a rampant culture of corruption and cronyism that can take over our lives if we are not careful in public life. I hope we are aware of the public we need to know that we are committed to continuing honest, ethical conduct in public service. Otherwise, we lose the confidence. Nothing else we do means much.

To minimize the possibility of someone being indicted for perjury overlooks the obvious. What is at stake, what is at issue in this investigation involving Valerie Plame, is the fact that this woman was a career employee of the Central Intelligence Agency in a covert capacity and people did not know what she was doing. That gave her entree and opportunity others did not have. So protecting her identity was an important part of her service to this nation.

There are some like her who risk their lives every day for America to make it safer to uncover potential acts of terrorism before they occur. So when her husband, a former ambassador, put an article in the newspaper criticizing the administration for overstating the reasons we were going to invade Iraq, someone—according to columnist Robert Novak, two people in the White House—came forward to out her identity. They did that for the most vain national political reasons, to punish her and her husband for speaking out against the administration.

That is a crime, to out the identity of a CIA agent. Who created this crime? It was a crime created by President Bush’s father, former head of the CIA, who was so enraged that someone had written a book disclosing the identity of a CIA agent which he believed resulted in their death that he called on Congress to pass a law to say if anyone disclosed that identity, they should be held responsible for it. That is what is at the heart of this.

This is not a political game. It involves the lives and good fortunes of many men and women who serve this country. So to minimize this Valerie Plame investigation and to say it is over some technicality—for goodness sakes, the security of America and the security of the men and women in our intelligence agency, that is not a technicality. That is part of the discussion. I certainly hope what we have seen in the paper this morning, reflected in yesterday’s talk shows, is not part of some strategy to try to minimize what is an extremely serious investigation.

I also say this before I yield the floor—I see the Senator from Pennsylvania is here as chairman of the committee. The three points made by the Senator from Nevada are critical points. Five weeks from now, how can we go home and say Thanksgiving has come, we are ready for the holidays, we are headed off, and not do something about energy in America? How can we face the people we represent who cannot afford to heat their homes for the winter or to help pay for LIHEAP so low-income families can heat their homes, in my mind, is simple justice.

Finally, we need an energy policy that looks ahead to making America less energy dependent. There was one critical issue on the floor when it came to the Energy bill. It was an amendment offered by Senator Maria Cantwell of Washington, cosponsored by many of us, and here is what it said: Much like President Kennedy’s goal of taking the Moon, this bill sets a national goal reducing our dependence on foreign oil in America by 40 percent over the next 20 years. Is there a person...
following this debate who does not think that is a good idea, a positive thing, that we would take the impact of the OPEC cartel and oil shells out of the American economy, minimize their impact?

We voted on that amendment up for a vote. One would think it would have been a unanimous vote, but it turned out to be a partisan vote. Not a single Republican Senator would support it. To reduce the dependence on foreign oil! That makes no sense.

We need for creativity when it comes to energy. We need to find renewable, sustainable sources of energy. What is the administration’s answer to the energy crisis? Drill in the Arctic National Wildlife Refuge. An argument can be made there is not enough oil there to sustain us for any period of time. Over 20 years, the oil coming out of there is worth 6 months of America’s energy supply. Over 20 years, it would produce 6 months’ worth.

What happened last week in the Energy Committee? Up came a vote which said, incidentally, if there is going to be drilling in the Arctic National Wildlife Refuge, the oil better come down to America to help reduce our prices. That amendment was defeated. It was defeated on a largely partisan rollcall. There were many who said, no, the oil companies cannot be told what to do with the oil they take out of a wildlife refuge that has been protected for 50 years.

One wonders about the reach and impact of special interest groups. President Eisenhower’s Arctic Wildlife Refuge, which we have valued and protected for 50 years, is going to be invaded and desecrated to drill for oil for America’s energy, but this Congress would not say that oil would come back for heat and to fuel the cars of Americans. Where will it go? Probably to China.

That about that for a second. One of our largest competitors in the world, energy hungry themselves, may end up with the very oil we are taking out of the Arctic. We have a very complicated bill, in which I initiated last week about going to the 15-minute plus 5, 20 minutes total, vote tally so we do not consume a large amount of time, which has become the practice of the Senate.

Speaking as the manager, and I know Senator HARKIN concurs with this—I would ask the Senator if that is correct?

Mr. HARKIN. Yes.

Mr. SPECTER. We are going to move to enforce the time limits. The managers intend to press to file a cloture petition tomorrow which will require that all amendments be filed by Wednesday at noon and that we take up only germane amendments. I think these rules are the ones which should govern the consideration of this bill. If anybody has nongermane amendments, the floor is open this afternoon, and until cloture is invoked, the germane amendments will be open for consideration tomorrow. We urge our colleagues to come forward at this time with any amendments which they desire to offer.

The distinguished Senator from Iowa was not present to hear my lavish praise about him on Friday afternoon. He is giving me the one signal. The choice is either to praise him again or relegate him to read the CONGRESSIONAL RECORD, so I choose to renew the praise.

He has been a steadfast colleague as we have moved the work of this important subcommittee without partisan-ship. The gavel has changed hands from time to time between Senator HARKIN and me. I know that while he has said some good things about my chairman-ship, I prefer to be chairman. I do not know why, but he has maintained that position. In the public interest, when the chairmanship is changed, we use the expression “a seamless exchange of the gavel.”

Now I do not hand him the gavel, but I hand him the floor seamlessly.

The distinguished Senator from Pennsylvania is recognized. Mr. HARKIN. Mr. President, I think Senator SPECTER of Pennsylvania is determined, and Senator FRIST, the leader, as well as Senator REID, the Democratic leader, will back us up. Senator REID took the initiative to remind Senators and others in a statement at which I initiated last week about going to 20 minutes total, vote tally so we do not consume a large amount of time, which has become the practice of the Senate.

One wonders about the reach and impact of special interest groups. Presi-
ahead educationally and to be better prepared healthwise. It was Senator SPECTER who led the charge in the 1990s to get us up on the plateau, to double the funding for NIH. People said it could not be done.

We had fallen so low in terms of the number of peer-reviewed projects that were being funded that people were just giving up. We were not getting a pipeline of researchers. Maybe they had 1 chance in 10, maybe 1 chance in 20 of ever having their research project funded, and this was after it went through the peer review and was deemed worthy of funding.

We had fallen to a terrible state, so Senator SPECTER and I worked together with our staffs to get a funding schedule that would double the funding for NIH. If I am not mistaken, I believe it was started under a Democratic President and finished under a Republican President. We had fallen so low that we had to make up for all the damage that was done pre-World War II.

The National Institutes of Health were then the high-class, high-intensity, fancy laboratories and high-tech stuff. It was Senator SPECTER who led the charge.

Many years ago, you will remember, there was a movie called “Outbreak.” It had Dustin Hoffman in it. It was about what had happened during their research project funded, and this was after it went through the peer review and was deemed worthy of funding.

We had fallen to a terrible state, so Senator SPECTER and I worked together with our staffs to get a funding schedule that would double the funding for NIH. If I am not mistaken, I believe it was started under a Democratic President and finished under a Republican President. We had fallen so low that we had to make up for all the damage that was done pre-World War II.

That is just my way of paying my respects to Senator SPECTER for his great leadership on this subcommittee in terms of health and of education in our country.

Having said that, I am pleased we have the bill on the floor. Last year, we never even got to the floor. As of last week, it looked as if we would not get to this one, so this is the last appropriations bill this year, and it deserves the full consideration of the Senate.

Defenders, this is the largest appropriations subcommittee. Health, Education, Labor it provides over $600 billion in programs. I mentioned the National Institutes of Health; Centers for Disease Control and Prevention; libraries—a lot of other things. It is the bill that paves the way for medical breakthroughs, provides job training to dislocated workers, vocational education, and helps our most disadvantaged students through title I, Individuals with Disabilities Education, Pell grants. I was chairman of our subcommittee that the Defense Appropriations Subcommittee is the committee that defends America; the Labor, Health and Human Services, Education Appropriations Subcommittee defines America. I believe that is true. It defines who we are, what kind of people we are, and how we perceive the future of our country. So it is true, the Defense Appropriations Subcommittee defends America. I think this subcommittee has the legislative and the money that defines America.

I again thank Senator SPECTER, and I especially wish to thank his staff. It goes without saying, our staffs have worked together very closely across the aisle for all these years. I could not ask for better relationships and openness, transparency, congeniality, working together.

So we have the bill before us. Am I ecstatic over this bill? Not quite. I am not. But I want to say this: Senator SPECTER and his staff and I and our staff have done the best with what I consider a bad hand that was dealt us. A lot of times when the budget comes through here, we have a debate on the budget, people vote on the budget, and it goes through as if it doesn’t have much effect. The budget goes through, ho-hum, and that is the end of it. But we have to operate with that budget and within that budget, and that is why we have. Once the budget was adopted, our subcommittee had no hope of restoring all the cuts in the President’s budget, much less giving increases to vitally important health and education programs.

We did the best we could. Again, I compliment Senator SPECTER, but just take a look at the National Institutes of Health. Again thanks to the leadership of Senator SPECTER, we go up about $1 billion. The President’s budget only had it up $100 million. In community colleges, we basically funded it at the level of last year, but the demand is greater. The Community Services Block Grant Program got $636 million, the same as last year. That is less by $14 million than what we had in the year 2000. So we have more poor people—more people demanding services everywhere from Head Start to LIHEAP to childcare services—yet we have basically level funded, at least in our bill, the Community Services Block Grant Program.

Some Senators may remember that when the Defense Appropriations Subcommittee bill was on the floor, I offered an amendment to increase the community services block grants to this year’s level because the continuing resolution we are operating under right now cut the community services block grants back to the level at which they were in 1986: about $340 million or $350 million.

This is October 24. We are now 24 days into this quarter at which the funding for our community action is the same as what we had last half of what was in last year’s bill. So here we are, trying to get at least last year’s level, even though that is inadequate. It is less than what we had in the year 2000, and we know poverty has increased. There is more demand for Head Start services, LIHEAP, and others. But again, at least in our bill, we keep it level funded. The continuing resolution knocked it back, it said, to the levels of 1986.

I mentioned LIHEAP. We have $2.2 billion in our bill. We should have more. The budget resolution wouldn’t allow it, so we did the best we could. And with oil prices up—I checked in with Senator SPECTER, I was there last week, and heating prices are double what they were last year. Natural gas prices are at least a minimum of 50 percent more than they were last year. Yet the amount of money we have for LIHEAP is the same as last year—$2.2 billion. The Low-Income Home Energy Assistance Program, the same level as last year. I understand there will be an amendment offered to increase this. I assume it is going to take 60 votes, so I don’t know how we will have of passing it. I hope it does pass because the demand is there. The need is there.

Pell grants are $4,050, maximum. That is the same as last year. There is no increase whatsoever, yet we know tuition costs have gone up. Pell grant purchasing power now is about 40 percent of what it was just 15 years ago when we were working together on the Perkins Program. We offered an amendment to increase the purchasing power in a Pell grant, and Pell grants go to the lowest income families in America for their kids to go to college.

We have the Perkins Program for Vocational Education. At a time when we need to be training workers in vocations such as electronics and computers and software and when they need retraining for the new kinds of jobs of the future, we have a program called the Perkins Program for Vocational Education. We funded it a little bit less than last year’s level, and we know the need is there for more vocational education.
Title I funding goes to help local school districts that have a high proportion of very low-income kids. Last year, it was $12.7 billion. This year, it is $12.8 billion. When you take into account inflation, it is basically a little bit less money than we had last year, in terms of purchasing power. We estimate that 75 percent of the school districts that get title I funding in America will actually get less next year than they got last year. Yet we know from the President that we have more poor people out there, there are more low-income families and schools that teach these low-income kids, yet we are not funding the title I program in the way it has been funded in the past. So again we are caught up in a budget problem, a budget situation where in this budget this Senate voted for we have new tax breaks of about $70 billion more in tax breaks. There is $35 billion more in cuts and $35 billion more in deficit spending under this budget. So $70 billion of these tax breaks, most of which go to the most affluent Americans, yet we have no money for title I or Pell grants or Perkins loans.

We have no more money for the Low-Income Home Energy Assistance Program—LIEAP—which is a grant program to help the elderly. The funding for community health centers that are picking up the gap between those who have health insurance and those who do not is up $105 million, but out of $1.8 billion, that is basically level funding, we have even a little less when you take inflation into account.

The budget we passed this year is a budget that measures our Nation just the opposite of what Franklin Roosevelt said in 1936.

President Roosevelt said the progress of America should be measured not in whether we can add more to the abundance of those who already have plenty but, rather, whether we can even meet the needs of those who already have too little. This budget seems to be saying to us the measure of progress in America is how much more we can give to those who already have a lot and take from those who already have very little. That is the way we measure progress in America today under this budget. So that is why we have an appropriations bill that basically doesn’t meet the needs for education in Pell grants, Perkins loans, or title I. It doesn’t meet the needs for heat and energy assistance of those who want to waive the Budget Act to fund these programs, to abide by the Supreme Court decision filed tomorrow. That is something I can support and fund this bill this week and hopefully get it to conference. I just wish that we did not have the budget under which we are operating.

I again ask Senators who have amendments to come over and offer those amendments. We are open for business. We would like to finish this bill by Thursday night. I am sure most Senators would. There is no way to do that unless people come over and offer amendments.

So with that, Mr. President, I yield the floor, and I note the absence of a quorum.

The PRESIDING OFFICER (Mr. Alexander). The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. SPECTER. 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. SPECTER. Mr. President, Senator HARKIN just called my attention to the fact that a quorum call has been underway for a protracted period of time. Senator Harkin and I are very much opposed to quorum calls during our watch.

I ask Senator Harkin if it is too early to call for a third reading or final passage.

Mr. HARKIN. Mr. President, if the distinguished chairman will yield to allow me to respond to that, I say to my friend from Pennsylvania that I think it may be a bit early. I think there are Senators still coming back from their travels in their home States. We want to give them time to get back here.

Mr. SPECTER. Would 4:15 be an appropriate time?

Mr. HARKIN. Someone told me there was a vote on a couple of judges at 5:30. I think after that we have to take a look and see how many amendments there are, if I am not mistaken.

I thought the chairman was going to offer a cloture motion tomorrow. If we have third reading, the chairman can’t file a cloture motion. Mr. SPECTER. If we have third reading, we will not need a cloture motion.

I am persuaded by the eloquence of the Senator’s argument.

Mr. HARKIN. There may be a point in time when I would agree with the chairman on this. It is Monday, and I know people are working diligently in their States, and they are headed back. There may be a couple of amendments that Members want to offer. I think perhaps 4:15 might be a little early for third reading.

Mr. SPECTER. If the chairman will yield further, I believe the chairman is right. It is Monday. We are in business. Senator FRIST, the majority leader, said that
we are going to be doing business today. If Members have amendments, they should come over and offer them. I agree with the chairman. It is ridiculous to sit here in quorum calls when we have an important bill like this and Members have amendments.

Mr. SPECTER. Mr. President, I thank the Senator from Iowa for his le- nient response. I thought it worth noting that a quorum call had been on for a while. Even the generosity of Senator HARKIN has its limits on how much of a quorum Bill I sustain.

AMENDMENT NO. 297

Mr. President, I send an amendment to the desk. The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Pennsylvania [Mr. SPECTER] proposes an amendment numbered 297.

Mr. SPECTER. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment is as follows:

(Purpose to reduce administrative costs in the Centers for Medicare and Medicaid Services)

On page 154, line 10, strike "$3,203,418,000" and insert "$3,188,418,000" in lieu thereof.

Mr. SPECTER. Mr. President, this is an amendment which reduces the Federal administrative costs for the Centers for Medicare and Medicaid Services by $15 million. It is a very small reduction which will still leave in that account some $650 million, an increase of $37,570,000 over last year.

The reason for this amendment, which is more in the nature of a technical amendment, is it brings this bill in conformity with the budget resolution. We anticipate savings of $15 million from a certain item in the budget. We would amend that the savings noted by Finance for fiscal year 2006 amounts to only $90 million. We are $15 million short. With the astute reading of the staff, this was noted, and we would be subject to a point of order if we were out of kilter. So we are offering this amendment.

I believe this would be the basis for at least one of the 5:30 votes this afternoon. The majority leader talked about other judicial nominees being on the calendar. That is up to him as to whether he will put those on the agenda for votes.

Mr. President, I ask for the yeas and nays on the amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There is no sufficient second.

The yeas and nays were ordered.

Mr. SPECTER. Mr. President, that is the only amendment which this manager has to offer at this time. It is 3:22. We have 2 hours 8 minutes before the 5:30 votes have an adjacent second.

There are frequent occurrences on the floor of this Senate where 8 minutes is valuable, and sometimes 2 minutes. Somebody asked unanimous con- sent on Thursday night for an additional minute, but it was objected to. Objection was withdrawn with 5 minutes to argue about whether we would have a minute. We have a lot of time. We could get some important work done if Senators who are now returning from their home States will come to the floor and offer amendments.

In the absence of any Senator seeking recognition, 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. SPECTER. 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.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. SPECTER. Mr. President, on behalf of the leader, I ask unanimous consent that the Senate proceed to executive session and immediately proceed to consecutive votes on the confirmation of Calendar No. 385, Brian Sandoval to be United States District Judge for Nevada, to be followed by an aproval of Calendar No. 387, Harry Mattice, Jr., to be United States District Judge for the Eastern District of Tennessee; provided further that there be 2 minutes equally divided for debate prior to each vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. SPECTER. I thank the Chair. Again, in the absence of any Senator seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. THOMAS. Mr. President, I ask unanimous consent to speak as in morning business.

As I told the chairman, if any Members come and want to proceed with amendments, I will be glad to yield the floor.

