The House met at 3 p.m. and was called to order by the Speaker pro tempore (Mr. THORNBERRY).

DESIGNATION OF THE SPEAKER PRO TEMPORE
The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, D.C., October 31, 2005.

I hereby appoint the Honorable Mac Thornberry to act as Speaker pro tempore on this day.

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

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 CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, Washington, DC, October 27, 2005.

Hon. J. Dennis Hastert,
Speaker of the House,
Capitol, Washington, DC.

Dear Mr. Speaker: Enclosed are copies of resolutions adopted on October 26, 2005 by the Committee on Transportation and Infrastructure. Copies of the resolutions are being transmitted to the Department of the Army. Sincerely,

DON YOUNG,
Chairman.

RESOLUTION—DOCKET 2738
WEST FELICIANA PARISH, LOUISIANA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Mississippi River and Tributaries, published as House Document 308, 88th Congress, 2nd Session, and of other pertinent reports to determine whether modifications of the recommendations contained therein are advisable at the present time in the interest of environmental restoration and protection, recreation, waterfront and riverine preservation, and enhancement along the Mississippi River in the area of West Feliciana Parish, Louisiana.

RESOLUTION—DOCKET 2739
NORTHAMPTON AND LEHIGH COUNTY STREAMS, PENNSYLVANIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is directed to review the report of the Chief of Engineers on the Delaware River and its tributaries, Pennsylvania, New Jersey, and New York, published as House Document 179, 93rd Congress, 2nd Session, as it relates to the Northampton and Lehigh County Streams and other pertinent reports to determine whether any modifications of the recommendations contained therein are advisable at the present time in the interest of environmental restoration and protection, floodplain management, flood damage reduction, water quality control, groundwater and subsidence management, comprehensive watershed management, recreation and related purposes.

RESOLUTION—DOCKET 2740
VERMILLION RIVER, LOUISIANA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary...
of the Army is requested to review the report of the Chief of Engineers on Bayou Teche, Teche-Vermilion Waterway, and Vermilion River, Louisiana, published as Senate Document No. 390, 77th Congress, 1st Session, and other pertinent reports to determine whether any modifications of the recommendations contained therein are advisable at the present time in the interest of navigation improvements, flood damage reduction, environmental protection and restoration, recreation, and related purposes in the Cedar River watershed, Minnesota.

There was no objection.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the chairman of the Committee on Transportation and Infrastructure: which was read and, without objection, referred to the Committee on Appropriations:

HOUSE OF REPRESENTATIVES, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,

Washington, DC, October 26, 2005,

Hon. J. Dennis Hastert,
Speaker of the House, The Capitol,
Washington, DC.

Dear Mr. Speaker: Enclosed please find resolution-authorizing Committee on Transportation and Infrastructure on October 26th, 2005, in accordance with 40 U.S.C. § 3307.

Sincerely,

[Signature]

Don Young,
Chairman.

Resolution—Docket 2741
ELIZABETH RIVER, ELIZABETH, NEW JERSEY

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army, is requested to review the report of the Chief of Engineers on the Elizabeth River, New Jersey, published as House Document No. 249, 89th Congress, 1st Session, and other pertinent reports to determine whether modifications of the recommendations contained therein are advisable at the present time in the interest of navigation improvements, flood damage reduction, environmental protection and restoration, and related purposes in the area of Elizabeth River, Elizabeth, New Jersey.

Resolution—Docket 2742
NORTH CENTRAL PENNSYLVANIA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army, is directed to review the report on the Susquehanna, with special emphasis on the southern part of Pennsylvania, Maryland, published as House Document 702, 77th Congress; 2nd Session; the report on the Ohio River and Tributaries, Pennsylvania, Ohio, and West Virginia, published as House Document 536, 76th Congress, 1st Session, and other pertinent reports that encompass Warren, McKean, Potter, Tioga, Wyoming, Centre, Cameron, Elk, Clearfield, Jefferson, Clarion, Venango, Forest, Clinton, Crawford, and Mifflin Counties, Pennsylvania, to determine whether modifications of the recommendations contained therein are advisable in the present time in the interest of environmental restoration and protection, water supply, floodplain management, and related purposes in the area of the Ohio River in the interest of abandoned mine drainage abatement and re-establishment of stream and river channels.

Resolution—Docket 2743
EASTCHESTER BAY, TURTLE COVE, NEW YORK

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is directed to review the report of the Chief of Engineers on Eastchester Creek (Hutchinson River), New York, published as House Document 749, 80th Congress, 2nd Session, and other pertinent reports to determine whether any modifications of the recommendations contained therein are advisable at the present time in the interest of navigation improvements, flood damage reduction, environmental protection and restoration, and related purposes to areas of Eastchester Bay, Turtle Cove, New York.

Resolution—Docket 2744
CEDAR RIVER WATERSHED, AUSTIN, MINNESSOTA

Resolved by the Committee on Transportation and Infrastructure of the United States House of Representatives, That the Secretary of the Army is requested to review the report of the Chief of Engineers on the Iowa and Cedar Rivers, Iowa and Minnesota, published as House Document No. 322, 76th Congress, 1st Session, and other pertinent reports to determine whether any modification to the recommendations contained therein are advisable in the interest of flood damage reduction, environmental protection and restoration, recreation, and related purposes in the Cedar River watershed, Minnesota.

There was no objection.

AMENDED PROSPECTUS—CONSTRUCTION—U.S. BORDER STATION—CHAPELAIN, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, additional appropriations are authorized for construction of a 108,500 gross square foot facility including 381 outside parking spaces located in Chaplain, New York, at an additional site cost of $241,000 (site cost of $409,000 was previously authorized), additional design and review cost of $3,609,000 (design and review cost of $2,937,000 was previously authorized), additional management and inspection cost of $5,231,000 (management and inspection cost of $2,519,000 was previously authorized), an additional estimated construction cost of $43,429,000 (construction cost of $32,512,000 was previously authorized), management and inspection cost of $1,881,000 (management and inspection cost of $1,423,000 was previously authorized), additional design and review cost of $1,450,000 (design and review cost of $1,378,000 was previously authorized), and management and inspection cost of $3,300,000 (management and inspection cost of $3,500,000 was previously authorized), and an additional estimated construction cost of $45,594,000 (construction cost of $38,236,000 was previously authorized) for a combined estimated total project cost of $85,620,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolution dated July 18, 2001, which authorized $249,000 for additional design and review, $4,237,000 for additional management and inspection, and $3,740,000 for construction; and July 23, 2003, which authorized $10,986,000 for design and review, $48,938,000 for site design and management and inspection.

AMENDED PROSPECTUS—CONSTRUCTION—U.S. BORDER STATION—MASSENA, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, additional appropriations are authorized for construction of a 67,000 gross square foot facility including 100 inside and 384 outside parking spaces located in Massena, New York, at an additional site cost of $458,000 (site cost of $532,000 was previously authorized), additional design and review cost of $1,450,000 (design and review cost of $1,378,000 was previously authorized), and management and inspection cost of $1,881,000 (management and inspection cost of $3,500,000 was previously authorized), additional construction cost of $45,594,000 (construction cost of $38,236,000 was previously authorized) for a combined estimated total project cost of $85,620,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolutions dated June 26, 2002, which authorized $100,000 for site acquisition and $1,546,000 for design and review; and July 21, 2004, which authorized $432,000 for additional site design and review, $3,040,000 for additional design and review, and $14,939,000 for additional construction.

PROSPECTUS—SITE AND DESIGN PHASE ARCH. U.S. PORT OF ENTRY—BLAINE, WA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, additional appropriations are authorized for construction of a 90,904 gross square foot facility including 156 outside parking spaces including 12 inside and 28 outside parking spaces located in Blaine, Washington, at an additional site cost of $1,445,000 and construction cost of $14,234,000 were previously authorized) for a combined estimated total project cost of $30,562,000 a prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolutions dated June 21, 2000, which authorized $619,000 for design; July 18, 2001, which authorized $249,000 for additional design and review, $4,237,000 for additional management and inspection, and $3,740,000 for construction; and July 23, 2003, which authorized $6,267,000 for construction and $1,881,000 for site design and management and inspection.

AMENDED PROSPECTUS—CONSTRUCTION—U.S. BORDER STATION—JACKMAN, ME

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, additional appropriations are authorized for construction of a 1,000,000 gross square foot facility located at the West Campus of St. Elizabeth’s Hospital in Washington, DC, at an additional site cost of $20,000,000, a prospectus which is attached to, and included in, this resolution.

DESIGN—U.S. COAST GUARD CONSOLIDATION—WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, additional appropriations are authorized for design of a 61,581 gross square foot facility including 12 inside and 28 outside parking spaces located in Jackman, Maine, at an additional site cost of $12,000,000 (site cost of $500,000 was previously authorized), additional design and review cost of $857,000 (design and review cost of $1,359,000 was previously authorized), and additional estimated construction cost of $11,319,000 (management and inspection cost of $1,445,000 and construction cost of $14,234,000 were previously authorized) for a combined estimated total project cost of $30,562,000 a prospectus for which is attached to, and included in, this resolution. This resolution amends Committee resolutions dated June 26, 2002, which authorized $100,000 for site acquisition and $1,546,000 for design and review; and July 21, 2004, which authorized $432,000 for additional site design and review, $3,040,000 for additional design and review, and $14,939,000 for additional construction.
located in Blaine, Washington, at an additional design and review cost of $1,038,000 (design and review cost of $2,752,000 was previously authorized), management and inspection cost of $16,900,000 (management and inspection cost of $7,518,000 was previously authorized), and additional management and inspection cost of $550,000 (management and inspection cost of $5,686,000 was previously authorized), an estimated construction cost of $42,497,000 for a combined estimated total project cost of $97,211,000, a prospectus for which is attached to, and included in, this resolution.

This resolution is in addition to a Committee resolution dated July 23, 2003, which authorized $7,060,000 for site acquisition and $2,752,000 for design and review.

NEW CONSTRUCTION—MATERIAL PRICE INCREASES—VARIOUS PROJECTS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, additional appropriations are authorized for material price increases for the construction of projects located in New York City, New York; Houston, Texas; and Cape Girardeau, Missouri, at an estimated additional construction cost of $48,634,000, a prospectus for which is attached to, and included in, this resolution.

DESIGN—VARIOUS LOCATIONS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, additional appropriations are authorized for the design of projects scheduled for the Peachtree Summit Federal Building, located in Atlanta, Georgia; a design cost of $5,941,000; Birch Bay Federal Building and U.S. Courthouse, located in Indianapolis, Indiana at a design cost of $1,942,000; Minton-Capehart Federal Building, located in Indianapolis, Indiana at a design cost $1,923,000; IRS Customer Service Center, located in Andover, Massachusetts; Margaret Chase Smith Federal Building, located in Bangor, Maine at a design cost of $1,387,000; Dr. A.H. McCoy Federal Building, located in Jackson, Mississippi at a design cost of $3,529,000; G.T. "Mickey" Leland Federal Building, located in Houston, Texas at a design cost of $2,208,000; Post Office and U.S. Courthouse, located in San Antonio, Texas at a design cost of $200,000 for a total design cost of $21,915,000, for which a prospectus is attached to, and included in, this resolution.

ALTERATION—JAMES A. WALSH UNITED STATES COURTHOUSE—TUCSON, AZ

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the alteration of the James A. Walsh United States Courthouse located at 38 South Scott Avenue, in Tucson, Arizona at an estimated construction cost of $14,029,000, and management and inspection cost of $2,999,000, and an estimated construction cost of $1,342,000; Minton-Capehart Federal Building, located in Atlanta, Georgia at a design cost of $21,915,000, for which a prospectus is attached to, and included in, this resolution.

ALTERATION—IKE PRICE—AMENDED PROSPECTUS—ALTERATION—FEDERAL OFFICE BUILDING 8—WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, additional appropriations are authorized for the alteration of Federal Office Building 8 located at 2nd and C Streets, SW., in Washington, DC, at an additional design and review cost of $550,000 (design and review cost of $157,700,000 was previously authorized), and an additional management and inspection cost of $142,000 (design and review cost of $353,000 was previously authorized), an estimated construction cost of $422,901,000, and an estimated construction cost of $720,000, a prospectus for which is attached to, and included in, this resolution.

AMENDED PROSPECTUS—ALTERATION—FEDERAL OFFICE BUILDING 8—WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, additional appropriations are authorized for the alteration of the Federal Office Building 8 located at 2nd and C Streets, SW., in Washington, DC, at an additional design and review cost of $550,000 (design and review cost of $157,700,000 was previously authorized), and an additional management and inspection cost of $142,000 (design and review cost of $353,000 was previously authorized), an estimated construction cost of $422,901,000, and an estimated construction cost of $720,000, a prospectus for which is attached to, and included in, this resolution.

ALTERATION—HERBERT C. HOOVER BUILDING—WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the alteration of the Herbert C. Hoover Building located at 1401 Constitution Avenue, NW., in Washington, DC, at an additional design and review cost of $1,096,000, an estimated construction cost of $19,200,000, and management and inspection cost of $1,487,000 for a combined estimated total project cost of $18,783,000, a prospectus for which is attached to, and included in, this resolution.

ALTERATION—JAMES L. WATSON—UNITED STATES COURT OF INTERNATIONAL TRADE—NEW YORK, NY

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the alteration of the James L. Watson United States Court of International Building at a design and review cost of $720,000, an estimated construction cost of $17,151,000 (design and review cost of $17,151,000 was previously authorized), a prospectus for which is attached to, and included in, this resolution.

ALTERATION—MARTIN LUTHER KING, JR. FEDERAL BUILDING—ATLANTA, GA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the alteration of the Martin Luther King, Jr. Federal Building, in Atlanta, GA at an estimated construction cost of $28,137,000 and management and inspection cost of $1,992,000 for a combined estimated total project cost of $30,129,000 (design and review, estimated construction and management and inspection cost for Phase I total $17,151,000 were previously authorized), a prospectus for which is attached to, and included in, this resolution.

ALTERATION—HERBERT C. HOOVER BUILDING—WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the alteration of the Herbert C. Hoover Building located at 1401 Constitution Avenue, NW., in Washington, DC, at an additional design and review cost of $1,096,000, an estimated construction cost of $19,200,000, and inspection cost of $829,000 for a combined estimated total project cost of $19,428,000, a prospectus for which is attached to, and included in, this resolution.

ALTERATION—DELPHINUS W. WATSON EXECUTIVE OFFICE BUILDING—PHILADELPHIA, PA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the alteration of the Delphinus W. Watson Executive Office Building located in Philadelphia, Pennsylvania at a design and review cost of $1,180,000 (design and review cost of $353,000 was previously authorized), an estimated construction cost of $18,783,000, and inspection cost of $1,096,000 for a combined estimated total project cost of $19,879,000, a prospectus for which is attached to, and included in, this resolution.

ALTERATION—HERBERT C. HOOVER BUILDING—WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the alteration of the Herbert C. Hoover Building, located in Washington, DC, at an additional design and review cost of $1,096,000, an estimated construction cost of $19,200,000, and inspection cost of $1,487,000 for a combined estimated total project cost of $20,783,000, a prospectus for which is attached to, and included in, this resolution.