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

THE DEFICIT

Mr. THOMAS. Mr. President, there is a subject that is extremely important. It is important to all. Frankly, having been at home this weekend, as most Members have, I heard more about it probably than any other issue. That is spending, of course; the amount of spending we are taking on, and the Federal Government challenges to do something about the increase in the deficit, bringing upon ourselves. The challenges make it very difficult.

As Fred Thompson said once: It is like going to heaven; everyone wants to go, but nobody wants to make the changes necessary to get there. That is the way it is with the budget. It is an obligation to do more to control spending and to control the size of the Federal Government. We have that obligation.

We have had some difficult times in the last couple of years which have brought about some necessary spending. We had September 11, the war on terrorism, the gulf now, and other emergencies, all of which require spending. I understand that.

However, we have to treat this as a family or business would when an extraordinary thing happens: We take care of it, but, nevertheless, the costs for the family and business continue. Then we must find a way at some point to offset the costs. That is where we are now.

Things have not all been bad over the past year. We have decreased the deficit by $100 billion. We never hear much discussion in the media about that. The fact is, we have made some progress. We have done some other good things. We passed an energy bill. We passed a highway bill. Through the tax reductions over the years, we have increased the activity in the economy, increased jobs and pay. There are good things.

The fact is, we still have special costs and funding we have to take care of. As I mentioned, as in business, we have costs here as well. We are going to have a reconciliation bill hopefully, next week. We will look at the budget we are in now to ensure—and this is our last appropriations bill today in the Senate—we live within the budget in those appropriations. I support the idea that we will seek to reduce it an additional amount, whether it is the $35 billion in the bill the Senate has talked about or whether it is the $50 billion talked about in the House. That is what we necessarily need to be doing and should be doing.

Now, those are short-term issues, short-term changes for this year or the next 3 or 4 years. We should give more attention to the long-term situation. In most things we do here, particularly in spending, particularly regarding the deficit, we ought to think of the long term. We ought to have 20:20 vision and ask, Where do we want to be in 15 or 20 years? What do we want to hand off to the next generation as a vision of what we want to make them, predicated on accomplishing those visions we have decided we want.

The Washington Times said since the 1950s, around 18 to 20 percent of the gross national product has been the deficit. Deficits are not unusual. It is percent deficit as a percentage of gross

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national product. Deficits and spending go up because gross national product goes up, so as a percentage they go up as well.

However, I don’t think we want to find ourselves moving toward larger and larger government with more and more activities, without paying for them and have this deficit continue. In order to do that, we will have to look at some reforms. We will have to look at changes that need to occur, looking broadly. There is the reconciliation bill, which is very important. We need to look beyond that. We need to look at where we are going in the future and make some real changes.

One change will be in the size and scope of the Federal Government and the activities we are involved with in the Federal Government. We have created a culture where if there is anything needed anywhere, from the community on to the Federal Government, we get the Federal Government to pay for it and we will start a new program. That has become a culture and a custom. Once that program is built in, it becomes political. As programs are started, they get a constituency and they continue. Those are areas we need to look at.

We will have to look at Social Security, for example. That is where most of the money is spent. When we spend $2.5 trillion in a year, only about $800 million is discretionary spending. The rest is Social Security, Medicare, and Medicaid. We need to look at this. Everyone is committed to a well-funded, secure Social Security Program over the years. There are differences of views as to how to get there. We need to look out to the future so the young people here can look forward to Social Security in another 50 or 60 years.

Clearly, we want health care available, but we have to do it in different ways. We need changes. I come from a rural State. The way health care is delivered in rural Wyoming is different from in Washington, DC. We need to get in a position where people have access to care. Maybe we ought to be doing some things where we do not need health care as much. We need long-term changes to get that taken care of. We need to restrain growth in the Federal Government.

I have always advocated policies for reducing the size of government. It is apparent government is too big and too broad in its scope. Our phones practically ring off the hook with people wanting more money for this, more money for that. I understand that. However, we have to decide what is appropriate for the Federal Government to pay. Many of the programs should be invested in but at the local or State level.

It seems over time we have created programs for most everyone. There are approximately 1,200 funded Federal programs. We need to look at these for the long term. We have to look at each program and see, in fact, if it is still as needed as when it was put into place, to see if it is as efficient, evaluate it on its merit to decide if the taxpayers are getting their money’s worth, then take a broad look, a long-term future look at eliminating programs, reducing the size of government, maintaining programs that are essential, and making them more effective.

I have a bill called Government Reorganization and Program Performance Improvement Act that creates mechanisms to do that. We have an opportunity most any time to create a new program. We have a process for that. We do not have a process for evaluating a program that started 10 years ago. Is that reason still there? Have we accomplished the goal? Should it be changed?

We talk about that. I suppose, from time to time, but we do not have a process for doing that. That is partly what we would do.

The bill would create a sunset commission and an individual results commission. Should it be continued? What is the role of the Federal Government? Do we need to hold the Federal Government accountable for performance with Presidential proposals. The commission could propose to the President whether to retain the program—after it has been there for 10 years—at 15 or to restructure the program, or to end the program.

This would be acted on by assessments, a seven-member, bipartisan commission, appointed by the President. It would take the program—a process, which we do not have now—to evaluate programs to see if they are, as I said, accomplishing the things they were set up to accomplish or to see if they should be done differently.

The other half of it is an opportunity to evaluate performance, again, having a commission set up to take a look at programs to see if they are operating as efficiently as they might be operating. I think it is fair to say sometimes we get things built into programs where they are resistant to change. It is a little different generally than the private sector where the private sector has to change from time to time because of profits or because of a lack of profits, or whatever; where Government programs tend to go on forever pretty much as they are. And I understand that.

So it seems to me there needs to be a way to do some of those kinds of things. According to No. 1, the size of Government can be controlled, and No. 2, we would maintain it as efficiently as can be done, trying to do away with wastefulness and unnecessary and duplicative activities that take place—whether it is within the Federal Government or within State governments or local governments.

We are looking at a way to ensure good government. Everybody wants government. Everybody wants services. But we also want good government; we need efficient government; we want effective government. And we want it to be done as economically and in the least costly way it can be done and still get that accomplished.

That is not an easy project. I understand that. But it seems to me—as we look at excessive spending; as we look at trying to do something about the size of government; as we look at eliminating programs that is part of the fiscal discipline that we ought to be looking at where we are going to in making some decisions that will help us keep within the budget. We would like to have over a longer period of time. Doing that would have to be more difficult decisions, perhaps, but they would be more long-term decisions. Now is a good time to do that. What better time would there be to take a look at that than now, when we are as concerned as we are about spending—which we ought to be?

I think this is a good government initiative which we ought to look at. It certainly urges us to bring these bills up and to take a look at them so that, in addition to next year’s reductions in spending, we take a general problem we face by increasing spending because we have found, I think, that is an easy thing to do. I think under these current circumstances, it is a thing that happens pretty much constantly, whereas we are doing something about that.

I hope, No. 1, we recognize the importance of controlling spending, we recognize the importance of controlling the size and the role of the Federal Government. I think there should be a role of the Federal Government, what is the role of the other governments, what is the role of the private sector, so we do not continue to be in this sort of circumstance where everything that needs to be done becomes a role of the Federal Government. And then we wonder why taxes go up; we wonder why government goes up. It is pretty easy to explain that if you take a look at the size of the Government.

I guess what I am saying is, I hope we can take on the responsibility, as we go about our daily chores, to have some vision for the future, to evaluate with respect to where we are, but also trying to get a notion of where we want to be—how we see it for our families; how we see it for our children; how we see it for our communities; how we see it for our families; how we see it for jobs; how we see it for education; how we see it for freedom of choice. All of this is part of the criteria for this country.

We get in a political situation, which we are kind of in now. All we do is criticize this and that. The real reason for elections is to talk about the issues and to decide where we need to be, to talk about the kinds of issues and decisions that need to be made to get us where we want to be. I think we have gotten so involved with the media picking up on every little controversial issue, and talking about that, that people are forgetting these are about elections. Elections are about direction. Decisions here are about direction. Decisions here are about where we are
going to be, and where we need to be, and where we want to be over time—for our families, for our communities, for our Nation.

We have a great opportunity to do that. I urge we give some consideration to it in every channel we have. And particularly now, as we are about spending—and properly so—we should be sure we take a look at where we want to be, how we can get there, and what changes have to be made that are more than just for next year, so we can move in that direction.

Mr. President, I thank you for the opportunity to speak. I yield the floor and suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. BURR). The clerk will call the roll.

The 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 PRESIDING OFFICER. The Senator from North Dakota.

RECONSTRUCTION IN THE GULF STATES

Mr. DORGAN. Mr. President, my colleague, Senator LANDRUM from Louisiana, will call on the floor shortly. We want to talk about something that has occurred in the last week. A week ago today, I chaired a hearing of the Policy Committee. The hearing was on the subject of reconstruction in the Gulf States in the wake of Hurricanes Katrina and Rita. We have held many previous hearings on reconstruction in Iraq. As you know, this Congress has literally spent tens of billions of dollars on reconstruction projects in Iraq, and the waste, fraud, and abuse there is mind-boggling. There is massive money going out the door to contractors, in many cases with large no-bid contracts, and the taxpayers are getting bilked. I will not go into the lengthy stories about it now.

We decided to hold a hearing with respect to contracting in the gulf because this Congress has already approved $60 billion for reconstruction, and we have heard tales and stories that are similar to those we hear with respect to reconstruction in Iraq.

At last Monday’s hearing, we heard from a local New Orleans company. The owner of the company and his job foreman originally were hired to provide electricians to work on a project they had begun at the Belle Chase Naval Air Station in Louisiana. The project they were hired for was with Kellogg, Brown & Root, a subsidiary of Halliburton. This company was selected to provide 75 qualified electricians.

Very soon after they started, these qualified Louisiana electricians, many of whom were victimized by the hurricanes and who very much appreciated these jobs, were replaced by others. They were not of the same training in electrical skills. In many cases, Bob Knight, the general manager of the New Orleans company that suffered this fate, described the replacement workers as follows:

Almost all of their workers were from out of State, and most didn’t speak English. Few seemed to me to be qualified electricians. According to the subcontractor, they were being paid a fraction of the prevailing hourly wage, with no benefits. At that time they were living in small tents on the base.

Here is a photograph of the circumstances of how they were living. This is, of course, a little rough shed with 2 by 4s to frame up some beds. I am guessing most of these are undocumented workers brought in to take the jobs that had belonged to the folks in Louisiana who desperately need these jobs. But because the President said there is no requirement to pay what Davis-Bacon wages, no requirement to pay the prevailing wage in this region, the result is unscrupulous contractors who bring in workers who will work for dirt cheap wages with no benefits and many hours and put them up in circumstances such as this.

And, oh, by the way, some of them were told they could go to work on a crew such as this and get free meals at the Red Cross. Unbelievable, isn’t it? Here is what is happening to jobs that are supposed to belong to the folks who need them. If you are a New Orleans electrician, Mississippi. People who got hit hard by the hurricane, who lost everything, in many cases, expected perhaps to get an opportunity to get back on their feet with a good job that pays all right as skilled electricians. They put together 75 of them and are told by the contractor: This job is going to last; it is going to be an opportunity for you. And just like that, somebody else is brought in because the President said they do not have to pay prevailing wages.

Guess what. Here is the circumstance, here are the people with the jobs. Most do not speak English. Most were brought, many of them undocumented.

Last Thursday or Friday, following the hearing that I held, there was a raid at this military installation by what is normally called the INS. It is now I guess the ICE, as it has been subsumed into this behemoth organization called Homeland Security.

At any rate, the immigration folks raided, and we are told by people on the ground that they found somewhere around 150 undocumented workers. The immigration folks now say they found 10 that they know of, but they play a little game with us because the more questions we ask, the less information we get from them.

It is pretty clear to me, based on eyewitness accounts on the ground, that they went in after the hearing we did and said they were going to close the base of any military installation who had taken the jobs, we believe, from the folks in Louisiana who had been victimized by these hurricanes, the jobs they were working at.

Here is the Washington Post. This was last week after the hearing:

Among the electricians who lost their jobs was Sam Smith, whose house in the Ninth Ward was destroyed by Katrina slammed into the Louisiana coast. Smith, 55, returned to the city because of the promise of $22-an-hour wages, and guaranteed work for at least a year at the naval base.

By the way, he was a skilled electrician with all the certifications.

He was quickly disappointed, however, and lost his job within three weeks. ‘‘You would think that the federal government should be making sure that people are willing to restart their lives and are trying to put their city back together again are out there working,’’ Smith said. ‘‘But that’s not the case.’’

The New York Times:

The acrid smell inside trailer No. 2 is tough to take for any length of time. The linoleum floor is filthy and bare, aside from a few soiled blankets hammered in the corners. Dishes caked with leftover food are piled high in the sink, attracting flies. Two portable fans are the only things stirring the air. But six men are living here. They sleep on that floor. They swat away those flies and the roaches that reach out at night. They traveled all the way from Guatemala.

They are promised good pay, three meals a day and place to stay, and some contractors say that’s not on this. But the Mississippi Immigrants Rights Alliance, an advocacy group, says many do not.

So it is, without the prospect of paying prevailing wages, the jobs are going to these kinds of folks.

They get $30 an hour, labor 11 hours a day, six days a week. Subcontractors pulled them together for Belfor USA, an American subsidiary of a multibillion-dollar international company specializing in restoration after disasters. Before New Orleans, they had separately held construction, farm or factory jobs from Texas to North Carolina, they said.

The point is, there are other stories about workers, workers from elsewhere willing to take substandard wages to help the reconstruction of Louisiana and Mississippi.

We passed $60 billion out of this Chamber in reconstruction money and, guess what. What we now understand is reconstruction is going to others, not the folks from Louisiana, not the people who have a skilled certification as an electrician who lost their homes and who need the job. No, this is about companies that decide to bring in these folks and put them in these conditions—so-called conditions—and pay them a fraction of what should be paid for those jobs.

By the way, the foreman on the job who testified Monday—and my colleague from Louisiana was at that hearing—said these folks were not qualified. They were just not qualified. By the way, they were putting up 900 tents in metal frames in which our troops will live. And we have electricians not qualified wiring those tents for electricity? What on earth is going on?

It is the same old thing. They are paying a fraction of what they should pay and getting rid of the Louisiana
workers so they can bring in these workers from Guatemala and elsewhere. You saw the stories: Undocumented workers, INS or ICE, they call it, the immigration folks, make a raid on the base.

My colleague from Louisiana will expand on that further, I am sure. They make a raid on the base, and we are told by people who were there that they found many—we heard 150 people. Now they will say there are only 10. At this point, they do not know, they cannot tell us. Is it the same old tap dance by a big Federal bureaucracy that does not want to get caught.

They ought to do their job, come clean, and tell us what they found on that base. I think I know what they found. I think what they found were contractors bringing in undocumented workers, paying them pennies on the dollar, taking jobs away from the folks in Louisiana. That is what I think they found.

I wonder if there is any Member of the Senate, just one, who wants to stand up and say: Yes, that is what we meant, we meant to shove $60 billion out the door of this Chamber and hope that some contractor would bring in some undocumented workers—and fire some Louisiana folks—to do the work in Louisiana. If there is one Senator willing to stand up and say that, they are not thinking very much. There is not one person in this Chamber who will agree that is what they meant, not in their worst moment.

I take no pleasure in pointing this out. In my judgment, this is a corruption of the process. We know what needs to be done. We know how to do it. There is a right way and a wrong way to do things, and what is happening is we are seeing the wrong way implemented in the reconstruction down in the Gulf Coast.

My colleague from the State of Louisiana participated in those hearings. I know she has been in touch with the contractors and knows what is happening with respect to that Naval air station as well, but I thank her for the work she has done. I can only imagine if it were my State or some other State of a Senator in this Chamber facing this, we would demand that those for whom those jobs were intended would have those jobs, not that they be fired so we could bring in undocumented workers and pay them pennies on the dollar. That is unbelievable incompetence, and we need to see it stopped right now.

So let me thank my colleague from Louisiana.

Ms. LANDRIEU. Will the Senator yield?

Mr. DORGAN. Of course. I would be happy to yield.

Ms. LANDRIEU. I ask the Senator if he knows what those latest numbers from the Department of Labor about the number of Americans who have actually lost their jobs because of Katrina and Rita. We know it was upwards of 450,000 people who have lost their jobs because of the hurricane. Does the Senator know that his remarks are even more compelling based on the numbers of people who must be looking for work, have some skills to offer, and yet under the system the Senator has described it is difficult to work in their own city or parish with their own Federal Government contracts? Did the Senator know that?

Mr. DORGAN. I was not aware of the number. I know this is devastating, the most significant natural disaster with the greatest consequence in terms of human misery, loss of jobs, loss of homes. It is unbelievable. I realize that a lot of undocumented workers are just decent people who are trying to make a living. I don’t mean to disparage them. My intention is to say, however, there are rules, and there is a right way and a wrong way to do things. We did not spend $60 billion out of this Chamber to undocumented workers. We spent that amount of money to help the folks from Louisiana get back on their feet with good jobs for reconstruction, and the same for the folks from Mississippi.

I intend to work with the Senator from Louisiana and others to put a stop to what is going on, to redirect that money. We want reconstruction to move and move quickly, but we want those jobs to go to the victims, those folks who have suffered through all of this as well. We want those workers to be paid good wages. Davis-Bacon ought to be restored. The President ought to stand up today and say: I made a mistake by repealing Davis-Bacon. This Government has a responsibility to pay prevailing wages so we have good wages that pay well and decent jobs for those folks.

I again thank the Senator from Louisiana. I know she wants to make some comments on this as well.

I yield the floor.

The PRESIDING OFFICER. The Senator from Louisiana.

Ms. LANDRIEU. I thank the Senator from North Dakota for his great advocacy on behalf of American workers, the fair trade issues, and all of the things we have been debating in this Chamber now for the last couple of years on this subject.

People might ask, Why is the Senator from North Dakota speaking so enthusiastically or fervently on behalf of the citizens of Louisiana? He does not represent the State. As a Senator, we all represent all of the people of the Nation, and the Senator from North Dakota is the Chamber’s leading expert on contracts and contract abuse, not only at home but abroad in Iraq. He has been to this floor more times than I can count and has my great respect and the respect of many in this body for his work in trying to ferret out great abuse in contracts, whether overseas or at home, so that American tax dollars can be spent well and wisely. He is never ceasing in his advocacy, and I thank him for continuing by calling a hearing not on contractor abuse in Iraq, on which he has conducted many, but contractor abuse and the abuse of Louisiana workers relative to the Katrina/Rita fiasco. So I wish to thank him and add just a few words to what he said and to the information he has laid out and the testimony that has been given because I did attend, along with Senator HARRY REID, Senator CARL LEVINE, and a few other Senators hearing earlier last week on this subject that shed some unbelievable light on this situation and hopefully something we can correct.

I begin by saying that the people of Louisiana, Mississippi, Alabama, and Texas, as I have said so many times on the floor, have really been through an unbelievable devastation of a natural disaster that has no parallel, has no peer. It was not just the two hurricanes that hit within 10 days of each other—the east side of the State first, the west side of the State second, parts of Texas in Rita’s path as well—but the subsequent breaking, not 2, but 17 levee breaks in the metropolitan area, an urban center, a highly dense center, a large American city, a vibrant and vital region of the Nation, as I have said many times, the Nation’s oil energy coast.

When those levees broke after the hurricane winds died down, it left a region 10 to 12 feet underwater; tens of thousands of homes, large and small, rich and poor, businesses underwater, businesses that have been making profits for 70, 100 years. We are an old city in an old place. We are proud of the longstanding businesses we have.

When the hurricanes left, the levees broke, and finally, when the flood waters went down, we looked up, and we have 400,000 people who have lost their jobs. These are people who are hard-working Americans, taxpaying citizens. Many of them have never asked for any direct help from Federal Government other than what everyone gets from their Government: good police, good fire protection, hopefully their streets paved, the potholes are kept to a minimum, schools for their children to go to, basic Government services that are required. Most of these people have not asked for any particular Government help, and yet they find themselves out of work, in a position to start building their city again, and find that instead of awarding contracts, because of certain rules, certain actions this administration has taken, and a lack of oversight, has allowed companies to come in from out of State and hire workers who are well paid, who are not putting aside Louisiana citizens who have the skills to rebuild and the desperate need, the obvious need, for the job itself.

In the case Senator BYRON DORGAN brought to our attention, as the hearing went on last week, about 75 electricians from the area that was affected—many of those electricians had
lost their homes. Their homes had been flooded. Some of them had run businesses on the side that they had lost. Their families had been placed into some safe place somewhere in the region. These men, most of the men—some of these women have been female electricians—came back at the request of a former employer who said, Would you all come back and help us build the barracks, the Navy base, the Belle Chasse base, in their own backyards?—Louisiana workers a pink slip and says, "You are basically hands these to work. After a few days, another contractor comes into the base, as the story is told, and basically hands these-already hired by a contractor and brought across the highway, who have worked at Belle Chasse before, who put up the Chasse base, in their own backyards?—you all come back and help us build the military base. It should not be happening. It should not be happening in the United States of America—to work on an American military base.

Last week, I had the distinct honor of sitting in my Senate office and having two or three electricians, men who are obviously used to a hard day’s work—their hands looked pretty tough—with shoulders stooping and almost on the verge of tears looking at me as their Senator saying: Senator, explain this to me. My parish has just been ruined by a hurricane. I have lost my house. I have worked my whole life as an electrician, and on a military base in the United States of America. I am asked to leave so that an undocumented worker can take my job? I do not have an answer for them, but we need to find one because nobody in America will believe this is happening. It should not be happening.

I will tell you why it happens—because today we are watching the store and there is money being thrown out of this Chamber, $62 billion, people grab for it. The people of Louisiana have been accuses of looting. I think maybe the camera needs to focus somewhere else. All we have done as a delegation is asked for help for our ports, our hospitals. This is a city that has lost 75 percent of its revenue. The parish of Plaquemine and the parish of St. Bernard are virtually nonexistent. Every home and 186,000 people has basically been destroyed, and it is uninhabitable. We still have our refineries shut down, our pipelines exposed, and all we get is excuse after excuse.

Our own workers show up and ask for a decent wage. Their wage was $22 an hour. If any Senator on this floor thinks that paying a man or a woman $22 an hour, with some minimum benefits, to work 12 hours a day because the contract said if they want to work, they have to show up and work 12 hours a day, 7 days a week with further notice—so do not tell me these people did not want to work. They had to work without a day off, week after week, for $22 an hour. We are told that it is too much, we cannot afford to hire them, they can go back and twiddle their thumbs while we have the undocumented workers rebuild this military base. It should not be happening now. It should not be happening in the future.

Today, I sent a letter to the Secretary of Homeland Security and the head of INS and asked them to please enforce the laws that are on the books, please enforce the laws that the 478,000 people who are unemployed throughout the gulf coast, from Mississippi, Alabama, Louisiana, and Texas, can have the first chance at a good job. I ask unanimous consent that the letter be printed in the RECORD. There being no objection, the material was ordered to be printed in the RECORD, as follows:


HON. MICHAEL CHERTOFF,
Secretary, Department of Homeland Security, Washington, DC.

DEAR MR. SECRETARY: I have personally received compelling evidence that U.S. immigration laws are being flagrantly disregarded in the contracting and subcontracting for Hurricane Katrina relief. The use of undocumented, illegal workers in the construction industry is a lamentable reality. However, if press accounts are true, the issue is quickly becoming chronic along the Gulf Coast. Under ordinary circumstances, the use of such workers would require investigation, but perhaps no more so than other violations of immigration law. Nevertheless, these are not ordinary circumstances. The use of undocumented workers in federal contracts for hurricane relief and reconstruction comes at the direct expense of hurricane victims. While my state experiences unemployment rates not seen since the Great Depression, it is unconscionable that illegal workers would be brought into Louisiana aggravating our employment crisis and depressing earnings for our workers.

While there is a specific instance at the Belle Chasse Naval Air Station that I believe warrants particular scrutiny, a variety of press accounts lead me to believe the problem is widely prevalent. I respectfully request that immediate and rigorous prosecution of these illegal activities would quickly stem this tide.

I respectfully request that you direct Assistant Secretary Clerk of the Bureau of Immigration and Customs Enforcement to dispatch a team of additional immigration enforcement and investigations officers to the Gulf Coast. Furthermore, I request that the Department institute a zero tolerance policy for the use of illegal workers in government contracts for reconstruction. Finally, I ask that this be done expeditiously, as time is of the essence.

Mr. Secretary, I appreciate your attention to this matter. I look forward to your response and your plan to uphold U.S. immigration law at this vital juncture. With warmest regards, I am

Sincerely,

MARY L. LANDRIEU,
United States Senator.

Ms. LANDRIEU. I know people are going to ask me about Davis-Bacon, but I just want to tell the people reading this point: When the President issued the order and basically said, right after Katrina, waive all the labor laws that allow people to be paid a fair wage, he said he was doing that to save money. How does one save money on a no-bid contract? If a contract is not being put out for bid, how does one save any money? All that happens is wages to workers who are basically at a time when they have lost everything are driven down. They are not asking for charity. They are not asking for a handout. They stood up to get a job to work 12 hours a day, 7 days a week, and we basically said, we are basically going to let the administrative rules of Davis-Bacon, lack of oversight and lack of focus, and have basically been asked to leave the military base.

So I hope that in the few weeks ahead, we can get these electricians back on the job, back to their homes, back to their neighborhoods to rebuild, and build some support in this Chamber and around America for paying people a decent wage. If $22 an hour is too much. I do not expect people to rebuild Louisiana at a minimum wage or $8 or $9 an hour without benefits.

People have to make a living. That amounts to about $180,000 a year. If you pay someone working 12 hours a day, 7 days a week, doing hard and sometimes dangerous work? I don’t think so. But evidently somebody in Washington thinks that is too much because instead of holding wages steady—not asking for union wages, but asking for an average wage, between union and nonunion, which seems fair to me—we are undercutting our workers. The Government should not mandate a union wage to be paid, but neither should we undercut our workers. So the prevailing wage is what we have come up with, to say don’t pay union, don’t pay nonunion, pay something in the middle, the average wage. $22 an hour is a good wage for skilled labor. That is not too much to ask. But evidently it is.

Even if people can get these jobs back, under the policies of this administration, they will not be able to work, so be happy and smile that we are going to pay you $9 an hour, on which you cannot even feed your family, invest in your pension, or send your children to school. You should smile and be happy you have a job.

People in Louisiana want more respect than that. They deserve more respect than that. The people along the gulf coast are, as I have said many times, honest, hardworking, and self-reliant. We do not come here asking for charity, but we do come here asking for help out of our National Treasury to which we have contributed so much over 300 years of hard work and toil to build the Nation’s only energy coast. We would to take the risks associated with that hard work—building a port system, the greatest in the North American Continent, and building commerce that allows every State and every parish and every county in America to flourish. Without this port system, without this energy coast, our Nation would not be what it is today.
Despite all the ridicule we received, despite all of the snide remarks we have heard about public corruption and that we can’t do anything for ourselves and we are disorganized, we are going to still hold our heads up, proud, tell our story, and demand to be treated with respect and dignity that every American would want to be treated—Black and White, Asian and Hispanic, young and old, rich and poor.

In conclusion, I thank Senator Don- gan for his focus on this. I will continue to fight on the floor and to help hearings with him, to help him, to hopefully build the kind of system and oversight that will allow us to give out contracts more efficiently, to make sure the work is going to Gulf Coast contractors, reputable contractors. There are many good contractors who treat their workers beautifully. There are many businesses, despite the fact they have no money coming in the door, that have kept their workers on the payroll to hold the workforce together, to hold the soul together and hold our community together while the Federal Government twiddles its thumbs and comes up with excuses about why it cannot help.

Let me be quick to compliment the many contractors and many businesses, small and large. But when we see this kind of irresponsible contracting, it makes a tough situation even so much worse. So I hope this letter will be responded to, that actions can be taken by other committees that have oversight so we can make sure we are spending the American taxpayer dollar well, that we are giving the preference, as required in the current law, to those affected by the storms and the unfortunate disaster itself, and then paying people a decent wage when we ask them to do work for their community and for our country.

I yield the floor.

Mr. GREGG. Mr. President, as chairman for the Appropriations Committee, I particularly comment on appropriations bills that are brought to this Senate for consideration and present the financial comparisons and budgetary data.

The pending Labor, HHS, Education Appropriations bill provides $141.7 billion in discretionary budget authority and $141.4 billion in discretionary outlays for the Departments of Labor, Health and Human Services, and Education, and related agencies for fiscal year 2006.

Also included in the bill is $405.3 billion in mandatory budget authority and $405.2 billion in mandatory outlays for FY 2006. With outlays from prior-years, amounts declared as an emergency, $300 million for LIHEAP and $1 million for Refugee Assistance—and other completed actions, the Senate bill totals $547.3 billion in budget authority and $546.6 billion in outlays for FY 2006.

These amounts would technically represent a decrease of 0.2 percent in discretionary budget authority and a decrease of 0.2 percent in discretionary outlays from the 2005 enacted levels. However, when taking into account the SSI pay date shift into FY 2007 and emergency appropriations, the bill provides $2.5 billion or a 1.7 percent increase in discretionary funding over the FY 2005 enacted level.

As originally reported, the level of budget authority was precisely at the subcommittee’s 302(b) allocation while the outlays amount was $1.1 billion below the subcommittee’s 302(b) allocation. However, because the bill assumes erectile dysfunction drug savings—$105 million for year 2006—were inadvertently counted into law by HR 3971 for Katrina related unemployment insurance costs—and the QI and TMA extensions—this bill is now $15 billion over the subcommittee’s 302(b) allocation and is subject to a 302(b) point of order.

The committee-reported bill also delays $3.36 billion in SSI payments to elderly and disabled individuals—an amount equivalent to one month’s worth of FY 2006 SSI obligations—from fiscal year 2006 to fiscal year 2007. The original purpose of this shift was to allow for $3.4 billion in additional non-defense discretionary spending in FY 2006 that otherwise would put the bill over its 302(b) allocation, thereby exceeding the discretionary spending limit agreed to with the House in this year’s budget resolution.

Not only could this action result in a hardship for the elderly and disabled on fixed incomes by delaying their ability to make their monthly rent payments, this accounting gimmick constitutes an advance appropriation that is unauthorized as well as exceeds the total level of allowed advance appropriations for fiscal year 2007 as set out under section 401(b) of the fiscal year 2006 budget resolution. As a result, a point of order lies against this bill for making an unauthorized advanced appropriation; if raised, the point of order may be waived only by an affirmative vote of 60 Members of the Senate.

I am also particularly grateful to the chairman of the subcommittee, the distinguished Senator from Pennsylvania, Mr. SPECTER, who has guided this legislation through a process of hearings to examine the appropriation request and the bill passed by the other body funding these Departments, and requests of Members of the Senate for programs to be funded in this legislation. He and the ranking member of the committee, Senator HARKIN, have worked very hard and diligently to bring the Senate a bill that is both responsible but sensitive to the needs of the people who are served by the programs funded in this bill.

An example of the important appropriations provisions is those relating to low-income heating assistance. Over $2 billion of funding is provided in this bill to help those who are going to have difficulties meeting the payments for their heating bills during this winter.

There is also an account in the Department of Education to provide assistance to low-income people who are seeking to improve themselves through higher education. Over $14 billion is included in this legislation for education for the disadvantaged account.

There is also money in here for medical research at the Department of Health and Human Services and also for the activities at the National Institutes of Health.

Included in the bill is $29.41 billion for NIH. This is above the level requested by the President, but in my judgment and in the judgment of the other members of this committee, it is needed. It is an important investment to help find new ways of dealing with diseases, to prevent illnesses, to do those things that will make America a healthier and, from an economic standpoint, more effective country.

There are many other provisions in this bill we could mention, but the Senators have already heard the bill described by the distinguished chairman of the subcommittee. There will

### Table: Appropriations Bill—Spending Comparisons—Senate-Reported Bill—Continued

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### Table: Appropriations Bill—Spending Comparisons—Senate-Reported Bill—Continued

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### Table: Appropriations Bill—Spending Comparisons—Senate-Reported Bill—Continued

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### Notes:

- Details may not add to totals due to rounding. Totals adjusted for consistency with 2005 conventions.

- The PRESIDING OFFICER, the Senator from Mississipi, Mr. COCHRAN, Mr. President, today we are considering the appropriations bill reported by the Senate Appropriations Committee to fund the Department of Labor, Department of Health and Human Services, the Department of Education, and related agencies for the next fiscal year, 2006, and am especially grateful to the chairman of the subcommittee, the distinguished Senator from Pennsylvania, Mr. SPECTER, who has guided this legislation through a process of hearings to examine the appropriation request and the bill passed by the other body funding these Departments, and requests of Members of the Senate for programs to be funded in this legislation. He and the ranking member of the committee, Senator HARKIN, have worked very hard and diligently to bring the Senate a bill that is both responsible but sensitive to the needs of the people who are served by the programs funded in this bill.

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- Included in the bill is $29.41 billion for NIH. This is above the level requested by the President, but in my judgment and in the judgment of the other members of this committee, it is needed. It is an important investment to help find new ways of dealing with diseases, to prevent illnesses, to do those things that will make America a healthier and, from an economic standpoint, more effective country.

- There are many other provisions in this bill we could mention, but the Senators have already heard the bill described by the distinguished chairman of the subcommittee. There will
be opportunity for discussion of individual amendments, if there are any, and I am sure there will be some for the Senate’s consideration. But this is the final appropriations bill that will be considered in the regular appropriations process by the Senate this year. It is important that we notice the House has passed all of its appropriations bills and they did so early in the year. A lot of credit ought to be given to the distinguished gentlemen from California, the Leaders, who is in charge of the Appropriations Committee, in getting that work done and getting it done early in the year so the bills could come over to the Senate and give us an opportunity to review them and carefully consider the legislation. I also want to point out that our committee works on a bipartisan basis. That is possible because of the cooperation of the distinguished ranking member of the committee, the Senator from West Virginia, Mr. BYRD. He is a former member of this committee, with a tremendous amount of knowledge of the legislation, and he has contributed in helping ensure the cooperation of all members of the committee, Democrats working with the Republicans to get these bills to the Senate. It is a bipartisan effort and I think that is important for us as we complete our consideration of these bills this year.

We have had three bills passed with conference reports approved and they have been signed by the President. There are seven bills that have been passed by the Senate that are in conference with the House. The importance of this effort is to ensure that we can pass these bills on an individual basis and not have to resort to adding them all together, putting them all in one legislative vehicle as an omnibus appropriations bill, as we have seen happen in the past.

One other point that needs to be made is that, were it not for the cooperation of the leadership, we would not have been able to have the bills considered on an individual basis. That has been very important to the success of this enterprise and this effort. So the distinguished majority leader, in cooperation with the minority leader, has ensured that the Appropriations Committee has had time in the Senate to consider these bills on an individual basis and not been required to be a go-temporary. We grew up at the same time, same age, in towns close to one another.

Sandy Mattice has big shoes to fill, but he will fill them well; he is well-qualified. I salute the President for his outstanding appointment and I join the majority leader in expressing my pride in his nomination and look forward to his confirmation.

EXECUTIVE SESSION

NOMINATION OF BRIAN EDWARD SANDOVAL TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA

The PRESIDING OFFICER. Under the previous order, the hour of 5:30 having arrived, the Senate will proceed to executive session to consider Executive Calendar No. 385, which the clerk will report.

The legislative clerk read the nomination of Brian Edward Sandoval, of Nevada, to be United States District Judge for the District of Nevada.