ALTERATION—HERBERT C. HOOVER BUILDING—WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, appropriations are authorized for the alteration of the Herbert C. Hoover Building located at 1401 Constitution Avenue, NW., in Washington, DC, at an additional design and review cost of $1,096,000, an estimated construction cost of $19,200,000, and inspection cost of $1,487,000 for a combined estimated total project cost of $21,795,000, a prospectus for which is attached to, and included in, this resolution.

ALTERATION—AMENDED PROSPECTUS—ALTERATION—FEDERAL OFFICE BUILDING 8—WASHINGTON, DC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. § 3307, additional appropriations are authorized for the alteration of the Federal Office Building 8 located at 2nd and C Streets, SW., in Washington, DC, at an additional design and review cost of $550,000 (design and review cost of $157,700,000 was previously authorized), and an additional management and inspection cost of $142,000 (design and review cost of $353,000 was previously authorized), an estimated construction cost of $422,901,000, and an estimated construction cost of $720,000, a prospectus for which is attached to, and included in, this resolution.
of $4,247,000, a prospectus for which is attached to, and included in, this resolution.

ALTERATION—Social Security Administration—National Computer Center—Woodlawn, MD
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, additional appropriations are authorized for the alteration of the Social Security Administration’s National Computer Center, located in Woodlawn, Maryland, at a design and review cost of $407,000, an estimated construction cost of $8,477,000, and management and inspection cost of $458,000 for a combined estimated cost of $9,372,000, an additional estimated design cost of $374,000 (design and review cost of $374,000 was previously authorized), an additional estimated construction cost of $17,991,000 was previously authorized), and an additional management and inspection cost of $1,794,000 (management and inspection cost of $1,794,000 was previously authorized) for a combined estimated total project cost of $25,454,000, an amended prospectus for which is attached to, and included in, this resolution. This resolution amends Committee Resolution dated July 18, 2001, which authorized $19,785,000 for additional design, construction, and management and inspection.

ALTERATION—Samuel M. Gibbons United States Courthouse—Tampa, FL
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the alteration of the Samuel M. Gibbons United States Courthouse located at 801 N. Florida Avenue, Tampa, Florida at an estimated design cost of $515,000, an estimated construction cost of $801,000, and management and inspection cost of $541,000, for a combined estimated total project cost of $1,852,000, a prospectus for which is attached to, and included in, this resolution.

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for the alteration of the Warren E. Burger United States Courthouse located at 316 Robert Street, St. Paul, Minnesota, at an additional estimated design cost of $1,908,000 (design and review cost of $2,591,000 was previously authorized), an additional estimated construction cost of $23,155,000 (estimated construction cost of $35,745,000 was previously authorized), and management and inspection cost of $3,971,000 (management and inspection cost of $2,899,000 was previously authorized), and an additional estimated design cost of $1,908,000 (design and review cost of $2,591,000 was previously authorized), an additional estimated construction cost of $23,155,000 (estimated construction cost of $35,745,000 was previously authorized), and management and inspection cost of $3,971,000 (management and inspection cost of $2,899,000 was previously authorized) for an estimated total project cost of $65,269,000, a prospectus for which is attached to, and included in, this resolution. This resolution amends a Committee Resolution dated July 21, 2004, which authorized $36,664,000 for estimated construction and management and inspection.

LEASE—General Services Administration—1800 F Street, NW., Washington, DC
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized to lease up to 492,000 rentable square feet of space for the General Services Administration currently located at 1800 F Street, NW., in Washington, DC, at a proposed total annual cost of $22,140,000 for a lease term of 5 years, with 2 (two) additional one-year extensions, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

LEASE—U.S. Army Corps of Engineers, 333 Market Street, San Francisco, CA
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized to lease up to 111,227 rentable square feet and 24 parking spaces for the Corps of Engineers, and other agencies, currently located in leased space at 333 Market Street, in San Francisco, California, at a proposed total annual cost of $8,947,848 for the lease of space for a term of 8 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

LEASE—Department of Agriculture, 1800 M Street, NW., Washington, DC
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 265,388 rentable square feet of space for the Department of Agriculture currently located in leased space at 1800 M Street, NW., in Washington, DC, at a proposed total annual cost of $9,477,484 for a lease term of 8 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

LEASE—Department of Commerce, 1800 F Street, NW., Washington, DC
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 492,000 rentable square feet and 40 parking spaces for the Department of Commerce currently located in leased space at 801 F Street, NW., in Washington, DC, at a proposed total annual cost of $3,864,000 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

LEASE—Department of Justice, Drug Enforcement Administration, 801 Eye Street, NW., Washington, DC
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized to lease up to approximately 577,000 rentable square feet and 49 parking spaces for the Department of Justice, Drug Enforcement Administration, currently located in leased space at 2100 2nd Street, SW., in Washington, DC, at a proposed total annual cost of $17,310,000 for a lease term of 5 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

LEASE—Department of Justice, Office of Justice Programs, 830 7th Street, NW., Washington, DC
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized to lease
up to approximately 98,096 rentable square feet and 55 inside parking spaces for the Department of Justice, Office of Justice Programs, currently located in leased space at 819 7th Street, NW., in Washington, DC, at a proposed total annual cost of $4,512,416 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease. Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**LEASE—DEPARTMENT OF STATE, 515 22nd STREET, NW., WASHINGTON, DC**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to approximately 122,496 rentable square feet and 17 parking spaces for the Department of State, currently located in leased space at 515 22nd Street, NW., in Washington, DC, at a proposed total annual cost of $5,639,819 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease. Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**LEASE—FEDERAL ELECTION COMMISSION, 999 E STREET, NW., WASHINGTON, DC**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to approximately 149,526 rentable square feet and 34 parking spaces for the Federal Election Commission, currently located in leased space at 999 E Street, NW., in Washington, DC, at a proposed total annual cost of $6,876,196 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease. Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**LEASE—FOOD AND DRUG ADMINISTRATION, 1401 ROCKVILLE PIKE, ROCKVILLE, MD**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to approximately 104,892 rentable square feet for the Food and Drug Administration, currently located in leased space at 1401 Rockville Pike, Rockville, MD, at a proposed total annual cost of $3,356,544 for a lease term of 5 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease. Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**LEASE—ENVIRONMENTAL PROTECTION AGENCY, BOSTON, MA**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to approximately 104,892 rentable square feet and 398 parking spaces for the Environmental Protection Agency, currently located in leased space at One Congress Street, in Boston, Massachusetts, at a proposed total annual cost of $3,099,424 for a lease term of 5 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease. Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**LEASE—DEPARTMENT OF DEFENSE, 400 ARMY NAVY DRIVE, ARLINGTON, VA**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to approximately 240,672 rentable square feet and 471 inside parking spaces for the Department of Defense, currently located in leased space at 400 Army Navy Drive, in Arlington, Virginia, at a proposed total annual cost of $8,830,520 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease. Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**LEASE—DEPARTMENT OF DEFENSE, 1500 WILSON BOULEVARD, ROSSLYN PLAZA NORTH, NORTH VIRGINIA**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to approximately 306,949 rentable square feet and 825 parking spaces for the National Nuclear Security Administration, currently located in multiple locations in Albuquerque, New Mexico, at a proposed total annual cost of $11,049,042 for a lease term of 5 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease. Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**LEASE—NATIONAL NUCLEAR SECURITY ADMINISTRATION—ALBUQUERQUE, NM**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to approximately 306,949 rentable square feet and 825 parking spaces for the National Nuclear Security Administration, currently located in multiple locations in Albuquerque, New Mexico, at a proposed total annual cost of $11,049,042 for a lease term of 5 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease. Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

**LEASE—DRUG ENFORCEMENT ADMINISTRATION, 600-700 ARMY NAVY DRIVE, NORTHERN VIRGINIA**

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to approximately 591,100 rentable square feet and 268 parking spaces for the Drug Enforcement Administration, currently located in leased space at 600-700 Army Navy Drive, in Arlington, Virginia, at a proposed total annual cost of $21,401,700 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease. Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.
tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—MULTIPLE AGENCIES—BALLSTON METRO CENTER, 901 NORTH STUART STREET, ARLINGTON, VA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to approximately 135,282 rentable square feet and no parking spaces for the multiple agencies currently located in leased space at the Ballston Metro Center, 901 North Stuart Street, in Arlington, Virginia, at a proposed total annual cost of $4,734,670 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION—CHARLOTTE, NC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to 120,197 rentable square feet and 115 parking spaces for the Federal Bureau of Investigation, currently located in multiple government owned and leased locations in Charlotte, North Carolina, at a proposed total annual cost of $4,327,092 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION—DETROIT, MI

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to 296,200 rentable square feet and 271 parking spaces for the Federal Bureau of Investigation, currently located in multiple government owned and leased locations in Detroit, Michigan, at a proposed total annual cost of $19,914,300 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION—JACKSONVILLE, FL

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to approximately 129,672 rentable square feet and 129 parking spaces for the Federal Bureau of Investigation, currently located at 2809 Jefferson Davis Highway, in Arlington, Virginia, at a proposed total annual cost of $5,896,380 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION—JACKSON, MS

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to 109,819 rentable square feet and 85 parking spaces for the Federal Bureau of Investigation, currently located in multiple government owned and leased locations in Jackson, Mississippi, at a proposed total annual cost of $7,733,846 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION—OMAHA, NE

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to 119,531 rentable square feet and 142 parking spaces for the Federal Bureau of Investigation, currently located in both government owned and leased space, in Indianapolis, Indiana, at a proposed total annual cost of $1,200,178 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION—PHILADELPHIA, PA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to 171,460 rentable square feet and 175 parking spaces for the Federal Bureau of Investigation, currently located in multiple leased locations in Philadelphia, Pennsylvania, at a proposed total annual cost of $14,041,132 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION—INDIANAPOLIS, IN

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to 156,072 rentable square feet and 182 parking spaces for the Federal Bureau of Investigation, currently located in multiple government owned and leased locations in Indianapolis, Indiana, at a proposed total annual cost of $4,200,178 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION—NORTHERN VIRGINIA

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to 266,200 rentable square feet and 271 parking spaces for the Federal Bureau of Investigation, currently located in multiple government owned and leased locations in Northern Virginia, at a proposed total annual cost of $4,327,092 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION—OMAHA, NE

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to 119,819 rentable square feet and 85 parking spaces for the Federal Bureau of Investigation, currently located in multiple government owned and leased locations in Omaha, Nebraska, at a proposed total annual cost of $4,044,132 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION—DETROIT, MI

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to 296,200 rentable square feet and 271 parking spaces for the Federal Bureau of Investigation, currently located in multiple government owned and leased locations in Detroit, Michigan, at a proposed total annual cost of $19,914,300 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION—CHARLOTTE, NC

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to 165,000 rentable square feet and 106 parking spaces for the Federal Bureau of Investigation, currently located in leased space in Merrifield and Arlington, Virginia, at a proposed total annual cost of $5,775,000 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION—INDIANAPOLIS, IN

Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §3007, appropriations are authorized to lease up to 156,072 rentable square feet and 182 parking spaces for the Federal Bureau of Investigation, currently located in multiple government owned and leased locations in Indianapolis, Indiana, at a proposed total annual cost of $4,200,178 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.
LEASE—FEDERAL BUREAU OF INVESTIGATION—KNOXVILLE, TN
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §307, appropriations are authorized to lease up to 99,130 rentable square feet and 95 parking spaces for the Federal Bureau of Investigation (FBI), located in the FBI-owned space in Knoxville, Tennessee, at a proposed total annual cost of $3,097,813 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—FEDERAL BUREAU OF INVESTIGATION—FREDERICK COUNTY, VA
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §307, appropriations are authorized to lease up to 172,322 rentable square feet and 18 parking spaces for the Federal Bureau of Investigation, in Frederick County, Virginia, at a proposed total annual cost of $33,145,000 for a lease term of 15 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

LEASE—ENVIRONMENTAL PROTECTION AGENCY—CENTERS FOR DISEASE CONTROL AND PREVENTION—SEATTLE, WA
Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to title 40 U.S.C. §307, appropriations are authorized to lease up to 172,322 rentable square feet and 18 parking spaces for the Environmental Protection Agency and Centers for Disease Control and Prevention, currently located at 1200 Sixth Avenue in Seattle, Washington, at a proposed total annual cost of $6,546,236 for a lease term of 10 years, a prospectus for which is attached to and included in this resolution.

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to execution of the new lease.

Provided, That the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

There was no objection.

BILL PRESENTED TO THE PRESIDENT
Jeff Trandahl, Clerk of the House reports that on October 27, 2005 he presented to the President of the United States, for his approval, the following bill:


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

There was no objection.

Accordingly, at 3 o’clock and 3 minutes p.m., under its previous order, the House adjourned until tomorrow, Tuesday, November 1, 2005, at 12:30 p.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.
Under clause 8 of rule XII, executive communications were taken from the Speaker’s table for the following:

4866. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department’s final rule Certification Program for Imported Articles of Pelargonium spp. and Solanum spp. To Prevent Introduction of Potato Brown Rot [Docket No. 03-019-3] received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4869. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department’s final rule — Asian Longhorned Beetle; Addition and Removal of Quarantined Areas in New Jersey [Docket No. 05-030-3] received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4870. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department’s final rule — Tuberculosis; Amend the Definition of Affected Herd [Docket No. 02-111-2] received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4871. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department’s final rule — Tuberculosis in Cattle and Bison; State and Zone Designations; New Mexico [Docket No. 04-068-3] received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

4872. A letter from the Secretary of the United States, transmitting a request of FY 2006 emergency proposals, totaling $17.1 billion, that are reallocated from available funds in the Federal Emergency Management Agency (FEMA) Disaster Releif Fund (DRF); (H. Doc. No. 109-105) received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Appropriations and ordered to be printed.

4873. A communication from the President of the United States, transmitting a request of FY 2006 emergency proposals, totaling a $2.3 billion in funding from various federal programs and excess funds; (H. Doc. No. 109-65) to the Committee on Appropriations and ordered to be printed.

4874. A letter from the Secretary, Department of the Treasury, transmitting a six-month periodic report on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997, as required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 201(c) of the International Emergency Economic Powers Act, 50 U.S.C. 1703(c), and pursuant to Executive Order 13313 of July 31, 2003; to the Committee on International Relations.

4875. A letter from the Acting Director, Office of Sustainable Fisheries, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Trawl Gear in the Gulf of Alaska [Docket No. 04112633-5040-05; I.D. 092805E] received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

4876. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fishery of the Economic Exclusive Zone Off Alaska; Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area [Docket No. 04112633-5045-06; I.D. 092905A] received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.


REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS
Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GOODLATTE. Committee on Agriculture. H.R. 3405. A bill to prohibit the provision of Federal economic development assistance for any State or locality that uses the power of eminent domain power to obtain property for private commercial development or that fails to pay relocation costs to persons displaced by use of the power of eminent domain for economic development purposes, with an amendment (Rept. 109-261, Pt. 1). Referred to the Committee of the Whole House on the State of the Union.

Mr. SENSENBERGER. Committee on the Judiciary. H.R. 1428. A bill to protect private property rights, with an amendment (Rept. 109-262). Referred to the Committee of the Whole House on the State of the Union.