The PRESIDING OFFICER. The President pro tempore, pursuant to the provisions of the Constitution, and in the name of the Senate, do nominates and appoints Brian Edward Sandoval to be United States District Judge for the District of Nevada.

Brian Sandoval is presently the attorney general of the State of Nevada. This is an elected position. I have known Brian Sandoval for many years. He served previously in the Nevada State Legislature as an assemblyman. He served previously in the Nevada State Legislature as an assemblyman. He served as Chairman of the Nevada Gaming Commission. Brian Sandoval was recommended by this Senate to the Federal Judge. At the time I made that recommendation, I knew he was a Republican. When the Democrats had control of the Senate and we had a Democratic President, I asked Brian Sandoval at that time if he would be agreeable to my sending his name to the President. He said he was not ready at that time.

My friend, the junior Senator from the State of Nevada, when he learned there was going to be a Republican President, said that he would allow me to recommend to a Republican President. I respectfully say, in choosing Sandy Mattice, by scholarship, by experience, by integrity, by background he should be an excellent judge.

I should say, also, that he follows an excellent judge, Al Edgar. We are contemporaries. We grew up at the same time, same age, in towns close to one another.

Sandy Mattice has big shoes to fill, but he will fill them well; he is well-qualified. I salute the President for his outstanding appointment and I join the majority leader in expressing my pride in his nomination and look forward to his confirmation.

THE DISTRICT OF NEVADA

As we prepare to vote, I urge my colleagues to support the nomination of this truly outstanding and distinguished Tennessean.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I join the majority leader. The President has made a wise decision.

I respectfully say, in choosing Sandy Mattice, by scholarship, by experience, by integrity, by background he should be an excellent judge.

I should say, also, that he follows an excellent judge, Al Edgar. We are contemporaries. We grew up at the same time, same age, in towns close to one another.

Sandy Mattice has big shoes to fill, but he will fill them well; he is well-qualified. I salute the President for his outstanding appointment and I join the majority leader in expressing my pride in his nomination and look forward to his confirmation.
to have the opportunity to send the name of Brian Sandoval to the President.

There is a lot of controversy over judges, but I think Brian Sandoval is the kind of person who should become a judge. He has not generated controversy because he is a person who, in all of his activities, has been very bipartisan and fair. As a judge, he will be nonpartisan. He comes from a good family. Frankly, the reason he decided to leave elected office to be a judge is because he felt spending the time it takes to campaign and raise money took away from his family, his wife Kathleen and his children James, Madeline and Marisa. I am paraphrasing what he told me. But he said: I didn’t want to be in Alcoa when my children are involved in extracurricular activities. I should be there.

These are choices we all have to make. I am confident Brian Sandoval made the best choice for him, his family, the State of Nevada, and the country. He will be a fine judge. I am honored to have the opportunity to recommend him. The Senate will vote for him overwhelmingly, and he will not disappoint us in the Senate.

I yield the floor.

Mr. FRIST. The majority yields back their 2 minutes, and I believe the Democratic side will yield back their remaining time.

Mr. REID. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Brian Edward Sandoval, of Nevada, to be United States District Judge for the District of Nevada?

The clerk will call the roll.

The legislative clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Arizona (Mr. MCCAIN), the Senator from Alabama (Mr. SESSIONS), and the Senator from Oregon (Mr. SMITH).

Further, if present and voting, the Senator from Alabama (Mr. SESSIONS) would have voted “aye.”

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New Jersey (Mr. CORZINE), the Senator from Hawaii (Mr. INOUYE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Florida (Mr. NELSON), and the Senator from Oregon (Mr. SMITH) are necessarily absent.

The PRESIDING OFFICER (Mr. CORNYN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 0, as follows:

[Rollcall Vote No. 265 Ex.]

NOT VOTING—11

Biden Kennedy Sessions
Corsein Feinstein Smith
Corzine McCain Wyden
The nomination was confirmed.

Mr. LEAHY. I move to reconsider the vote.

Mr. FRIST. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

NOMINATION OF HARRY SANDLIN MATTICE, JR., TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE

The PRESIDING OFFICER. The clerk will report the next nomination.

The bill clerk read the nomination of Harry Sandlin Mattice, Jr., of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Mr. LEAHY. Mr. President, I yield back my time.

Mr. SPECTER. Mr. President, I yield back my time.

Mr. LEAHY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, a very short statement about the Labor, Health and Human Services, and Education bill. A cloture motion is being filed this evening, which will call for all germane amendments to be filed by Wednesday at noon.

I see some doubt as to whether we are filing a cloture motion. Soon, the cloture motion will be filed. But we have a very complex bill in hand. We are asking Members to file their amendments and bring them down for arguments so we can proceed to finish this bill in a timely manner—no later than by the end of this week, and hopefully sooner.

I yield the floor.

The PRESIDING OFFICER. The request for the yeas and nays. Is there a sufficient second?

There appears to be a sufficient second.

The question is, Will the Senate advise and consent to the nomination of Harry Sandlin Mattice, Jr., of Tennessee, to be United States District Judge for the Eastern District of Tennessee?

The clerk will call the roll.

The bill clerk called the roll.

Mr. MCCONNELL. The following Senators were necessarily absent: the Senator from Arizona (Mr. MCCAIN), the Senator from Alabama (Mr. SESSIONS), and the Senator from Oregon (Mr. SMITH).

Further, if present and voting, the Senator from Alabama (Mr. SESSIONS) would have voted “aye.”

Mr. DURBIN. I announce that the Senator from Delaware (Mr. BIDEN), the Senator from New Jersey (Mr. CORZINE), the Senator from Hawaii (Mr. INOUYE), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Florida (Mr. NELSON), and the Senator from Oregon (Mr. SMITH) are necessarily absent.

The PRESIDING OFFICER (Mr. CORNYN). Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 91, nays 0, as follows:

[Rollcall Vote No. 266 Ex.]

YEAS—91


The nomination was confirmed.

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

The PRESIDING OFFICER. The Senator will now return to legislative sessions.

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

The PRESIDING OFFICER. The Senator will now return to legislative sessions.

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

The PRESIDING OFFICER. The Senator will now return to legislative sessions.

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

The PRESIDING OFFICER. The Senator will now return to legislative sessions.

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

The PRESIDING OFFICER. The Senator will now return to legislative sessions.
The bill clerk proceeded to call the roll.

Mr. FRIST. I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. THUNE). Without objection, it is so ordered.

MORNING BUSINESS

Mr. FRIST. I ask unanimous consent there now be a period of morning business with Senators permitted to speak for up to 10 minutes each.

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

NOMINATION OF BERTHA K. MADRAS

Mr. GRASSLEY. Mr. President, I have notified Senate leadership of my intent to object to any unanimous consent request relating to the nomination of Bertha K. Madras to the position of Deputy Director for Demand Reduction. This action has nothing to do with Ms. Madras or her qualifications for the position to which she has been nominated. I have taken this action because there are a number of outstanding issues regarding the activities and operation of the Office of National Drug Control Policy that should be resolved before considering this nomination. I am hopeful that, with the cooperation of the Office of National Drug Control Policy, these issues can be resolved shortly.

ELECTION ASSISTANCE FOR STATES IMPACTED BY HURRICANE KATRINA

Mr. DODD. Mr. President, over the past several weeks, Congress has taken great strides to address the disruption caused by Hurricane Katrina, followed by Hurricane Rita, have inflicted on the good people of our gulf coast region. While Congress is acutely aware of the need for funding for food, clothing, shelter and medical care for the evacuees and residents of this region, we are only now becoming aware of some of the longer term needs of these devastated communities.

All of the States impacted by these hurricanes, including not just those directly hit by the storms but also the numerous States which have come to the aid of evacuees will be holding Federal elections in just a few short months. The displacement of nearly 1.5 million people raises a somewhat unique continuity of government issue for our democracy: how to ensure that the citizens of these States are able to participate in the upcoming Federal elections next year, as well as in numerous State and local elections between now and then. It is simply not acceptable that a loss of one's home may mean a loss of one's access to the ballot box. And yet, many of these States are facing unknown hurdles in ensuring that their displaced residents can vote in the next Federal election.

The Rules Committee, under the very capable leadership of the Chairman, Senator LOTT, has already begun meeting with the election officials of these impacted States to determine that they will need to ensure that all eligible citizens will be able to participate in the 2006 Federal elections, regardless of the condition of their community or the location of their evacuated citizens. The U.S. Election Assistance Commission, efforts are underway to identify Federal resources and assistance that is already available to the States to replace voting systems, polling places, and to assist in facilitating absentee voting.

However, at this point, many of these impacted States simply do not know the extent of the damage to election records or how to reach out to displaced citizens to ensure that they have access to absentee ballots or alternative polling facilities. While we are hopeful that the majority of the needs will be met through existing resources, I remain concerned that these States, and those who have stepped up to the plate to receive evacuees, will face additional expenses in ensuring the right to vote for the citizens of the Gulf coast region.

The Election Assistance Commission, EAC, is charged with serving as a national clearinghouse and resource of information and to identify and respond to the needs of the Federal election infrastructure. While Congress is acutely aware of the need for funding for food, clothing, shelter and medical care for the evacuees and residents of this region, we are only now becoming aware of some of the longer term needs of these devastated communities.

As the ranking member of the Senate Rules Committee which has oversight jurisdiction over Federal elections, I intend to ensure that these States, and these citizens, are able to fully participate in the Federal election next year. One driving factor of concern, Senator LOTT, whose State was in the path of both hurricanes, is keenly aware of this situation and I commend him for his leadership and attention to this issue. I know he shares my concern that as we learn the extent of this problem, the Committee will act to ensure these communities and citizens can exercise their fundamental right to vote.

Mr. LOTT. First of all, I want to thank my good friend the senior Senator from Connecticut and ranking member of the Rules Committee, which I chair, for participating in this important discussion about the election-related challenges that the Gulf Coast States face in the aftermath of Hurricane Katrina. While the full extent of the damage to the election infrastructure cannot yet be precisely quantified, we know it was wide-ranging. For example, in my home county, Jackson County, MS, it appears that hundreds of voting booths were destroyed and over $3 billion in Federal funds to implement the requirements of the Help America Vote Act of 2002, HAVA, of which I was honored to be the primary Senate author. I applaud the efforts of the EAC to spearhead the efforts to identify and respond to the needs of these States in administering our Federal elections next year. However, even without additional resources, these States will face significant hurdles to ensuring that all eligible citizens have an equal opportunity to vote and have their vote counted.

While Congress has appropriated over $3 billion to date to implement the requirements of the Help America Vote Act, Congress has underfunded the authorization by over $800 million. At least one of the impacted States has already notified staff that they are short in funding to implement the HAVA requirements and face additional unmet need due to the impact of Hurricane Katrina.

While I am hopeful that other Federal resources will be identified and made available to these States for conducting the Federal elections next year, it will not be acceptable if citizens of the Gulf Coast States are disenfranchised because their States and localities simply do not have the resources to ensure that these voting systems, provide alternative polling places, print absentee ballots or reconstruct lost voting registration records.

We have heard similar reports from the state of Louisiana. According to state election officials, early estimates are that the State lost over 500 polling places and over 2,000 voting machines, with some parishes reporting that all of their voting equipment were destroyed as the building that houses the county election commission. In neighboring Harrison County, MS, all of the voting machines were destroyed and nearly every polling place was either completely flattened or otherwise rendered uninhabitable.

But restoring damaged election infrastructure in the areas impacted by Hurricane Katrina is not the only election-related challenge to be surmounted. Hundreds of thousands of citizens in Louisiana and Mississippi States have been relocated to neighboring States, in many instances to other States. Large numbers of these evacuees will not be able to return to their homes in the immediate future. For these citizens, casting0 absentee ballots will be the primary, if not only, method by which they will be able to fully able to participate in upcoming elections that will affect the rebuilding efforts in their communities. Consequently, the demand for absentee ballots in the impacted areas will likely be enormous throughout the coming months. We are already learning that additional workers may need to be hired to handle
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the increased number of absentee ballot requests that are anticipated. So, as we can plainly see, election officials in jurisdictions impacted by Hurricane Katrina will face numerous logistical challenges as they prepare to conduct upcoming elections.

We understand that FEMA, under its Public Assistance Program, is obligated to cover the expenses for replacing damaged voting equipment and restoring destroyed polling places in jurisdictions that have been designated Federal disaster areas. And for jurisdictions with upcoming elections but whose permanent polling places are currently uninhabitable, FEMA has a responsibility to pay the costs for setting up temporary polling places such as tents or trailers. The funding provided by FEMA, if it is disbursed in a timely manner, should go a long way towards restoring the election infrastructure in areas ravaged by Hurricane Katrina. It remains to be seen, however, whether such monies will be sufficient to bolster all aspects of the voting systems that were affected by the recent catastrophe.

As chairman of the committee with jurisdiction over the administration of Federal elections in our country, I along with the ranking member, Senator Dodd, will continue to vigilantly monitor the situation in the states impacted by Hurricane Katrina to ensure they are receiving the resources they need to fully restore their election infrastructure to pre-Katrina levels. As more information becomes available, we will assess whether additional funds may need to be appropriated to assist the impacted jurisdictions in reconstituting their election systems. We will also make sure FEMA follows through on its commitments and responsibilities.

In conclusion, the right to vote in the impacted regions of the Gulf Coast must not become a further casualty of Hurricane Katrina. We must work to ensure that it does not. Essential election infrastructure will need to be restored and those who had to be evacuated as a result of Hurricane Katrina and who continue to be displaced from their homes must be afforded the full opportunity to participate in the democratic process in their home communities.

I again want to thank my friend Senator Dodd for his leadership on the issue of election reform and look forward to continuing to work with him on this important matter.

Mr. DODD. I thank our Chairman, and my good friend, and commend him for his leadership on this issue. I look forward to working with him to ensure that, no matter the devastation of this natural disaster, eligible citizens will be able to continue to participate in this democracy through the ballot box.

BREAST CANCER AWARENESS

Mr. CHAFEE. Mr. President, this month we observe National Breast Cancer Awareness Month, and reflect on a disease that has touched countless American lives. There are more than 3 million women living with breast cancer in the United States and tens of thousands of women die from breast cancer each year. Breast cancer is now the leading cause of cancer deaths in American women. While important advances have been made, the causes of this disease and the means to prevent it are still unknown.

Scientific research is helping us to understand what aspects of the environment play a role in the initiation and development of breast cancer also remains scarce. Although it is generally believed that there is a correlation between environmental factors and the prevalence of breast cancer, the extent of the environment’s role is not well understood. Given the clear need to explore the potential relationship between the environment and breast cancer, I have introduced S. 757, the Breast Cancer and Environment Research Act. This bill would authorize $30 million per year for 5 years for the National Institute of Environmental Health Sciences, NIEHS, to award grants to study the relationship between environmental factors and breast cancer. Under a competitive, peer-reviewed grant-making process, the Director of NIEHS would award grants for the development and operation of up to eight centers for the purpose of conducting multidisciplinary research. The bill would also include improved collaboration between the research centers, patients, and the patient advocacy organizations.

The targeted research proposed in S. 757 holds the promise for a better understanding of the causes of breast cancer, breakthroughs in prevention and treatment, and ultimately a cure. For this reason, I urge my colleagues to join me in cosponsoring S. 757 so that we may work together toward Senate passage this year.

HONORING OUR ARMED FORCES

STEVEN A. VALDEZ

Mrs. LINCOLN. Mr. President, I honor the life of a young Arkansan who, in the name of freedom, paid the ultimate sacrifice on behalf of the Nation he loved. Steven A. Valdez was a brave soldier who died a hero in a foreign land, but he was also a caring young man whom his family and friends and they were never far from his mind.

Those who knew Lance Corporal Valdez from his childhood in McRea, a small north-central Arkansas town, remember him as competitive, energetic and fun loving. He graduated from Beebe High School in 2004 and, soon after, followed the footsteps of his older brother Glenn Skaggs, and his grandfather Billy Skaggs, into the United States Marine Corps.

In November of 2004, LCpl Valdez reported to the Marine Corps Base at Kaneohe Bay, Hawaii. Serving with the 2nd Battalion, 3rd Marine Regiment, he was deployed to Afghanistan in June as a machine gun operator with Weapons Platoon Company E. Within the year, his family received a letter from the Marines, which cited Valdez’s promotion to Lance Corporal and praised him for going above and beyond what was asked or expected of him. While serving in Afghanistan, LCpl Valdez was stationed at Camp Blessing. The camp is located in eastern Afghanistan, in the foothills of the Hindu Kush mountains near the border, and serves as a forward operating base for intelligence and military operations aimed to train Afghan security forces and track down al-Qaeda terrorists. He served with a platoon of Marines guarding the camp.

While serving in Afghanistan, LCpl Valdez and his grandfather, Billy, had an agreement; Billy would send care packages with his grandson’s favorite snacks and items from home, but he would also include care packages with the expectation that the young marine would call his grandfather once a week. For LCpl Valdez, it was a much needed respite from the stresses of war that allowed him to feel a little closer to home; for Billy, it was reassuring to hear his grandson’s voice and to know that he was safe and healthy.

On September 26, insurgents attacked Camp Blessing with mortar, rocket-propelled grenades and small arms fire. LCpl Valdez was struck by shrapnel from a mortar while running to his machine gun post. The brave 20-year-old died shortly after.

In remembering their loved one, LCpl Valdez’s proud grandfather speaks of him as a “true hero.” When his brother, Sergeant Glenn Skaggs, returns to Iraq, he will be concerned about his own well-being, but only in the sense that he doesn’t want to put his family through another grieving process. Despite these concerns, in a manner typical of this courageous and selfless family, he proudly states “My brother was over there for something he believed in, and I want to help finish it.”

Although Steven Valdez may no longer be with us, his legacy and his spirit will forever live on in our hearts. On behalf of a grateful Nation, my thoughts and prayers go out his family, friends, and all who knew and loved him.

ADDITIONAL STATEMENTS

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 August 8, 2005, in Montrose, CO, two men were charged in the murder of Kevin Hale in what police are saying may be classified as a hate crime. Todd Fisk and Adam Hernandez got into a physical altercation with Hale. During the altercation, Fiske grabbed Hale by the neck and strangled him to death. According to police, Hale had received a number of physical threats from Fiske due to his sexual orientation.

I believe that the Government’s first duty is to defend its citizens, to defend them against the harms that come out of hate. The Local Law Enforcement Enhancement Act is a symbol that can become substance. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

UNITED STATES-ISRAEL ENERGY COOPERATION ACT

Mr. SMITH. Mr. President, I rise today in support of S. 1862, the United States-Israel Energy Cooperation Act of 2005, which I introduced on October 7, 2005. This bill is designed to promote binational collaboration in the development, and commercialization of alternative and renewable energy technologies.

Israel is a strong ally of the United States and our two nations have a long history of mutual interest and fruitful collaboration in scientific research and technology development. Examples include the numerous successes of the programs under the U.S.-Israel Binational Science Foundation, BSF, and the U.S.-Israel Binational Industrial Research and Development Foundation, BIRD.

We also share an enduring interest in the development and commercialization of alternative energy technologies that will promise to enhance our capabilities of the United States and Israel to move toward broader use of these clean and indigenous energy resources. I urge my colleagues to join me in cosponsoring this important bill.

MEASURES REFERRED

The following bill was read the first and second times by unanimous consent, and referred as indicated:

H.R. 3893. An act to expedite the construction of new refining capacity in the United States, to provide reliable and affordable energy for the American people, and for other purposes; to the Committee on Energy and Natural Resources.

The following concurrent resolution was read, and referred as indicated:

H. Con. Res. 1. Concurrent resolution regarding consent to assemble outside the seat of government; to the Committee on Rules and Administration.

MEASURES PLACED ON THE CALENDAR

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

H.R. 2520. An act to provide for the collection and maintenance of human cord blood stem cells for the treatment of patients and research, and to amend the Public Health Service Act to authorize the C.W. Bill Young Cell Transplantation Program.

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-4327. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmittting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Various Model 737 Aircraft Manufactured by McDonnell Douglas” ((RIN2120-AA64)(2005-0973)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4328. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmittting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Various Type Category Airplanes Manufactured by McDonnell Douglas” ((RIN2120-AA64)(2005-0973)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4329. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmittting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Airbus Model A330-243, -341, -342, and -343 Airplanes” ((RIN2120-AA64)(2005-0972)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4330. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmittting, pursuant to law, the report of a rule entitled “Airworthiness Directives: BAE Systems Ltd. Model ATP Airplanes” ((RIN2120-AA64)(2005-0970)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4331. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmittting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes” ((RIN2120-AA64)(2005-0969)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4332. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmittting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Airbus Model 200, 300, and 500 Series Airplanes” ((RIN2120-AA64)(2005-0952)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4333. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmittting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 727 Series Airplanes” ((RIN2120-AA64)(2005-0949)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4334. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmittting, pursuant to law, the report of a rule entitled “Airworthiness Directives: BAE Systems Ltd. Model ATP Airplanes and Model HS 748 Airplanes” ((RIN2120-AA64)(2005-0947)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4335. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmittting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 727 Series Airplanes” ((RIN2120-AA64)(2005-0946)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4336. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmittting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 767-200, -300, and -300F Series Airplanes Operated by General Electric and Whitney Engines” ((RIN2120-AA64)(2005-0945)) received on October 11, 2005; to the
Committee on Commerce, Science, and Transportation.

EC-4337. 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 A330-202, –233, –243, and –345 Airplanes; and Model A380-800 Airplanes” (RIN2120-AA41 (2005-0491)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4338. 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, 747-200B, 747-300, 747-400, and –800 Series Airplanes” (RIN2120-AA42 (2005-0492)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4339. 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 A330-322, –341, and –342 Airplanes; and Airbus Model A340-200 and –300 Series Airplanes” (RIN2120-AA43 (2005-0493)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4340. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Teledyne Continental Motors GTSIO-520 Series Reciprocating Engines” (RIN2120-AA44 (2005-0494)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4341. 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 A330-200 and –300 Series Airplanes; and Model A340-200 and –300 Series Airplanes” (RIN2120-AA45 (2005-0495)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4342. 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 B2 and A300 B4 Airplanes; Model A310, C160, and F104 Aircraft; and Model A300 C4-650R Variant F Airplanes; and Model A310-200 and –300 Series Airplanes” (RIN2120-AA46 (2005-0496)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4343. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 767-200ER, –223C, –233, and –300 Series Airplanes” (RIN2120-AA47 (2005-0497)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4344. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: Boeing Model 747-100, 747-100B, 747-100B SUD, 747-200B, 747-200C, 747-200F, 747-300, 747SR, and 747SP Aircraft” (RIN2120-AA48 (2005-0498)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4345. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: BAE Systems Limited Model 4101 Airplanes” (RIN2120-AA49 (2005-0496)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4356. 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-AA45 (2005-0495)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4357. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives: British Aerospace Model A319-100 Airplanes” (RIN2120-AA46 (2005-0496)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4358. 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 Model RB211 Airplanes” (RIN2120-AA47 (2005-0496)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4359. 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; Hana, HI” (RIN2120-AA48 (2005-0497)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4360. 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 C Airspace; Big Delta, Allen Army Airfield, Fort Greely, AK” (RIN2120-AA49 (2005-0498)) received on October 11, 2005; to the Committee on Commerce, Science, and Transportation.

EC-4361. 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; Sheldon Municipal Airport, IA” (RIN2120-AA50 (2005-0499)) received on October 11,
The following reports of committees were submitted:

By Mr. INHOFE, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 1149. A bill to amend the Safe Drinking Water Act Amendments of 1996 to modify the grant program to improve sanitation in rural and Native villages in the State of Alaska (Rept. No. 109–109).

By Mr. ENZL, from the Committee on Health, Education, Labor, and Pension, with an amendment in the nature of a substitute:

S. 1873. A bill to prepare and strengthen the biodefenses of the United States against deliberate, accidental, and natural outbreaks of illness, and for other purposes.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. BURNS:

S. 1098. A bill to improve the provision of telehealth services under the Medicare Program, to provide grants for the development of telehealth networks, and for other purposes; to the Committee on Finance.

By Mr. SUNUNU:

S. 1910. A bill to amend title XVIII of the Social Security Act to provide incentives to physicians and other qualified health care professionals to provide services; to the Committee on Finance.

By Mr. BENNETT (for himself and Mrs. CLINTON):

S. 1171. A bill to provide for the protection of the flag of the United States, and for other purposes; to the Committee on the Judiciary.

By Mr. LIEBERMAN:

S. 121. A bill to establish a global network for avian influenza surveillance among wild birds nationally and internationally to combat the potential threat to human health, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

ADDITIONAL COSPONSORS

S. 129

At the request of Mrs. FEINSTEIN, the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 129, a bill to provide for the protection of unaccompanied alien children, and for other purposes.

S. 132

At the request of Mr. SMITH, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 132, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for premiums on mortgage insurance.

S. 436

At the request of Mr. LEVIN, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 436, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pretax basis and to allow a deduction for TRICARE supplemental premiums.

S. 503

At the request of Mr. BOND, the name of the Senator from West Virginia (Mr. ROCKEFELLER) was added as a cosponsor of S. 503, a bill to expand Parents as Teachers programs and other quality programs of early childhood home visitation, and for other purposes.

S. 627

At the request of Mr. HATCH, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 627, a bill to amend the Internal Revenue Code of 1986 to permanently extend the research credit, to increase the rates of the alternative increment credit, and to provide an alternative simplified credit for qualified research expenses.

S. 757

At the request of Mr. LUGAR, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. 757, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors.
that may be related to the etiology of breast cancer.

At the request of Mr. HAGEL, his name was added as a cosponsor of S. 757, supra.

S. 843

At the request of Mr. SANTORUM, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 843, a bill to amend the Public Health Service Act to combat autism through research, screening, intervention and education.

S. 1057

At the request of Mr. MCCAIN, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 1057, a bill to amend the Indian Health Care Improvement Act to revise and extend that Act.

At the request of Mr. BROWNBACK, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1155, a bill to establish a commission to conduct a comprehensive review of Federal agencies and programs and to recommend the continuation or realignment of duplicative, wasteful, or outdated functions, and for other purposes.

S. 1173

At the request of Mr. DE MINT, the name of the Senator from Oklahoma (Mr. CORINTH) was added as a cosponsor of S. 1173, a bill to amend the National Labor Relations Act to ensure the right of employees to a secret-ballot election conducted by the National Labor Relations Board.

S. 1353

At the request of Mr. REID, the name of the Senator from Florida (Mr. NELSON) was added as a cosponsor of S. 1353, a bill to amend the Public Health Service Act to provide for the establishment of an Amyotrophic Lateral Sclerosis Registry.

S. 1462

At the request of Mr. SANTORUM, his name was added as a cosponsor of S. 1462, a bill to promote peace and accountability in Sudan, and for other purposes.

S. 1779

At the request of Mr. CRAIG, the name of the Senator from Maryland (Ms. MIKULSKI) was added as a cosponsor of S. 1779, a bill to require the Secretary of the Army to remove the remains of Russell Wayne Wagner from Arlington National Cemetery.

S. 1779

At the request of Mr. AKAKA, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1779, a bill to amend the Humane Methods of Livestock Slaughter Act of 1958 to ensure the humane slaughter of non-ambulatory livestock, and for other purposes.

S. 1800

At the request of Ms. SNOWE, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 1800, a bill to amend the Internal Revenue Code of 1986 to extend the new markets tax credit.

S. 241

At the request of Mr. NELSON of Florida, the name of the Senator from North Dakota (Mr. D{{a}}NN) was added as a cosponsor of S. 241, a bill to amend title XVIII of the Social Security Act to provide extended and additional protection to Medicare beneficiaries who enroll for the Medicare prescription drug benefit during 2006.

S. RES. 260

At the request of Mr. BROWNBACK, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. Con. Res. 46, a concurrent resolution expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards.

S. RES. 277

At the request of Mr. LEVIN, the name of the Senator from Illinois (Mr. OBAMA) was added as a cosponsor of S. Res. 260, a resolution calling for free and fair parliamentary elections in the Republic of Azerbaijan.

S. RES. 282

At the request of Mr. MURkowski, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. Res. 277, a resolution supporting the goals of Red Ribbon Week.

AMENDMENT NO. 282

At the request of Mr. LEVIN, the name of the Senator from Nevada (Mr. REID) was added as a cosponsor of amendment No. 282 proposed to H.R. 3058, a bill making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent agencies for the fiscal year ending September 30, 2006, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BURNS—S. 1899. A bill to improve the provision of telehealth services under the Medicare Program, to provide grants for the development of telehealth networks, and for other purposes: to the Committee on Finance.

Mr. BURNS. Mr. President, I rise today to talk about the introduction of my bill, the Medicare Telehealth Enhancement Act of 2005.

Now, not all of us live in the big city—like New York City or Chicago—but that should not mean that all of us cannot receive the same quality health care. Since I have been in office, I have spent a lot of time making sure that folks who live out in the hinterland—like the folks in towns of Sully or Jordan or Wolf Point across Montana—still get quality health care, like everyone else. I do not want distance to be a barrier to care.

One of the ways we have bridged these divides is through telehealth—actually using technology to draw people together and deliver care. Now, across the great State of Montana, we have doctors consulting with patients who may be 200 or 300 miles away at a local clinic, from a specialist. That is a big deal, especially when roads are icy and the temperature is below zero.

I have sponsored the Medicare Telehealth Enhancement Act of 2005, which is a bill to improve the provisions of telehealth services under the Medicare Program and provide grants for the development of telehealth networks.

Specifically, my bill will: facilitate the provision of telehealth services across State lines, liberalize as it affects providers who consult diagnose across State lines, remains a significant barrier to accessing such services, and call for Medicare reimbursement for remote medical and health services for all remaining beneficiaries eligible to participate in Medicare but not currently eligible to be reimbursed for telemedicine/telehealth services.

An expansion of Medicare-covered originating telehealth sites, prioritizing eligibility for nursing homes, dialysis centers, and community-based mental health centers.

Revise “originating site” language to ensure telehealth service providers are reimbursement-eligible when patients are located at sites with telehealth capabilities, regardless of originating site designation.

Expand Medicare reimbursement for telehealth services to all geographical areas, recognizing eligibility for telehealth sites among urban populations as well as rural and underserved populations.

Allow for “eligible practitioners” furnishing telehealth services to include physical and occupational therapists, speech-language pathologists, and other certified providers, as well as those certified providers.

Amend Medicare coverage to all remaining medical services currently covered under the CPT procedure codes but not eligible to be reimbursed when provided via telemedicine/telehealth, and medical services that are provided using store-and-forward technology.

Authorize a grant program through the Office for the Advancement of Telehealth of HRSA for the development of telehealth networks and defines non-profit and for-profit alliances as grant-eligible provided the grant recipient is a nonprofit.

Reauthorize the Telehealth Network and Telehealth Resource Centers grant programs through 2012. Shortages of health care workers across the spectrum are nothing new.
We have all witnessed this disturbing trend of shortages in nursing, radiology, mental health professions, and many other health professionals for quite some time. While the ultimate solution to this problem lies in a variety of actions, telehealth has proven a solution to this mounting crisis. I have long supported efforts in technology to improve the efficiency and quality of health care, and make it easier for folks in rural areas to access the services they need. Telehealth is one answer to the problems facing health care today, and I hope my bill will increase the ease with which folks obtain their critical health services.

Telehealth applications have a record of cutting costs, increasing choice and reducing medical errors in facilities and communities across the country. Telehealth also provides services to elderly who may not otherwise be able to get to a health care facility for care. This is growing increasingly important in rural areas, especially in my State of Montana. Montana's demographics have been changing over the past few years, and our health care providers continue to see more and more patients over the age of 65. We now have more elderly people per capita than most States in the union, and by 2025, Montana is predicted to rank third in the Nation in the number of people over the age of 65.

We must charge forward to modernize healthcare through the application of information technology. Healthcare expenditures in 2003 totaled $1.7 trillion—a number that is growing faster than the overall economy. Increased adoption of health information technology has the potential to save this country billions of dollars and thousands of lives. I want to do what I can to bring more money to the State of Montana for telehealth services and expand the availability of these services to more patients in more areas of the State. I will continue to put forth efforts, both through bringing money to Montana to make this happen and by passing meaningful, common-sense legislation to get rid of the over-burdensome red-tape that often gets in the way of good care.

I think it is essential to bring quality health care to all corners of Montana and other rural States. It is high time we bring back the dynamic days of these frontier areas by creating and maintaining vibrant and thriving communities, which have much to offer their residents, including one of the most important basic needs—health care.

TEXT OF AMENDMENTS

SA 2194. Mr. REED (for himself, Ms. COLLINS, Mr. KENNEDY, Ms. SNOWE, Mr. KERRY, Ms. CANTWELL, Mr. HARKIN, Mr. BAUCUS, Mr. COLEMAN, Mr. DORGAN, Mr. OBAMA, Mr. SCHUMER, Mr. LEAHY, Ms. STABENOW, Mrs. CLINTON, Mr. DURBIN, Mrs. LINCOLN, Mr. DAYTON, Mr. RILEY, Mr. BAYH, Mr. LEVIN, Mr. ROCKEFELLER, Mr. LAUTENBERG, Mr. BARANES, Mr. JEFFORDS, Mr. SALAZAR, Mr. MIKULSKI, Mr. BINGAMAN, Mr. LUGAR, Mr. SMITH, and Mr. KOHL) submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes; which was ordered to lie on the table;

SA 2195. Mr. LEVIN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table;

SA 2196. Mr. DURBIN submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2197. Mr. SPECTER proposed an amendment to the bill H.R. 3010, supra.

SA 2198. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2199. Mr. ALLEN (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2200. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2201. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2202. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2203. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2204. Ms. CANTWELL submitted an amendment intended to be proposed by her to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2205. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2206. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2207. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2208. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2209. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2210. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

SA 2211. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 3010, supra; which was ordered to lie on the table.

AMENDMENTS SUBMITTED AND PROPOSED
proposed to him by the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, 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:

SEC. 221. (c) The amendments made by this section are effective for the first 6 months of 2006 and ending on December 31, 2006.

SEC. 222. The purposes for which such amounts are made available until expended, for purposes of section 1923(g)(1)(A) of the Social Security Act (42 U.S.C. 1395x(ww)) is amended—

(1) in clause (iii), by striking “May 15, 2006” and inserting “December 31, 2006”; and

(2) by adding at the end the following new sentence:

“An individual receiving such an examination related to end-of-life care for the purpose of informing the provider and the individual of end-of-life care decisions in the event that they become incapacitated for health care purposes and have them respected.

(b) Purposes.—The purposes of this section are to improve access to and the quality of information about individuals’ health care options and legal directives, which include living wills and durable powers of attorney that the overall prevalence of advance directives is increasing, despite the passage of the Patient Self-Determination Act in 1990, which requires that health care providers tell patients about advance directives and provide information about advance directives, including living wills and durable powers of attorney for health care according to the laws of the State in which they reside, individuals can protect their right to express their wishes and have them respected.

(c) Medicare Coverage of End-of-Life Planning and Consultations as Part of Preventive Physical Examination.—

(1) In general.—Section 1861(ww) of the Social Security Act (42 U.S.C. 1395w-21(e)(3)) is amended—

(A) in paragraph (1), by striking “February 1, 1995” and inserting “December 31, 2006”; and

(B) by adding at the end the following new paragraph:

“(3) The end-of-life care services described in this paragraph shall take effect as if included in the enactment of the Medicare Prescription Drug, Improvement, and Modernization Act of 2003 (Public Law 108-173).”