DISCHARGE OF COMMITTEE
Pursuant to clause 2 of rule XII the Committees on Transportation and Infrastructure, Financial Services, Resources, and Education and the Workforce discharged from further consideration, H.R. 3406, the discharge petition of the Whole House on the State of the Union and ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS
Under clause 2 of rule XII, Mr. FALEOMAVAEGA introduced a bill (H.R. 4162) to remove the restrictions that amendments of, or modifications to, the constitution of American Samoa, as approved by the Secretary of the Interior pursuant to Executive Order 10294 as in effect January 1, 1963, may be made only by an Act of Congress; which was referred to the Committee on Resources.

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

H.R. 1668; Mr. FATTAH.
H.R. 2357; Mr. GHJALVA, Mr. WAXMAN, Mr. GREEN of Texas, Mr. Ross, Mr. CARTER, Mr. SESSIONS, Mr. FRANK of Massachusetts, and Mrs. MALONZY.
H.R. 2328: Ms. Harris.
H.R. 3042: Mr. Van Hollen.
H.R. 3666: Mr. Camp.
H.R. 3936: Mr. Barrow.
H.R. 4098: Mr. Lewis of Georgia.
H.R. 4099: Mr. Ford, Mr. Tancredo and Mr. Sam Johnson of Texas.
H.R. 4121: Mr. Burton of Indiana.
H.R. 4128: Mr. Hefley, Mr. Price of Georgia, Mrs. Wilson of New Mexico, Ms. Foxx, Mr. Shimkus, Miss McMorris, Mr. Wolf, Mrs. Miller of Michigan, Mr. Hensarling, Mr. Kennedy of Minnesota, Mr. Gallegly, Mr. Davis of Kentucky, Mr. Buyer, Mr. Gillmor, Mr. Hall, Mrs. Schmidt, Mr. Hostettler, Mr. Hayes, Mr. Renzi, Mr. Sessions, Mr. Mack, Mr. Sullivan, Mr. Calvert, Mr. Marchant, Mrs. Myrick, Mr. Neugebauer, Mr. Salazar, Mr. Walden of Oregon, Mr. Reichert, Mr. Shuster, Mr. Davis of Tennessee, Mr. Kolbe, Mr. Murphy, Mr. Manzullo, Mr. McCotter, Mr. DeFazio, Mr. Wicker, Mr. Flake, and Mr. McHenry.
H. Con. Res. 230: Mr. McNulty and Mr. King of Iowa.
H. Con. Res. 287: Mr. Ford.
H. Res. 483: Ms. Solis and Mr. Simmons.
H. Res. 504: Mr. McGovern, Mr. Wilson of South Carolina, Mr. Shaw, and Mr. Miller of Florida.
The Senate met at 2 p.m. and was called to order by the President pro tempore (Mr. STEVENS).

PRAYER

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

Let us pray.

O God, our Father, give us the grace and power to choose the more challenging right. Keep us from being too easily deflected from laudable goals. Deliver us from the procrastinations that cause us to miss opportunities. Strengthen us to finish what we start as You give us wisdom to clearly know the path we should travel. Save us from the folly that is deaf to conscience and the arrogance which will not accept advice. Open our hearts to the entry of Your spirit so that we may experience abundant living.

Use our lawmakers today for Your glory. Once again, Lord, we thank You for the life and legacy of Rosa Parks.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The President 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.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The President pro tempore. Under the previous order, there will be a period for the transaction of morning business until 4 p.m., with the time equally divided.

RECOGNITION OF THE ACTING MAJORITY LEADER

The President pro tempore. The acting majority leader is recognized.

SCHEDULE

Mr. McCONNELL. Mr. President, we will open the session with a period of morning business until 4 p.m. At 4 today the Senate will begin consideration of the 2005 deficit reduction bill. Under the order entered into last Friday, the time from 4 to 5 today will be under the control of the chairman of the Budget Committee, Senator Gregg.

As a reminder, the majority leader has announced that there will be no rollcall votes today. We will remain on the deficit reduction bill for the remainder of this week. The agreement allows a specific division of debate time over the next few days with the statutory time limit to expire at 6 p.m. on Wednesday.

It will be a busy week with rollcall votes occurring until we complete action on the deficit reduction measure. We will alert Members later as to when the first votes can be expected.

I would also suggest to Senators that we may also consider any conference reports that may become available, including the Agriculture appropriations conference report.

SUPREME COURT NOMINATION OF JUDGE SAMUEL ALITO, JR.

Mr. McCONNELL. Mr. President, this morning the President of the United States nominated Judge Samuel Alito to the Third Circuit Court of Appeals to be the next Associate Justice of the Supreme Court. We are beginning to learn that Judge Alito has an extremely impressive career. He is an alumnus of Princeton, where he was a member of Phi Beta Kappa. He graduated from Yale Law School where he was editor of the Yale Law Journal, and he clerked for Judge Leonard Garth on the same court where Judge Alito now sits.

Judge Alito has devoted his professional life to serving our country. He served in the U.S. Army Reserves. He served as an assistant U.S. attorney in the appellate division and as a U.S. Attorney for the District of New Jersey. He served as an assistant to the Solicitor General where he argued 12 cases before the Supreme Court. For the last 15 years he has served as a Federal appellate judge on the Third Circuit Court of Appeals.

As the President noted this morning, Judge Alito has in fact more judicial experience than any Supreme Court nominee in the last 70 years. Over the course of his outstanding career, Judge Alito has consistently been praised for his legal acumen. In fact, one attorney who appeared before him said that “to describe Judge Alito as outstanding is to use understatement. He’s the best judge on the circuit, maybe the country.”

Judge Alito has also been praised for his calm, courteous, and thoughtful demeanor. I had a chance to experience that this morning myself when I met with him.

Lawyers who have appeared before him describe him as measured and judicious. They have said he “has a fine, nice demeanor... He couldn’t have a keener demeanor” was one observation. Another said, “He is never discourteous or abusive.” Another said, “He is forthright and fair.” Another said he “reaches honest decisions.”

With his outstanding abilities, it is no wonder the American Bar Association gave Judge Alito its highest rating of unanimously well qualified, which means everybody on the committee found him well qualified. That is the highest ranking the ABA can give.

In supporting his confirmation to the Third Circuit, our former colleague Senator Bill Bradley said of Judge Alito that as U.S. Attorney “he had a
reputation of being tough but fair. Without a lot of fanfare, without calling daily press conferences, he has inspired his office with a low key sense of professionalism."

Given his impressive abilities and his calm, thoughtful demeanor, it is also not surprising that the Senate has twice confirmed Judge Alito unanimously to important legal positions.

As the confirmation process goes forward, we will learn a lot more about Judge Alito, but it appears the President has made a truly outstanding choice. I am confident the Senate will proceed on a bipartisan basis and in a thoughtful, measured way. We had a fair and dignified process for Chief Justice Roberts, and I am confident we will similarly have a respectful process for Judge Alito.

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

The PRESIDENT pro tempore. The clerk will call the roll.

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

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

Mr. LEAHY. Mr. President, what is the parliamentary situation?

The PRESIDING OFFICER. The Senate is in morning business.

NOMINATION OF SAMUEL ALITO

Mr. LEAHY. Mr. President, on Friday, the President formally withdrew from the Senate his nomination of Harriet Miers to be Associate Justice of the U.S. Supreme Court. Today, he announced his intention to nominate Judge Samuel Alito to that same position. To those who are keeping count, this would be the third nomination to fill the seat vacated by the future retirement of Justice Sandra Day O'Connor made by the President.

Justice O'Connor is still there. Three people have been nominated to fill her seat. I am concerned that the nomination may be a needlessly provocative nomination. Obviously, I will do as I have always done on nominees of both Republican and Democratic Presidents. I will make up my mind based on the hearings. But the President had before him a number of names of people who would have gotten probably 95 or 100 votes out of this Chamber, virtually every Republican and virtually every Democrat. Such a nomination would have united, not divided, the country. It appears that instead of uniting the country through his choice, the President chose to reward one small faction of the party and risked dividing the country. Instead of rewarding a small faction, which has put him under a great deal of pressure, I wish he would have rewarded the American people, all 280 million of us. There were many conservative Republican candidates who could have easily been confirmed.