“(A) situations where an advance directive might be beneficial;
“(B) medical options available to such individual with respect to end-of-life care;”

“(C) coverage of hospice care under this title;”

“(D) other issues relevant to end-of-life care as the provider determines are appropriate.”

(2) EFFECTIVE DATE.—The amendments made by paragraph (1) shall apply to preventive physical examinations provided on or after the date that is 60 days after the date of enactment of this Act.

(3) POLICIES RELATED TO THE USE AND PORTABILITY OF ADVANCE DIRECTIVES.—

(A) IN GENERAL.—Subject to paragraph (B), the amendments made by paragraphs (1) and (2) shall apply to agreements or other written directions as the case may be that meet such requirements, except that a provider or organization may decline to honor such a directive if the provider or organization can reasonably demonstrate that it is not an authentic expression of the individual’s wishes concerning his or her health care.

(B) The provisions of this paragraph shall preempt any State law to the extent such law is inconsistent with such provisions. The provisions of this paragraph shall not preempt any State law that provides for greater portability, more deference to a patient’s wishes, or more latitude in determining a patient’s wishes.

(3) EFFECTIVE DATES.—

(A) IN GENERAL.—Subject to subparagraph (B), the amendments made by paragraphs (1) and (2) shall apply to agreements or other written directions as the case may be that meet such requirements, except that a provider or organization may decline to honor such a directive if the provider or organization can reasonably demonstrate that it is not an authentic expression of the individual’s wishes concerning his or her health care.

(B) The provisions of this paragraph shall preempt any State law to the extent such law is inconsistent with such provisions. The provisions of this paragraph shall not preempt any State law that provides for greater portability, more deference to a patient’s wishes, or more latitude in determining a patient’s wishes.

(2) PERIOD.—Any grant awarded under paragraph (1) shall be for a period of not more than 3 years.

(1) GAO STUDY AND REPORT ON ESTABLISHMENT OF NATIONAL ADVANCE DIRECTIVE REGISTERS.—

(A) IN GENERAL.—The Comptroller General of the United States shall conduct a study on the feasibility of a national registry for advance directives, taking into consideration the constraints created by the privacy provisions enacted as a result of the Health Insurance Portability and Accountability Act of 1996 (Public Law 104–191).

(B) REPORT.—Not later than 18 months after the date of enactment of this Act, the Comptroller General of the United States shall submit to Congress a report on the study conducted under subsection (A) together with recommendations for such legislation and administrative action as the Comptroller General of the United States determines to be appropriate to establish a national advance directive registry under subsection (a).
which was ordered to lie on the table; as follows:

On page 178, after line 25, insert the following:

Sec. 104. None of the funds made available under this title shall be used to pay fees or expenses of any officer or employee of the Department of Health and Human Services to provide payments under title XVIII of the Social Security Act (42 U.S.C. 1395 et seq.) to a physician, practitioner (as described in section 1842(b)(18)(C) of such Act (42 U.S.C. 1395b(18)(C), or other individual who does not have patients membership for similar fees, or who requires the purchase of services not covered under Medicare, as a condition for the provision of covered services under such title.

SA 2203. Mrs. CLINTON (for herself and Mr. SCHUMER) submitted an amendment intended to be proposed by her to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, 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:

Sec. 211. (a) Notwithstanding any other provision of law, $125,000,000 shall be available out of the funds made available for the New York Social Security Administration to a State for the provision of items and services described in section 1905(a) of such Act to children who are receiving inpatient psychiatric hospital services for individuals under age 21 under the State Medicaid plan that is provided by the requirements of title XIX of the Social Security Act and such plan.

SA 2205. Mr. BAYH submitted an amendment intended to be proposed by him to the bill H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, 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:

(1) designates a single official as being responsible for Federal planning and response related to a national pandemic;

(2) describes global and domestic pandemic surveillance activities;

(3) describes efforts to build domestic production capacity to ensure a sufficient stockpile of vaccines and related items as needed;

(4) addresses potential demands for or shortages of medical equipment and supplies such as antibiotics, ventilators, masks, gloves, and ongoing medical treatment needs for chronically ill individuals;

(5) addresses surge capacity and support to State and local governments;

(6) includes specific levels of funding for each element of the plan.

PRIVILEGE OF THE FLOOR

Mr. REID. Mr. President, I ask unanimous consent that the following Finance Committee fellows and interns be allowed the privilege of the floor.
ASSISTANCE FOR ORPHANS AND OTHER VULNERABLE CHILDREN IN DEVELOPING COUNTRIES

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1409, which was received from the House.

The PRESIDING OFFICER. The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (H.R. 1409) to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. LUGAR. Mr. President, I rise to comment on H.R. 1409, a companion bill to S. 350, the Assistance for Orphans and Other Vulnerable Children in Developing Countries Act of 2005, which I introduced earlier this year. Prior to its passage, I want to address a concern that the administration has raised about the bill.

I want to clarify that this legislation is in no way intended to undercut the existing authority of the Global AIDS Coordinator over all U.S. Government resources and programs relating to international HIV/AIDS. The Office of the Global AIDS Coordinator has made tremendous progress in bringing together U.S. Government resources in addressing orphans and vulnerable children as part of the President's Emergency Plan for AIDS Relief. In accordance with section 102 of Public Law 108-203, the U.S. Leadership Against HIV/AIDS, Tuberculosis and Malaria Act of 2003, the Global AIDS Coordinator has primary responsibility for programming and directing funds for all international HIV/AIDS activities carried out by the U.S. Government.

This legislation is not intended to create new or separate authorities in programming or funding under the emergency plan regarding orphans and vulnerable children and HIV/AIDS programs, but rather provides for an advisory position to ensure that the best programming or funding under the legislation.

Mr. FRIST. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements be printed in the Record.

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

The bill (H.R. 1409) was read the third time and passed.

CONVEYANCE OF LAND FOR THE BENEFIT OF THE PUYALLUP INDIAN TRIBE

Mr. FRIST. I ask unanimous consent the Senate proceed to the immediate consideration of Calendar No. 162, S. 1382.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 1382) to require the Secretary of the Interior to accept the conveyance of certain land, to be held in trust for the benefit of the Puyallup Tribe.

There being no objection, the Senate proceeded to consider the bill.

Mr. FRIST. I ask unanimous consent the bill be read a third time and passed, the motion to reconsider be laid on the table, and any statements relating to the bill be printed in the Record.

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

The bill (S. 1382) was read the third time and passed, as follows:

SEC. 1. PUYALLUP INDIAN TRIBE LAND CLAIMS SETTLEMENT.

In General.—The Secretary of the Interior shall:

(1) accept the conveyance of the parcels of land with related Improvement Reserve described in subsection (b); and

(2) hold the land in trust for the benefit of the Puyallup Indian tribe.

(b) LAND DESCRIPTON.—The parcels of land referred to in subsection (a) are as follows:

(1) Parcel A.—Lot B, boundary line adjustment 9508150496, as depicted on the map dated August 15, 1995, held in the records of the Pierce County Auditor, located in the city of Fife, county of Pierce, State of Washington.

(2) Parcel B.—

(a) In General.—Parcel B shall be comprised of land situated in the city of Fife, county of Pierce, State of Washington, more particularly described as follows:

(i) Lots 3 and 4, Pierce County Short Plat No. 8908020912, as depicted on the map dated August 2, 1989, held in the records of the Pierce County Auditor, together with portion of S.R. 5 abutting lot 4, conveyed by the deed recorded under Recording No. 99020483, described as follows:

(1) That portion of Government lot 1, sec. 07, T. 20 N., R. 4 E., of the Willamette Meridian, as described at Highway Engineer's Station AL26 6+38.0 P.O.T. on the AL26 line survey of S.R. 5, Tacoma to King County line.

(2) Thence S86°54’30” E., along the north line of said lot 4 a distance of 95 feet to the true point of beginning.

(3) Thence S01°03’30” W. 673.4 feet.

(4) Thence westerly to a point opposite Highway Engineer's Station AL26 6+59.6 P.O.T. on said AL26 line survey and 75 feet easterly therefrom.

(5) Thence northwesterly to a point opposite AL26 6+90.6 on said AL26 line survey and 55 feet easterly therefrom.

(6) Thence northerly parallel with said line survey to the north line of said lot 4.

(b) Parcel C.—Lot A, boundary line adjustment recorded under No. 9508150496, as depicted on the map dated August 15, 1995, held in the records of the Pierce County Auditor.

(c) EXCLUSION.—Excluded from Parcel B shall be that portion of lot 4 conveyed to the State of Washington by deed recorded under recording number 9908172879, more particularly described as follows:

(i) Commencing at the northeast corner of said lot 4.

(ii) Thence N86°53’30” W., along the north line of said lot 4 a distance of 147.44 feet to the true point of beginning and a point of curve.

(iii) Thence southwesterly along a curve to the left, the center of which is at the intersection of SR 5 at a distance of 89°01’00”, an arc distance of 85.45 feet.

(iv) Thence S01°03’30” E., 59.43 feet.

(v) Thence N86°53’30” W., 20.00 feet to a point on the westerly line of said lot 4.

(vi) Thence N05°57’10” E., as said westerly line 113.15 feet to the northwest corner of said lot 4.

(vii) Thence S89°53’30” east along said north line, a distance of 74.34 feet to the true point of beginning.

(d) ADDITIONAL LOTS.—Any lots acquired by the Puyallup Indian tribe located in block 7846, 7850, 7946, 7946, 7949, 7950, 8036, or 8039 in the Indian Addition to the city of Tacoma, State of Washington.
2197, with no second-degree amendments in order to the amendment prior to the vote.

I further ask unanimous consent that the Senate recess from 12:30 to 2:15 for the weekly policy luncheons.

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

PROGRAM

Mr. FRIST. Today the Senate returned to the Labor-HHS appropriations bill, the final appropriations bill for this fiscal year. Indeed, I thank my colleagues for participating and so systematically going through each and every one of these appropriations bills with this being the last. The two managers are here and are ready to roll up their sleeves on this bill and to keep it moving along. Chairman SPECTER was here all Friday, last Friday, and all day today. It is now time for Members to come forward with their amendments and not put this off, not postpone, not delay until later in the week. We are going to finish the bill this week. If cloture becomes necessary, we will file that motion at the necessary time. I hope and expect that tomorrow will be a full day with amendments and votes.

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 7:07 p.m., adjourned until Tuesday, October 25, 2005, at 9:30 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate: Monday, October 24, 2005:

THE JUDICIARY

BRIAN EDWARD SANDOVAL, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA.

HARRY SANDLIN MATTICE, JR., OF TENNESSEE, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF TENNESSEE.
EXTENSIONS OF REMARKS

HONORING LAWRENCE "LARRY" MARIO CARAVARIO OF CLEAR LAKE, CALIFORNIA

HON. MIKE THOMPSON
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Monday, October 24, 2005

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize California Highway Patrol Officer, Lawrence "Larry" Mario Caravario of Clear Lake, CA as he retires from 31½ years of dedicated service.

"Larry" Caravario was born and raised in San Francisco. He attended Riordan High School followed by 2 years at the City College of San Francisco where he studied accounting.

In January of 1974, Larry joined the California Highway Patrol (CHP). Eventually he was stationed in the Lake County. For years he protected county residents watching out after them as he patrolled state highways and county roads. Additionally, Officer Caravario was responsible for training his fellow officers in matters of weapons and safety. He also served as the CHP's representative to Lake County schools as a pupil safety officer.

Mr. Speaker, when not patrolling the streets or training other officers, Officer Caravario dedicated his time to the children of Lake County. Since 1967 he has coached youth and high school soccer, basketball and baseball. In 1968, Officer Caravario began working as a basketball and baseball game official.

In retirement, Officer Caravario plans to spend more time with his wife Diane, his son David and daughter Joell.

Mr. Speaker, it is appropriate that we take time to thank Officer Caravario for his hard work and devotion to his community throughout the years. On behalf of my fellow colleagues, I wish him the best in all his future endeavors.

STATEMENT OF INTRODUCTION: CHILDREN AND MEDIA RESEARCH ADVANCEMENT ACT

HON. EDWARD J. MARKEY
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Monday, October 24, 2005

Mr. MARKEY of Massachusetts. Mr. Speaker, I rise today to introduce, along with Representatives HART, BACA and FORD, the Children and Media Research Advancement Act, or CAMRA Act.

This bill has also been introduced in the Senate by Senators LIEBERMAN, BROWNBACK, CLINTON, SANTORUM, and DURBIN.

Our children live in the information age, and our country has one of the most powerful and sophisticated information technology systems in the world. While this system entertains them, it is not always harmless entertainment. Media have the potential to facilitate the healthy growth of our children. They also have the potential to harm. We have a stake in finding out exactly what that role is. We have a responsibility to take action. Access to the knowledge that we need for informed decision-making requires us to make an investment: An investment in research, an investment in and for our children, an investment in our collective future. The benefits to our youth and our Nation's families are immeasurable.

In order to ensure that we are doing our very best for our children, the behavioral and health recommendations and public policy decisions should be based on objective behavioral, social, and scientific research. Yet no Federal research agency has responsibility for overseeing and setting a coherent media research agenda that can guide these policy decisions. Instead, Federal agencies fund media research in a piecemeal fashion, resulting in a patch work quilt of findings. We can do better than that.

The bill we are introducing today would remedy this problem. The CAMRA Act will provide an overarching view of media effects by establishing a Children and Media Research Advancement Act within the Centers for Disease Control and Prevention. This program of research, to be vetted by the National Academy of Sciences, will fund and energize a coherent program of research that illuminates the role of media in children's cognitive, social, emotional, physical, and behavioral development. The research will cover all forms of electronic media, including television, movies, DVDs, interactive video games, cell phones, and the Internet, and will encourage research involving children of all ages—even babies and toddlers. The bill also calls for a report to Congress about the effectiveness of this research program in filling this void in our knowledge base. In order to accomplish these goals, we are authorizing $90 million dollars to be phased in gradually across the next 5 years. The cost to our budget is minimal and can well result in significant savings in other budget areas.

This legislation has strong support among researchers and children's advocates. Ted Lempert, President of Children Now, a national nonprofit organization which for years has focused on the need for policymakers to keep pace with the rising influence of media on children, writes: "CAMRA's establishment of a program on children and the media within the Center for Disease Control and Prevention will provide invaluable insight into the role and impact of electronic media on the children's development. Kids are spending more time with media than on any other activity except for sleeping, yet there are sizeable gaps in what we know about the role media play in children's cognitive, physical and behavioral development."

Jim Steyer, founder and CEO of Common Sense Media, a leading non-partisan, non-profit organization dedicated to promoting a healthy media environment for children, supports CAMRA, saying "We enthusiastically endorse the funding of coherent research which will better illuminate the role of media in children's cognitive, social, emotional, physical and behavioral development. In an increasingly digital world where convergence of technologies provides entertainment, information and interactive possibilities to consumers, there are discernable knowledge gaps about the effects of media on children's healthy development."

Michael Rich, Director of the Center on Media and Child Health at Harvard Medical School and Harvard School of Public Health, also wrote the following in support this bill: "As a caring society we assess and respond to the quality of the air children breathe, the water they drink, and the food they consume. You and your co-sponsors are to be commended and supported for your foresight and leadership in directing the National Institutes of Health to investigate what we are feeding our children's minds and how that is likely to affect their health and development, now and in the future."

From the cradle to the grave, our children now live and develop in a world of media—a world where access is at their fingertips. This emerging digital world is well known to our children, but its effects on their development are not well understood. Young people today are spending an average of 6½ hours with media each day. For those who are under age 6, 2 hours of exposure to screen media each day is common, even for those who are under age 2. That is about as much time as children under age 6 spend playing outdoors, and it is much more time than they spend reading or being read to by their parents. How does this investment of time affect children's physical development, their cognitive development, or their moral values? Unfortunately, we still have very limited information about how media, particularly the newer interactive media, affect children's development. Why? We have not charged any Federal agency with ensuring an ongoing funding base to establish a coherent research agenda about the impact of media on children's lives. This lack of a coordinated government-sponsored effort to understand the effects of media on children's development is truly an oversight on our part, as the potential payoffs for this kind of knowledge are enormous.

Consider our current national health crisis of childhood obesity. The number of U.S. children and teenagers who are overweight has more than tripled from the 1960's through 2002. We think that media exposure is partly the cause of this epidemic. Is it? Is time spent viewing screens and its accompanying sedentary lifestyle contributing to childhood and adolescent obesity? Or is the constant bombardment of advertisements for sugar-coated cereals, snack foods, and candy that pervade children's television advertisements the culprit? How do the newer online forms of "stealth marketing", such as advergaming where food products are embedded in computer games, affect children's and adolescents' eating patterns? Cell phones are one of the latest emerging high-tech gadgets to own,
and cell phone/iPod combination devices are now on the market. What will happen when pop-up advertisements begin to appear on children’s cell phones that specifically target them for the junk food that they like best at a place where that food is easily obtainable? The interaction of media and children is complex. A committee at the National Academy of Sciences is currently charged with studying the link between media advertising and childhood obesity. Will the National Academy of Sciences panel have the data they need to answer this important question? A definitive answer has the potential to save a considerable amount of money in other areas of our budget. For example, child health care costs that are linked to childhood obesity issues could be reduced by understanding and altering media diets.

After two adolescent boys shot and killed some of their teachers, classmates, and then turned their guns on themselves at Columbine High School, we asked ourselves if media played some role in this tragedy. Did these boys copy the behavior of the person playing the person shooter video games like Doom where they acted as a killer? Were they rehearsing criminal activities when playing this game? There is rising concern about extremely violent video games. Gov. Arnold Schwarzenegger signed a bill October 7 that will prohibit the sale of ultraviolent video games to children under 18 without parental approval. In August, the American Psychological Association passed a resolution calling for less violence in computer and video games sold to children, citing research suggesting that the games contribute to violent behavior. The Federal Trade Commission reports that 40 percent of children under 18 play mature-rated video games. A person who plays mature-rated video games at least 40 minutes per day views 5,400 incidents of aggression per month, according to the Journal of Broadcasting and Electronic Media. With so many of our children immersed in an electronic environment saturated with violent images, we have cause for serious concern.

In the violence and media area, Congress passed legislation that research was conducted about the relationship between media violence and childhood aggression, and as a result, we know more. Even though much of this database is older and involves the link between exposure to violent television programs and childhood aggression, some answers were forthcoming about how the Columbine tragedy could have taken place. Even so, there is still a considerable amount of speculation about the more complex questions. Why did these particular boys, for example, pull the trigger? Do other school shooters perform research with the same violence? Are they influenced by Doom and configure their aggressive acts to the gaming context? We need to be able to answer questions about which children under what circumstances will translate game playing into real life lethal actions. Investing in media research could potentially reduce our budget for the treatment of violent crime and delinquency as well as reduce real-life human misery and suffering.

Many of us believe that our children are becoming increasingly materialistic. Does exposure to commercial advertising and the “good life” experienced by media characters partly explain materialistic attitudes? We’re not sure. Why then are we exposing children to heavy doses of advertisements in many of our nation’s schools through Channel1 Network where “free” television sets to schools are provided in exchange for a small fee: unfettered access to advertise to children during school time? As streaming video programming proliferates on computers, cell phones and personal digital assistants, have we found more avenues to reach our children and bombard them with pro-consumption messages. As technology advances and becomes increasingly widespread among younger children, parents are justifiably concerned about losing control over what their children receive. Recent research using brain-mapping techniques finds that an adult who sees images of desired products demonstrates patterns of brain activation that are typically associated with reaching out with a hand. How does repeatedly seeing attractive products affect our children and their developing brains? What will happen when our children will be able to click on their television screen and go directly to sites that advertise the products that they see in their favorite programs? Or use their cell phone/iPod to download music or videos for free? Will they behave differently? Why should they wait? Why should they work for long-term goals? Exactly what kind of values are we cultivating in our children, and what role does exposure to media content play in the development of those values?

Watch TV or play with violent television viewing with later symptoms that are common in children who have attention deficit disorders. However, we don’t know the direction of the relationship. Does television viewing cause attention deficits, or do children who have attention deficits find television viewing experiences more engaging than children who don’t have attention problems? Or do parents whose children have difficulty sustaining attention let them watch more television to encourage more sitting and less hyperactive behavior? How will Internet experiences, particularly those where children move rapidly across different windows, influence attention patterns and attention problems? Once again, we don’t know the answer. If early television exposure does disrupt the development of children’s attention control over the years, their placement in special education programs, actions taken to reduce screen exposure during the early years could lead to subsequent reductions in children’s need for special education classes, thereby saving money while fostering children’s development in positive ways.

We want no child left behind in the 21st century. Many of us believe that time spent with computers is good for our children, teaching them the skills that they will need for success in the 21st century. Are we right? How is time spent with television different from time spent with television? Or time spent with books? What are the underlyin mechanisms that facilitate or disrupt children’s learning from these varied media? Can academic development be fostered by the use of interactive online programs designed to teach as they entertain? In the first 6 years of life, Caucasian or Latino children are more so than African American or Latino children have Internet access from their homes. Can our newer interactive media help ensure that no child is left behind, or will disparities in access result in leaving some behind and not others?

The questions about how media affect the development of our children are clearly important, abundant, and complex. Unfortunately, the answers to these questions are in short supply. Such gaps in our knowledge base limit our ability to make informed decisions about media policy.

We know that media are important. Over the years, we have held numerous hearings in these chambers about how exposure to media violence affects children and youth. We passed legislation to maximize the documented benefits of exposure to educational media, such as the Children’s Television Act which requires broadcasters to provide educational and informational television programs for children. Can we encourage children’s moral values when they are exposed to prosocial programs that foster helping, sharing, and cooperating like those that have come into being as a result of the Children’s Television Act? We acted to protect our children from unfair commercial practices by passing the Children’s Online Privacy Protection Act which provides safeguards from exploitation for our youth as they explore the Internet, a popular pastime for them. Yet the Internet has provided new ways to reach children with marketing that we barely know is taking place, making our ability to protect our children all the more difficult. We worry about our children’s inadvertent exposure to online pornography—about how that kind of exposure may undermine their moral values and standards of decency. In these halls of Congress, we acted to protect our children by passing the Communications Decency Act, the Child Online Protection Act, and the Children’s Internet Protection Act to shield children from exposure to sexually-explicit online content that is deemed harmful to minors. While we all agree that we need to protect our children from online pornography, we know very little about how to address even the most practical of questions such as how to prevent children from falling prey to adult strangers who approach them online. There are so many areas in which our understanding is preliminary at best, particularly in those areas that involve the effects of our newer digital media.

By passing the Children and Media Research Advancement Act, we can advance knowledge and enhance the constructive effects of media while minimizing the negative ones. We can make future media policies that are grounded in a solid knowledge base. We can be proactive, rather than reactive. In so doing, we build a better Nation for our youth, fostering the kinds of values that are the backbone of this great Nation of ours, and we create a better foundation to guide future media policies about the digital experiences that pervade our children’s daily lives.

**RECOGNIZING SHEILA DAUGHERTY OF NAPA, CALIFORNIA**

**HON. MIKE THOMPSON OF CALIFORNIA**

**IN THE HOUSE OF REPRESENTATIVES**

Monday, October 24, 2005

Mr. THOMPSON of California. Mr. Speaker, I rise today to recognize my dear friend Sheila Daugherty of Napa, CA as she is honored by the Salvation Army Napa Corps. Sheila has fostered children’s charity is uniquely American. Growing up in a large Irish family, Sheila was taught the importance of helping others and serving one’s community. She has
lived her life guided by the motto, “See something that needs to be done and do it.”

Sheila was a Captain in the U.S. Army Nurse Corps, serving as a Civic Action Officer during the Vietnam War. Her service was rewarded with the U.S. Army Commendation Medal, the U.S. Army National Defense Medal and the Vietnam Campaign Medal.

For nearly 30 years, Sheila has devoted her life to working to improve the quality of life in the Napa Valley through a variety of positions including the Napa Valley Unified School District Board of Trustees, Board of Directors for the Volunteer Center of Napa County, the Queen of the Valley Hospital Board of Directors and volunteering for countless other civic causes.

For the past 11 years Sheila has worked closely with juveniles who suffer from drug and alcohol addictions. In 1997 Sheila implemented an outpatient substance abuse program for teenagers in Napa County. She was the driving force behind the creation of the Napa Tattoo Taboo program, which helps former gang members shed the symbols of their past producing related tattoos.

In recognition of her contributions Sheila Daugherty is to be honored with the Salvation Army Napa Corps’ “Other’s Award” on September 16, 2005.

Mr. Speaker and Colleagues, it is appropriate today that we in flower honoring Sheila Daugherty for her unwavering dedication to and love for our community. On behalf of the House of Representatives, I am proud to extend our heartfelt congratulations and best wishes to Sheila, her husband Lewis, sons Eugene and Matthew and two granddaughters Cecilia and Frances.

13TH ANNUAL DR. MARTIN LUTHER KING, JR., DAY IN FLOWER MOUND, TEXAS

HON. MICHAEL C. BURGESS OF TEXAS IN THE HOUSE OF REPRESENTATIVES

Monday, October 24, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize the 13th annual Dr. Martin Luther King, Jr., Day commemorative event in Flower Mound, TX, my home town.

As a leader in non-violent resistance, Dr. Martin Luther King, Jr. strongly advanced human rights with hope to end racial prejudice in the United States. In 1986, Martin Luther King Day was established as a U.S. national holiday in honor of Dr. Martin Luther King, Jr. Today, this honored memorial is observed on the third Monday of January each year, around the time of King’s birthday. On January 18, 1993, for the first time, Martin Luther King Day was officially observed in all 50 U.S. states.

To honor the efforts of Dr. Martin Luther King, Jr., the Bahá’ís of Flower Mound, joined with the Town of Flower Mound, the Tau Rho Omega chapter of Alpha Kappa Alpha and other supporters, are sponsoring events commemorating and celebrating Dr. King’s inspirational work. This celebration is intended to influence and educate young minds about the significance of freedom, liberty, and the acceptance of all individuals regardless of race, gender, national origin, religion, or social stratum. This year’s events include Art and Essay contests among local middle and high school students. Twenty-eight prizes of $75 to $150 each will be awarded to winners. In addition, world-class runner, Gilbert Tuhabonye of Austin, will give the keynote address.

Mr. Speaker, it is with great honor today that I recognize this 13th annual event commemorating Dr. Martin Luther King, Jr. in Flower Mound. Education and inspiration are a few of the most important gifts we can give our children, and I believe this event honors a man who showed such vision and wisdom.

PROTECTION OF LAWFUL COMMERCE IN ARMS ACT

SPEECH OF
HON. EARL BLUMENAUER OF OREGON IN THE HOUSE OF REPRESENTATIVES

Thursday, October 20, 2005

Mr. BLUMENAUER. Mr. Speaker, I am opposed to S. 397, the Gun Manufacturers Liability Protection Act. It is hard to imagine how people who have lived through the sniper experience in Washington, DC, and those who deal with potential terrorist acts in the United States would want to specifically weaken potential sanctions against people who abuse their business of selling firearms.

This legislation would have given a pass for the infamous Tacoma, WA, gun dealer who “lost” more than 200 weapons, one of which ended up in the hands of the sniper who killed 11 people in Washington, DC. Why anyone would want to shield peddlers for that sort of reckless and illegal behavior is mystifying and it is certainly not worthy of passage by the House of Representatives. Were it not for gun politics, this legislation would never have seen the light of day.

IN RECOGNITION OF THE AMERICAN RED CROSS IN GREATER NEW YORK AND ITS CENTENNIAL CELEBRATION HONOREE, FORMER PRESIDENT BILL CLINTON

HON. CAROLYN B. MALONEY OF NEW YORK IN THE HOUSE OF REPRESENTATIVES

Monday, October 24, 2005

Mrs. MALONEY. Mr. Speaker, I rise to salute the American Red Cross in Greater New York (ARC/GNY), which held its centennial celebration on October 20, 2005. At this wonderful event, the ARC/GNY honored former President Bill Clinton for his leadership of humanitarian efforts in war and disease-ravaged areas throughout the world. I trust that the members of this chamber will join me in recognizing the tremendous efforts of both the New York Red Cross and our former President to relieve suffering both here in the United States and in the international community.

Though the International Red Cross has roots that stretch back to the mid-nineteenth century, the first Red Cross Chapter in New York City was established in Brooklyn in 1905. Since its founding, the New York Red Cross has played a leadership role in many of the most significant events of our time. In 1911, a fire destroyed the Triangle Shirtwaist Factory in Manhattan, killing 145 workers. Fortunately, the New York Red Cross was there to provide support and financial assistance to victims and their families. The following year, Red Cross volunteers assisted hundreds of survivors of the Titanic disaster, as well.

New York Red Cross volunteers also played important roles in both World Wars, feeding soldiers traveling to Europe and the Pacific, recruiting nurses and doctors, supplying medical equipment and clothing, and, perhaps most significantly, operating and staffing hospitals overseas in support of the Army’s medical program. In 1959, the American Red Cross in Greater New York was founded,
Banks are advertising "free" checking accounts while making enormous fees on overdraft programs; this should be restricted

According to one of the largest overdraft protection program vendors in the country, bringing together Red Cross chapters from each of New York City's five boroughs.

This year, the American Red Cross is leading much-needed efforts to assist those whose lives were upended by Hurricane Katrina. Since the hurricane made landfall, the Red Cross has delivered nearly $300 million to nearly 500,000 families. The ARC/GNY, for its part, has sent more than 100 trained staff members and volunteers to the Gulf Coast region, operated the largest Red Cross call center in the nation and sheltered a thousand displaced families all the while. The ARC/GNY continues to respond to tragedies closer to home: On average, the organization helps New Yorkers recover from eight fires, floods, building collapses and other disasters each day.

It is fitting that the staff, friends and volunteers of the New York Red Cross have chosen to honor another devoted humanitarian, President Bill Clinton. Since leaving office, President Clinton has devoted himself to helping underprivileged people around the world, in particular assisting those afflicted by the HIV/AIDS pandemic in Africa and the Tsu

AmSouth it was 42%, at Washington Mutual it was 30%, at Bank of America it was 33%, at Wells Fargo it was 26%.

On May 2, 2005, a Business Week article indicated that in a study by one bank it was reported that in a study by one bank it was nearly a thousand displaced families. All of these banks allowed depositors to overdraw their accounts at the ATM, 26 (78.8%) allow overdrafts at point-of-sale transactions at merchants and 17 (51.5%) allow overdrafts from automated or scheduled electronic payments.

The bank regulators should require such consent and disclosure, including information concerning any alternatives offered by the bank, such as overdraft lines of credit or automatic cash transfers from linked accounts; and, without exception, banks are not doing this.

Mr. LaFalce's thoughtful analysis of the problem and the reasons for addressing it are very persuasive, and because this is an important issue that we are addressing, I ask that his comments to the Federal regulators be printed here.

The Federal banking agencies recently issued guidelines for the operation of overdraft protection programs, and the Federal Reserve Board recently revised its Regulation DD with respect to the advertising of overdraft protection programs. Although well-intentioned, these new guidelines fall far short of what is needed in this area, and in many ways the recent regulations by the Fed only make matters worse.

I call H.R. 3449 to your attention because I believe that the problems it deals with are enormous, and can and should be dealt with, promptly, by regulation. I shall highlight some of the problems dealt with by H.R. 3449 and urge the bank regulators to address these problems.

In the overview protection programs, banks have been able to create a very high-cost, short-term credit product without any obligation to inform consumers of the actual costs involved.

The bank overseers, and probably most consumers are automatically and unknowingly being placed into the bank's most expensive overdraft program, when there are other options or better alternatives. While consumers may wish to take advantage of an overdraft program, they deserve the opportunity to learn about the programs other than through the imposition of the most expensive overdraft fees, and they surely should be informed of less costly alternatives, and given a choice amongst those alternatives.

H.R. 3449 would ensure that consumers know they are signing up for overdraft protection and the actual costs of utilizing the overdraft coverage, with specific written consent by the consumer to the program; disclosure of the fee for the overdraft service; disclosure of the nature of the type of transaction that will trigger the fee; disclosure of the time period in which the consumer must cover the overdraft; and disclosure of the circumstances under which an overdraft will not be honored.

The bank regulators should require such consent and disclosure, including information concerning any alternatives offered by the bank, such as overdraft lines of credit or automatic cash transfers from linked accounts; and, without exception, banks are not doing this.

The regulators have little or no data to quantify the prevalence, magnitude, or nature of this problem and should collect this data.

On February 17 and 18, 2005, Sanford C. Bernstein & Co. released a study indicating that it was not uncommon for banks to have a large percentage of income attributable to fees. For example, at Wells Fargo and Wachovia it was 25%, at Mellon it was 36%, at Bank of America it was 33%, at amazing 43% at Washington Mutual; it was 51%, and at TCF Financial it was 82%. They also concluded that there is a criminal risk in actively marketing bounce protection programs.

On May 2, 2005, a Business Week article indicated that "overall, banks raked in $32 billion in account service fees last year, up from $21 billion in 1999." They further stated that "fees have become such a powerful source of profits that they exceed earnings from mortgages, credit cards and all other lending combined." Additionally, the article refers to a banking analyst at Sanford C. Bernstein & Co. who said that "the poorest 20% of "bounced check" customers generate 80% of the $12 billion in annual overdraft fees."
banks profit from overdraft protection whether or not the program itself is advertised. This is because profits are made from customer usage, whether the usage is planned or unplanned. Not surpris-
ingly, banks are pairing their overdraft pro-
tection programs with accounts that have strong consumer appeal, such as the so-
called free checking.

The Fed’s recent revisions to Regulation DD and its related staff commentary were intended to rein in deceptive advertising of overdraft protection. However, the provision had the net effect of creating an incentive to further hide the program from consumers. This is because the reforms mandated by the final rule, in cluding the posting account-overdraft fees on-
ly and annual overdraft fees incurred by the individual customer, are triggered only if the consumer is told about the program in advance. So long as a bank does not adver-
tise the overdraft feature, the bank can fully promote its transaction accounts as being “free”.

H.R. 3449 would close this loophole and fur-
ther prevent other deceptive marketing practices by prohibiting: advertisements of an account as “free” or “no cost” if the ac-
count includes overdraft protection; the marking of the protection as a short-
term credit service; statements that the bank will cover any and all overdrafts if the bank, in fact, reserves the right not to do so; and statements that a negative account bal-
ance may be maintained, if the consumer, in fact, has to promptly cover the overdraft.

The bank regulators should adopt these princi-
ple by regulation.

VI. ATM MACHINES DO NOT ALWAYS DISTINGUISH BETWEEN ACTUAL ACCOUNT BALANCES AND OVERDRAFT PROTECTION AMOUNTS

Customers are vulnerable to overdraft fees when accessing their funds from ATMs. While there are guidelines constraining this practice, banks have not been required to provide any sort of warning that a requested withdrawal will result in an overdraft of the customer’s account. Some banks have gone well beyond relying upon a customer’s ignorance of their actual balance, intentionally misrepresenting their customers to believe that they have more funds in their accounts than actually is the case. For example, there are instances where banks have programmed their ATMs to show the actual account bal-
ance plus the available overdraft coverage as the balance available to the customer. This trick causes customers, particularly those with the lowest balances and who probably are the most financially vulnerable, to inad-
vertently overdraft their accounts and incur one or more overdraft fees.

H.R. 3449 would ensure that consumers who may overdraft their accounts at an ATM are given a chance to avoid overdrafting their account by notifying banks: to inform customers that a requested transaction will result in a specified overdraft fee, and to give the consumer an opportunity to cancel the requested transaction; and to show only the actual dollar balance in the account in response to a balance inquiry.