Just last week, the President succumbed to partisan pressure from the extreme rightwing of the Republican Party to withdraw his nomination of Harriet Miers. The pressure did not come from the Democrats. Actually, the pressure did not come from the majority, but rather from one small, vocal wing of the Republican Party.

I believe the President abdicated his own role in the Constitution’s process of selecting Supreme Court Justices and was veered by extremists within his party without hearings by the Judiciary Committee or a vote by the Senate.

Both the distinguished chairman of the committee, Senator Specter, and myself said, Why do we not have hearings and then make up our mind?

The Miers nomination became an eye-opening experience for the country, exposing for all to see what a vocal and virulent wing of the Republican Party really wants. These are not the mainstream Republicans I know in my own State of Vermont, the party that has done so much for our green mountain State. This wing did not want an independent Federal judiciary. They want a catatonic diktat of the most extreme wing of one political party jeopardizes the vital checks and balances that protect ordinary Americans.

It is a pity that the President thought his position was so weak that he had to bow to a small but strident faction of his political base. The Supreme Court is the ultimate safeguard of our system to protect the fundamental rights of all Americans. I hope the White House is not using this announcement today to try to distract the public from the scandals and failures that are mounting by the day for this administration. Nor will the press be fooled into assuming this is the only issue before America.

With the retirement of Judge Samuel Alito to fill the position to be vacated by Justice O'Connor, the White House failed to follow through with its initial discussions and engage in meaningful consultation. I regret the President has not chosen a clear path of a consensus candidate to unite the American people and the Senate. Actually, the Nation and the Senate would have overwhelmingly welcomed his choice if he had.

Now, as I said, I am not forming a final judgment as to the merits of this nomination, just as I did with now Chief Justice Roberts when he was initially nominated to fill the Sandra Day O'Connor seat, a seat not yet vacated. I said I would not make up my mind until after the hearing, and I will do that, but an initial review of Judge Alito's record suggests areas of significant concern for all of us. His opinions from the Federal bench demonstrate that he would go to great lengths to restrict the authority of Congress to enact protective legislation to protect people in the areas of civil rights, consumer protection, and the rights of workers. Consumer advocate Judge Alito has also set unreasonably high standards for ordinary Americans who are victims of discrimination to meet before being allowed to proceed with their cases.

The Democratic leader of the Senate and I wrote to the President last week. We urged him to pick one of the many qualified, mainstream women and minority candidates who could win widespread bipartisan support in the Senate. Even more importantly, they would get the same widespread public support in America.

We noted the unique circumstances that must attend this nomination and that it would mean that Justice O'Connor be replaced by a mainstream nominee, not by an activist who would bring an ideological agenda to the Court.

The Court that serves America should reflect all America, but although President Bush declared in reference to filling Justice O'Connor's seat on the Court that he is "mindful that diversity is one of the strengths of the country," with the nomination of Judge Alito, of course, he weakens that strength. Should Judge Alito ultimately be confirmed, the Court will lose some of that diversity.

There were a lot of highly qualified women, highly qualified African Americans, highly qualified Hispanics, and other individuals who could well have served as unifying nominees while adding to the diversity of the Supreme Court. If I am one Senator to forward to the time when the membership of the U.S. Supreme Court is more reflective of the country it serves.

As the grandson of Italian and Irish immigrants, I know that Italian Americans, like all of my mother's family, and President Bush's guest, the Italian Prime Minister, will be feeling pride today, but this nomination does not add to the diversity of the Supreme Court any more than I add to the diversity of the Senate.

I imagine this announcement is a disappointment to many Hispanic Americans who had expected the President to seize this historic opportunity given to him for a third time by nominating the first Hispanic to the Supreme Court. I am one Senator who looks forward to the diversity of the Supreme Court.

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I do not expect Democrats to engage in the kinds of personal attacks on this nominee that the rightwing used to force the President to withdraw his nomination of Ms. Miers, whom he described as the best qualified person in the United States to appoint as his nominee. I do believe we need to take the time necessary to examine the record of the nominee in the Reagan Justice Department and on the bench before we proceed with full and thorough hearings.

The stakes for the American people could not be higher with this new nomination. Justice O’Connor brought an open mind to the cases she reviewed. She served especially as a moderating influence on the Court. The person who replaces her replaces a pivotal vote on our most powerful Court. That person has the potential to dramatically tilt the Court’s balance. Maintaining the stability of the Court is crucial for the Nation, and that is going to be an important factor for me as I consider this nomination.

At this critical moment and in light of the circumstances that led to the withdrawal of the Miers nomination, all Senators should perform our constitutional duties and consent responsibility, but we should do it with heightened vigilance. The Supreme Court is the guarantor of the rights of all Americans. I look forward to the hearings. I will, as I have before, work with Senator Specter, the chairman, to make sure they are open and fair as they were for Chief Justice Roberts. Those were open and fair hearings because we had the time to prepare for them. I urge the President and even the leadership of this august body to allow the Judiciary Committee to take the time to do it right. It is far more important to do it right than to do it fast.

The appointment must be made in the Nation’s interest, not to serve the special interest of any partisan faction, even though today we have one that is claiming credit for destroying the chances of Harriet Miers but for also in effect telling the President of the United States who to appoint as his third nominee for this one seat. I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SESSIONS. Mr. President, I thank the Senator for his courtesy. I have some remarks about Rosa Parks and the events of the day. I see the Senator from North Dakota. I do not know what his timeframe is, but I am to preside and relieve the chair at 3.

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. DODD. I ask unanimous consent to follow the Senator. I would like to speak as well in morning business. I would like to speak for 15 minutes. I ask unanimous consent to speak following the presentation by my colleague.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Alabama.

ROSA PARKS

Mr. SESSIONS. Mr. President, I thank the Senator for his courtesy. I have a move, but I would like to make a few moments earlier to discuss Rosa Parks as we viewed her casket. It was indeed just a few hours ago, right down this hall, that Rosa Parks’ body lay in honor in the Capitol Rotunda, the site where our Nation pays its highest respects to our most noteworthy citizens. She was the first woman ever to be so honored.

How is it possible that a seamstress born in Tuskegee, AL, who had never held elective office or any high political or military position, be so highly recognized? Just 6 years ago, she was awarded the Congressional Gold Medal, which I was pleased to be a sponsor of in this Senate. She was also awarded the President’s Medal of Freedom.

It is a story I would suggest that only divine providence could write. The theological concept is well known: His power and authority being made manifest by lifting persons of apparent low estate to great heights.

Certainly, the life of Rosa Parks produced an advancement of freedom, equality, and progress. These accomplishments rose from her steadfast courage and strength that she found from above. As a result, she fulfilled her calling, and she met her challenge on that afternoon when she came home weary from work, with dignity and integrity.

I was not yet 10 years old when these events happened in Montgomery, AL, 85 miles north of my home in rural Alabama. We did not even have a television set that year. We got one a few years later. I have a recollection of the events, the boycott of 382 days, and some understanding and recollection of the momentous court decisions that resulted.

Make no mistake, the races in the South in the 1950s were, for the most part, openly and legally separate. That is the way it was. Although the mantra was ‘separate but equal,’ the reality was separate and unequal.

Mr. PRYOR. Mr. President, I join Arkansans in mourning the loss of Rosa Parks, known throughout the Nation as the ‘Mother of the Freedom Movement.’ As people line up to pay their respects to Mrs. Parks in the Capitol Rotunda today, I cannot help but remember the incredible impact she had on our Nation. Rosa Parks is the first woman to lie in the Capitol Rotunda, which is a testament that her actions are just as significant today as they were in 1955.

Mrs. Parks once remarked that her show of defiance to move to the back of the bus caused she was tired of being humiliated, tired of following archaic rules forbidding her from sitting in the front of a public bus or entering public buildings through the front door. But, history will remember Rosa Parks for shaking America’s conscience and changing the course of our Nation for the better.

Mrs. Parks’ courage to sit down for equal rights ignited others to stand up for their own rights.

Reverend Martin Luther King, Jr., stood up to call for equality and justice for all Americans, inspiring and organizing thousands of activists to stand up with him. Four students in Greensboro, NC, sat in at a Woolworth’s lunch counter, standing up for their right to be served.

And, Daisy Bates led the Little Rock Nine to stand up for their right to an equal education. The Little Rock Nine taught America that “separate” was not “equal.” Nine Black students—Earetta Green, Elizabeth Eckford, Gloria Ray Karlmark, Carlotta Walls LaNier, Minnie Jean Brown Trickey, Terrence Roberts, Jefferson ‘Thomas, Thelma Mothershed Wair and Melba Pattillo Beals—defied hatred and threats to attend the all-White Central High School for a better education.

Rosa Parks’ act of defiance, Ms. Miers’s act of integrity, Minnie Jean Brown Trickey said: ‘I don’t think until the bus boycott we had a sense of our power. . . . The general feeling was if she could do it, we could do it. She was my heroine to our ordinary woman and we were ordinary kids and it seems we had a relationship.’

As a former student of Central High, I can attest to the influence Rosa Parks had. The Little Rock Nine continue to have in the hallways today.

We know that Rosa Parks’ inspiring story lives on in the pages of every history textbook across America. Her legacy also endures at the Rosa and Raymond Parks Institute for Self Development, which she founded in Detroit. The center offers career training and encourages teens to stay in school and take advantage of the opportunities available to them.

I am just one of millions of Americans who admired Rosa Parks’ tenacity and life’s work. She earned countless accolades and awards for her efforts in the civil rights movement, including the Congressional Gold Medal— the Nation’s highest civilian honor. In honoring Mrs. Parks with the Medal of Freedom, President Clinton reminded us that:

Freedom’s work is never done. There are still people who are still fighting against. There are still people that because of their human condition are looked down on, de-rated, degraded, demeaned, and we should all remember the powerful example of this one citizen. And those of us with greater authority and power should attempt every day, in every way, to follow her lead.

Although Rosa Parks served as a catalyst to get the wheels turning in the civil rights movement, our journey is not completed. We can honor her memory by continuing her work to stand up for equality and justice for all Americans.

Still, this was the reality of more than 100 years of history. Change was not favored. It had been and would be resisted.
Of course, while the South was open and notorious about its segregation policies, research in recent years has shown that there were places all over this great land that secretly or overtly discriminated against those of African decent. But in the South, discrimination was not only openly acknowledged; it was the law of the land. The fact was that in Montgomery, AL, on December 1, 1955, it was the law of the city of Montgomery that "colored" persons on city buses must sit in the back. As one who loves and admires his home state and her people—I believe there are none finer—this is painful to acknowledge, but facing the painful truth is essential for reconciliation and progress.

So, on December 1, 1955, Rosa Parks, refused to go to the back of the bus—a city bus—in violation of city law. And it sparked, and sparked in the right word, a lawyer, return to confrontation—a confrontation between our American ideals, and our religious concepts, and the grim reality of that day.

Southerners were angry, embarrassed, hurtful, hostile, and poised. They watched, much like I did in Hyburt, the drama unfold and they were forced to deal with an ugly reality they would rather have ignored.

Rosa Parks' gumption resulted in a 382 day boycott of the city bus system led by a young 26-year-old preacher, new to town, at Dexter Avenue Baptist Church, a block from the Capitol—A Capitol building proudly known as the First Capitol of the Confederacy. That young preacher, of course, was Dr. Martin Luther King, Jr. And, there was a young attorney, Mr. Fred Gray, who had come back to Alabama after receiving his degree from Case Western Reserve University determined to “become a lawyer, return to Alabama, and destroy everything segregated I could find.” He would become a legend in his own right, being a part of some of the most historic cases in civil rights and American history. The young Federal Judge, an Eisenhower appointee, was Mr. Frank M. Johnson, trial Judge, an Eisenhower appointee, Judge Frank M. Johnson, would become perhaps the most courageous, clear, and authoritative judicial voice for equal justice in America. And, the lawyer who argued the case for Rosa Parks in the U.S. Supreme Court—Thurgood Marshall—who would later sit on that very court.

The very words, “the back of the bus” went to the heart of the problem. Separation was not only wrong; it was discriminatory against a class of Americans solely because of the color of their skin. I knew Judge Frank Johnson. He was courageous and followed the law. He did not believe he was discriminating against anyone or being the back of the bus because of the color of their skin violated that principle he ruled, and the Supreme Court agreed.

This simple act by a courageous woman, a seamstress, but one who was well aware of the danger she faced, at 42-years of age, sparked the civil rights movement and justly earned her the title “Mother of the Civil Rights Movement.”

Today, in Montgomery, AL, there exists a museum—part of Troy State University—that sits on the spot where she was arrested. It has a school bus, like the one she rode that day, which has interactive capabilities so that children can sit in it and get a better feel for the events of the day. It has more exhibits, and I commend this fine, historic museum to any who would want to learn about and be part of the changes that have made it possible for the movement she sparked. I was pleased to sponsor legislation that this Congress passed to provide funds to help establish the museum.

While there are many problems between the races today, the de jure, the statutes and ordinances that enforced segregation are gone. And, I am proud that the people of Montgomery have come to see the positive benefits of ending this era of fundamental discrimination, and that they chose to honor Mrs. Parks in this way.

Everyone knows, virtually everyone, that as a result of the movement she sparked, Montgomery is a different and better place. Today we also look with pride on the historic Dexter Avenue Baptist Church, that once heard the powerful sermons of a young Dr. Martin Luther King, Jr. And we look with respect on the Civil Rights Memorial—a striking monument of black granite and cascading water—which honors those who gave their lives in the pursuit of equal justice. Thus, it is true: Ms. Parks' efforts helped spark the dynamic social changes that have made it possible for positive and historical change for Montgomery, Alabama, and America. But, in fact, Ms. Parks contributions extended beyond the borders of our country. In his book Bus Ride to Justice, Mr. Fred Gray, who gained fame while in his 20's as Ms. Parks' attorney, and as one of the early African-American attorneys in Alabama—he was a lead attorney in many of Alabama's other famous civil rights cases—wrote—and I do not believe it is an exaggeration—these words:

Little did we know that we had set in motion a force that would ripple through Alabama, the South, and the Nation, and even the world. But from the vantage point of almost 40 years later, there is a direct correlation between what we started in Montgomery and what has subsequently happened in China, eastern Europe, South Africa and; even more recently, in Russia. While it is inaccurate to say that we sat down and deliberately planned a movement that would echo and reverberate around the world, we did work around the clock, planning strategy and creating a movement that gave strength, courage, faith and hope to people of all races, creeds, colors and religions around the world. And it all started on a bus in Montgomery, Alabama, with Rosa Parks.

So, on December 1, 1955, it was the law of the land. The fact was that in Montgomery, AL, on December 1, 1955, it was the law of the city of Montgomery that "colored" persons on city buses must sit in the back. As one who loves and admires his home state and her people—I believe there are none finer—this is painful to acknowledge, but facing the painful truth is essential for reconciliation and progress.

And, as I conclude, I think it is important to note the recent death of another Alabamian who played a key role in the early civil rights movement in America—Vivian Malone—who crossed the school house door into the University of Alabama.