The bank regulators should adopt either the requirements of H.R. 3449 or their own guidelines as effective regulations.

VII. OVERDRAFT PROTECTION FOR DEBIT CARDS MAY CONSTITUTE THE LARGEST ABUSE AND SHOULD BE RESTRICTED

The average consumer probably writes far fewer checks and makes far fewer cash with-
drawals from ATMs per month than the

number of times he or she uses a debit card, for a debit card is often used daily and fre-
quently. In one day, for example, a debit card might be used for breakfast, lunch or dinner; at a grocery store, the cleaners, the gas station, the book store, the florist shop, the movies, etc. If overdraft fees were applicable, at $30.00 per overdraft, nine transactions would incur $270.00 in fees in one day.

Further, unlike checking accounts or ATMs, there is little likelihood of keeping an accurate account of one’s cash balance.

Hence, the potential for large overdraft fees from the use of debit cards is enormous.

I believe there is no logic to doing this, for the regulators do not collect data. However, an-
codical information indicates that overdraft programs attached to debit cards may well be used by the most financially vulnerable customers, and that incorporate many of the provisions of H.R. 3449.

Further, much can be done to reshape the industry by enforcing even the limited exist-
ing rules and regulations. Strong enforce-
ment actions against the more egregious ac-
tors should set the tone for responsible overdraft programs. So far, the OCC is the only agency to bring an “unfair and decep-
tive” action against any bank; I encourage every regulator to use this tool where appropriate.

VIII. CONCLUSION

H.R. 3449 succinctly highlights the major problems with overdraft protection pro-
grams. Nothing here, however, requires a legislative solution. I urge the regulators, therefore, to take the lead by implementing regulatory solutions, as articulated above, and that incorporate many of the provisions of H.R. 3449.

Mr. Speaker, today I rise to recognize the grand opening of the Redbud Family Health Center in Clearlake, California.

The Redbud Family Health Center is affiliated with the local Adventist Health Redbud Community Hospital. This new state-of-the-art 33,400 square foot facility located in the City of Clearlake provides services such as primary care medicine, dental services, pediatric serv-
ices, a behavioral health program, obstetric and women’s health services, general surgery, orthopedic surgery, cardiac testing services, and cardiac and pulmonary rehabilitation serv-
ices. There is also a privately owned on-site pharmacy.

Mr. Speaker, each month this center pro-
vides superior medical attention to 4,500 resi-
dents of rural Lake County. Last year alone, the Redbud Family Health Center cared for 50,400 patients.

The Redbud Family Health Center has taken a leading role in organizing numerous public outreach events such as blood drives, free health screenings, and an Annual Health and Safety Fair which I am proud to co-spon-
sor each fall. Over $14 million in free and low cost services have been contributed to the community. These are only a few examples of the Redbud Family Health Center’s commit-
tment to enhancing the quality of life for all Lake County citizens.
Mr. Speaker and colleagues, it is appropriate that we recognize the grand opening of the Redbud Family Health Center, as it will play a vital role in continuing the tradition of a healthier and happier community in Lake County, CA.

SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, October 25, 2005 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

OCTOBER 26
9 a.m. Judiciary
To hold hearings to examine the Streamlined Procedures Act relating to Habeas Reform.
SD-226

9:30 a.m. Environment and Public Works
Business meeting to consider S. 1772, to streamline the refinery permitting process, S. 1869, to reauthorize the Coastal Barrier Resource Act, and S. Res. 255, recognizing the achievements of the United States Fish and Wildlife Service and the Waterfowl Population Survey.
SD-406

10:30 a.m. Judiciary
Terrorism, Technology and Homeland Security Subcommittee
To hold hearings to examine emergency preparedness relating to terrorism.
SD-226

2 p.m. Budget
Business meeting to markup the proposed Deficit Reduction Omnibus Reconciliation Act of 2005.
SD-608

Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine the implementation of the Federal Lands Recreation Enhancement Act (P.L. 108-447), by the Forest Service and the Department of the Interior.
SD-366

2:30 p.m. Environment and Public Works
To resume hearings to examine Eco-terrorism specifically examining Stop Huntingdon Animal Cruelty.
SD-406

Homeland Security and Governmental Affairs
To hold hearings to examine the tax gap, focusing on components that make up the tax gap and how to ensure that American taxpayers are not bearing the financial burden of those who are not complying with the law.
SD-342

Foreign Relations
To hold hearings to examine the nomination of James Caldwell Cason, of Florida, to be Ambassador to the Republic of Paraguay.
SD-419

Judiciary
Administrative Oversight and the Courts Subcommittee
To hold hearings to examine proposals to split the Ninth Circuit.
SD-226

Intelligence
To receive a closed briefing regarding certain intelligence matters.
SH-219

OCTOBER 27
9:30 a.m. Indian Affairs
Business meeting to consider S. 1057, to amend the Indian Health Care Improvement Act to revise and extend that Act, S. 1003, to amend the Act of December 22, 1974, S. 692, to provide for the conveyance of certain public land in northwestern New Mexico by resolving a dispute associated with coal preference right lease interests on the land, a proposed bill to extend the statute of limitations for breach of trust claims, and S. 1219, to authorize certain tribes in the State of Montana to enter into a lease or other temporary conveyance of water rights to meet the water needs of the Dry Prairie Rural Water Association, Inc.
SR-485

Judiciary
Business meeting to consider pending calendar business.
SD-226

10 a.m. Banking, Housing, and Urban Affairs
To hold hearings to examine issues regarding the sending of remittances and the role of financial institutions.
SD-538

Energy and Natural Resources
To hold hearings to examine Administration’s response to hurricane recovery efforts related to energy and to discuss energy policy.
SH-216

Agriculture, Nutrition, and Forestry
Forestry, Conservation, and Rural Revitalization Subcommittee
To hold an oversight hearing to examine the Forest and Rangeland Research Program of the USDA Forest Service.
SR-328A

2 p.m. Finance
International Trade Subcommittee
To hold hearings to examine the status of World Trade Organization negotiations.
SD-215

Veterans’ Affairs
To hold hearings to examine the rising number of disabled veterans deemed unemployed relating to the VA’s individual unemployment benefit.
SR-418

2:30 p.m. Foreign Relations
African Affairs Subcommittee
To hold hearings to examine cross-continental progress relating to African organizations and institutions.
SD-419

Intelligence
To receive a closed briefing regarding certain intelligence matters.
SH-219

OCTOBER 31
1 p.m. Homeland Security and Governmental Affairs
Investigations Subcommittee
To hold hearings to examine reaching a consensus on United Nations reform regarding corruption in the United Nations Oil-for-Food program, including the oversight by the U.S. Office of Foreign Assets Control to stop misconduct by U.S. persons doing business under the Oil-for-Food program.
SD-342

NOVEMBER 1
10 a.m. Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine the National Park Service’s Draft Management Policies, including potential impact of the policies on park operations, park resources, interaction with gateway communities, and solicitation and collection of donations.
SD-366

2:30 p.m. Judiciary
To hold hearings to examine pending nominations.
SD-226

NOVEMBER 2
9:30 a.m. Indian Affairs
To hold an oversight hearing to examine In Re Tribal Lobbying Matters, Et Al.
Room to be announced

2 p.m. Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine S. 1541, to protect, conserve, and restore public land administered by the Department of the Interior or the Forest Service and adjacent land through cooperative cost-shared grants to control and mitigate the spread of invasive species, S. 1548, to provide for the conveyance of certain Forest Service land to the city of Coffman Cove, Alaska, S. 1552, to amend Public Law 97-435 to extend the authorization for the Secretary of the Interior to release certain conditions contained in a patent concerning certain land conveyed by the United States to Eastern Washington University until December 31, 2009, and H.R. 482, to provide for a land exchange involving Federal lands in the Lincoln National Forest in the State of New Mexico.
SD-366

NOVEMBER 3
10 a.m. Energy and Natural Resources
To hold hearings to examine a status report on the Environmental Protection Management programs of the Department of Energy.
SD-366
Veterans’ Affairs
To hold hearings to examine the rebuilding of VA assets on the Gulf Coast.
SR–418

Agriculture, Nutrition, and Forestry
To hold hearings to examine agricultural transportation and energy issues.
SH–216

NOVEMBER 8
10 a.m.
Energy and Natural Resources
To hold hearings to examine the progress made on the development of interim and long-term plans for use of fire retardant aircraft in Federal wildfire suppression operations.
SD–366

2:30 p.m.
Agriculture, Nutrition, and Forestry
Research, Nutrition, and General Legislation Subcommittee
To hold hearings to examine the Pet Animal Welfare Statute.
SDG–50

CANCELLATIONS
NOVEMBER 1
9:30 a.m.
Judiciary
To hold hearings to examine Department of Justice and the Weapons of Mass Destruction Commission Recommendations.
SD–226
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S11749–S11775

Measures Introduced: Four bills were introduced, as follows: S. 1909–1912.

Measures Reported:

S. 1409, to amend the Safe Drinking Water Act Amendments of 1996 to modify the grant program to improve sanitation in rural and Native villages in the State of Alaska, with an amendment in the nature of a substitute. (S. Rept. No. 109–159)

S. 1873, to prepare and strengthen the biodefenses of the United States against deliberate, accidental, and natural outbreaks of illness, with an amendment in the nature of a substitute.

Measures Passed:

Assistance for Orphans and Other Vulnerable Children in Developing Countries Act: Senate passed H.R. 1409, to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries, clearing the measure for the President.

Land Conveyance: Senate passed S. 1382, to require the Secretary of the Interior to accept the conveyance of certain land, to be held in trust for the benefit of the Puyallup Indian tribe.

Labor/HHS/Education Appropriations: Senate resumed consideration of H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, taking action on the following amendment proposed thereto:

Pending:

Specter Amendment No. 2197, to reduce administrative costs in the Centers for Medicaid and Medicare Services.

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10 a.m. on Tuesday, October 25, 2005; that at 10:30 a.m., Senate vote on, or in relation to, Specter Amendment No. 2197 (listed above), with no second-degree amendments in order to the amendment.

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 89 yeas (Vote No. EX. 265) Brian Edward Sandoval, of Nevada, to be United States District Judge for the District of Nevada.

By unanimous vote of 91 yeas (Vote No. EX. 266) Harry Sandlin Mattice, Jr., of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Measures Referred:

Measures Placed on Calendar:

Executive Communications:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Privilege of the Floor:

Record Votes: Two record votes were taken today. (Total—266)

Adjournment: Senate convened at 2 p.m., and adjourned at 7:07 p.m., until 9:30 a.m., on Tuesday, October 25, 2005. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S11775.)

Committee Meetings

No committee meetings were held.
House of Representatives

**Chamber Action**

Public Bills and Resolutions Introduced: 1 public bill, H.R. 4124; and 2 resolutions, H. Res. 506–507, were introduced.

Additional Cosponsors: 

Reports Filed: There were no reports filed today.

Speaker: Read a letter from the Speaker wherein he appointed Representative Petri to act as Speaker pro tempore for today.

Quorum Calls—Votes: There were no Yea-and-Nay votes, and there were no Recorded votes. There were no quorum calls.

Adjournment: The House met at 12 p.m. and adjourned at 12:03 p.m.

**Committee Meetings**

No Committee meetings were held.

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**COMMITTEE MEETINGS FOR TUESDAY, OCTOBER 25, 2005**

(Committee meetings are open unless otherwise indicated)

**Senate**

Committee on Appropriations: Subcommittee on Interior and Related Agencies, to hold hearings to examine oil and gas activities by the Bureau of Land Management including impact of recently passed energy legislation, 10 a.m., SD–124.

Committee on Armed Services: to hold hearings to examine the nominations of John J. Young, Jr., of Virginia, to be Director of Defense Research and Engineering, Department of Defense, Dorrance Smith, of Virginia, to be Assistant Secretary of Defense for Public Affairs, Delores M. Etter, of Maryland, to be Assistant Secretary of the Navy for Research, Development and Acquisition, General Burwell B. Bell, III, USA, for reappointment to the grade of general and to be Commander, United Nations Command/Combined Forces Command, and Commander, United States Forces Korea, and Lieutenant General Lance L. Smith, USAF, for appointment to the grade of general and to be Commander, United States Joint Forces Command and Supreme Allied Commander Transformation, 9:30 a.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the nominations of Matthew Slaughter, of New Hampshire, and Katherine Baicker, of New Hampshire, each to be a Member of the Council of Economic Advisers, Orlando J. Cabrera, of Florida, to be an Assistant Secretary of Housing and Urban Development, and Gigi Hyland, of Virginia, and Rodney E. Hood, of North Carolina, each to be a Member of the National Credit Union Administration Board, 10 a.m., SD–538.

Committee on Energy and Natural Resources: to hold hearings to examine S. 1829, to repeal certain sections of the Act of May 26, 1936, pertaining to the Virgin Islands, S. 1830, to amend the Compact of Free Association Amendments Act of 2003, and S. 1831, to convey certain submerged land to the Commonwealth of the Northern Mariana Islands, 10 a.m., SD–366.

Committee on Finance: business meeting to consider recommendations which it will make to the Committee on the Budget with respect to spending reductions and revenue increases to meet reconciliation expenditures as imposed by H. Con. Res.95, establishing the congressional budget for the United States Government for fiscal year 2006, revising appropriate budgetary levels for fiscal year 2005, and setting forth appropriate budgetary levels for fiscal years 2007 through 2010, 9:30 a.m., SD–215.

Committee on Foreign Relations: to hold hearings to examine the nominations of Ellen R. Sauerbrey, of Maryland, to be Assistant Secretary of State for Population, Refugees, and Migration, Jeffrey Thomas Bergner, of Virginia, to be Assistant Secretary of State for Legislative Affairs, and Anne W. Patterson, of Virginia, to be Assistant Secretary of State for International Narcotics and Law Enforcement Affairs, 9:30 a.m., SD–419.

Full Committee, business meeting to consider the Agreement between the United States of America and the Government of Canada on Pacific Hake/Whiting (Treaty Doc. 108–24), the Convention on the Conservation and Management of the Highly Migratory Fish Stocks in the Western and Central Pacific Ocean (Treaty Doc. 109–1), and the nominations of C. Boyden Gray, of the District of Columbia, to be United States Representative to the European Union, with the rank and status of Ambassador, Jennifer L. Dorn, of Nebraska, to be United States Alternate Executive Director of the International Bank for Reconstruction and Development, Donald A. Gambatesa, of Virginia, to be Inspector General, United States Agency for International Development, David B. Dunn, of California, to be Ambassador to the Togolese Republic, Carmen Maria Martinez, of Florida, to be Ambassador to the Republic of Zambia, Michael R. Arietti, of Connecticut, to be Ambassador to the Republic of Rwanda, David M. Hale, of New Jersey, to be Ambassador to the Hashemite Kingdom of Jordan, Roland Arnall, of California, to be Ambassador to the Kingdom of the Netherlands, Benson K. Whitney, of Minnesota, to be Ambassador to Norway, Susan Rasinski McCaw, of Washington, to be Ambassador to the Republic of Austria, Nicholas F. Taubman, of Virginia, to be Ambassador to Romania, and a Foreign Service Officer promotion list received in the Senate on July 14, 2005, 2:15 p.m., S–116, Capitol.

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International Security, to hold hearings to examine setting priorities in Federal spending...
in the context of natural disaster, deficits and war, focusing on funding wasteful and ineffective programs, 2:30 p.m., SD–342.

House

Committee on Energy and Commerce, to begin mark up of Titles I and II of reconciliation measures, 3 p.m., 2123 Rayburn.

Committee on Homeland Security, Subcommittee on Prevention of Nuclear and Biological Attack, executive, briefing on assessing the threat of agro-terrorism, 5:30 p.m., 311 Cannon.


Committee on Rules, to consider the following bills: H.R. 420, Lawsuit Abuse Reduction Act of 2005; and H.R. 1461, Federal Housing Finance Reform Act of 2005, 4 p.m., H–313 Capitol.

Joint Meetings

Commission on Security and Cooperation in Europe: to hold hearings to examine how the U.S. can best utilize the Organization for Security and Cooperation in Europe in advancing the interests of the United States, 3 p.m., SD–124.
Next Meeting of the SENATE
9:30 a.m., Tuesday, October 25

Senate Chamber
Program for Tuesday: After the transaction of any morning business (not to extend beyond 30 minutes), Senate will continue consideration of H.R. 3010, Labor/HHS/Education Appropriations, and at 10:30 a.m., vote on, or in relation to, Specter Amendment No. 2197.

(Senate will recess from 12:30 p.m. until 2:15 p.m. for their respective party conferences.)

Next Meeting of the HOUSE OF REPRESENTATIVES
12:30 p.m., Tuesday, October 25

House Chamber
Program for Tuesday: Consideration of Suspensions: (1) H. Res. 220—Recognizing America’s Blood Centers and its member organizations for their commitment to providing over half the Nation with a safe and adequate volunteer donor blood supply; (2) H.R. 3675—American Spirit Fraud Prevention Act; (3) H. Con. Res. 269—Recognizing the 40th anniversary of the White House Fellows Program; (4) H.R. 3256—Congressman James Grove Fulton Memorial Post Office Designation Act; (5) H.R. 3368—Gagetown Veterans Memorial Post Office Designation Act; (6) H. Res. 484—Supporting efforts to promote greater awareness of effective runaway youth prevention programs and the need for safe and productive alternatives, resources, and supports for homeless youth; and (7) H.R. 758—To establish an interagency aerospace revitalization task force to develop a national strategy for aerospace workforce recruitment, training, and cultivation.

Extensions of Remarks, as inserted in this issue

HOUSE

Blumenauer, Earl, Ore., E2155
Burgess, Michael C., Tex., E2155
Frank, Barney, Mass., E2156
Maloney, Carolyn B., N.Y., E2155
Markey, Edward J., Mass., E2153
Thompson, Mike, Calif., E2153, E2154, E2155, E2157

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