We must also celebrate that very special event that occurred two weekends ago when another native Alabamian, the Secretary of State, Condoleezza Rice, returned to Alabama, visited her family's church and unveiled the statue of the four little girls, one of whom she knew and played with, who were killed in a bomb attack at the 16th Street Baptist Church. It was also good, earlier today, to stand and discuss Rosa Parks' life with Alabama native and U.S. Congressman John Lewis, who, inspired by Rosa Parks, began a lifetime of leadership in the civil rights movement culminating in his election to Congress. Alabama has the highest number of African-American elected officials of any State in the country.

We are proud of that. Progress has certainly been made but we must work harder to ease divisions and promote progress. Let us so pledge on this historic day. Let us allow the steadfastness and peacefulness of Rosa Parks' life, which started the civil rights movement on the basis of faith and morality, not violence, to be our guide in this century as we seek to further the gains she championed.

Mr. DORGAN. Mr. President, will Senator Sessions yield for a question?

Mr. DORGAN. Mr. President, earlier this morning I was in the Senate rotunda with Senator Sessions and Senator Levin from Michigan. As we stood in the Rotunda, in the Rotunda, I was stricken with honor to this great woman whose body lies in State in the Capitol Rotunda, we spoke just a bit about each of our recollections of what Rosa Parks meant to us and to our country.

I want to follow on my statement by Senator Sessions to say that as I was in the Rotunda this morning, I was thinking about what kind of courage it must have taken for this woman, a 42-year-old seamstress, to sit at the end of the bus, perhaps tired from working all day, understanding that there were then police dogs and fire hoes and clubs and beatings and a lot of trouble, a lot of trouble, I was struck by what she would have had to take for that woman to have done what she did. Her actions of sitting in that seat on that bus and refusing to move to the back of the bus were simple, elegant, dignified but also enormously courageous. I think that is a lesson for all Americans.

I couldn't have been more pleased when the Congress, the House and the
Mr. DORGAN. Mr. President, there is much happening in Washington, DC, and in our country. Picking up the periodicals, Newsweek or Time magazine, with the morning paper for that matter, you see stories of scandal and stories of controversy and all kinds of interesting things with respect to politics and the economy and things that affect our daily lives. I wanted to talk for a moment, once again, about the issue of energy because, while we will deal with a lot of things—this week, for example, something called the reconciliation bill—most people will deal this week with the challenge of pulling up to the gas pump and putting perhaps 16 or 18 gallons of gas in their tank and trying to find $50 to pay for it. As the chill is in the air these days in our country, people will begin thinking about how they will pay for the increased cost of natural gas to heat their homes, especially in our part of the country where that will increase by 60 percent over a year ago. They will wonder about how they will find the money to pay for that cost because heating your home is not a luxury. Heating your home is a necessity.

I have spoken previously about a woman named Sarah Swifthawk. She was a grandmother. She died in the United States of America—she froze to death. She was a member of the Pine Ridge Reservation in South Dakota. This grandmother laid down to go to sleep on a cot in a home that had plastic where windows should have been. At, I believe, 30 or 35 degrees below zero that evening, others huddled together for body warmth in that family, but this grandmother was laying on a cot, and the next morning she was dead; frozen to death—in the United States of America, not a Third World country, in the United States of America.

I point out that out only to say this issue of the cost of shelter, the cost of energy, the requirement that we find ways to keep people warm during cold temperatures is a reference between life and death. It did for Sarah Swifthawk.

Now the question is, in this month, October, and then November of the year 2005, what do we do about the prices and the cost of energy now for this winter? Perhaps it is not such a big problem for people who serve in this Chamber or in the House of Representatives. Perhaps they can easily pay the monthly heating bill. But there are millions of people in this country who cannot. The question is, What do we do for them?

The oil companies will say: This is about the free market system and the price of oil, the price of gasoline and natural gas and home heating fuel, it is just a function of the free market system.

The price of oil is to the free market system like mad wrestling is to the performance arts. It has no relationship at all—none. Let me describe why. There are three things that happen with respect to the price of oil. No. 1, we have this planet in which a substantial portion of the oil reserves are under the sand halfway around the world.

So oil ministries from those countries get together around the table and decide how much they are going to produce and how much that production should impact prices.

Second, the largest oil companies—much larger and bigger and stronger because of blockbuster mergers—decide how they are going to use more raw energy in the marketplace. And believe me, they have plenty, given the blockbuster mergers.

Third, the futures markets which are supposed to provide liquidity for trading of commodities—in this case, oil—have become orgies of speculation. So you have these three issues that together tell us now that a barrel of oil is worth $60 or $65.

Let me tell you the results of all of that. The oil companies are filling up their treasuries, and the American consumers are emptying their bank accounts.

Let me give you some examples. ExxonMobil last week said their profits were up for the third quarter—$9.9 billion. Conoco-Phillips by the way, ExxonMobil used to be two companies, Exxon and Mobil. Then they fell in love. That is economic talk, I guess, about mergers and acquisitions. And then they get married. Now it is ExxonMobil. Conoco-Phillips used to be Conoco and Phillips, two companies. Now it is one company. They too had some sort of financial romance and got married, Conoco-Phillips, profits up 89 percent, third quarter to third quarter.

Last year—I am not talking about this year's prices—the world's 10 biggest oil companies made more than $100 billion on sales of over $1 trillion. This year, of course, it is going to be much higher than that. ExxonMobil last year had $23 billion net profit and spent almost $10 billion of it to buy back their stock.

BusinessWeek asked this question. This is not some liberal journal, this is BusinessWeek. They asked: Why isn't big oil drilling more? Rather than developing new fields, oil giants have preferred to buy rivals, drilling for oil on Wall Street. While that makes financial sense, it is not a substitute for new oil.

Again, this is BusinessWeek. This isn't some politician, it is not some liberal publication somewhere.

Oil has been over $20 a barrel almost continuously since mid-1990's. That should have been ample incentive for oil companies to open new fields, since projects are designed to be profitable with prices in the low- or mid-teens. Nevertheless, drilling has lagged. Far from raising money to pursue opportunities, oil companies are paying down debt, buying back shares, and hoarding.

And drilling for oil on Wall Street.

Sixty-six million homes in this country are heated mainly with natural gas and home heating oil. Their heating bills this winter are going up on average 49 to 50 percent. It is over 60 percent for those in my region of the country who are heating with natural gas.

What have I proposed with respect to that? I proposed that if the oil companies are not using this additional cash—unprecedented amounts of cash in the history of corporate America—to explore for more oil or build more refineries—and oh, by the way, they are the ones that have been closing refineries, now it is fashionable during political discussions to talk about, It is the environmentalists' fault or Calvin Coolidge's fault or somebody else's fault that we don't have enough refinery capacity. It is the energy companies that have themselves shut down refineries. When they have mergers, they shut down refineries. If they are not using these unprecedented gains in corporate America to explore for more oil or build additional refineries, then I believe they ought to be recaptured with a windfall profits tax, the proceeds of which should be sent back to the American consumers in the form of a rebate.

I noticed last Friday that my colleague from New Hampshire, Senator Judd Gregg, indicated that he would support—he called it an excess profits tax. He would use the proceeds, at least from the press reports, of an excess profits tax for the purpose of providing additional low-income home heating assistance. I believe we should provide additional low-income energy help for low-income citizens in this country. We are going
into a winter season. We don’t have that adequately funded. Three times we have tried on the floor of the Senate, and three times we failed. We should try again—and we will. And this Senate one day will decide that perhaps keeping people warm in the winter is as important as providing millionaires tax cuts on their yearly tax bills.

Someone will say that is class warfare. I don’t mean class warfare at all. I just make the point that the last two tax cuts have produced $32 million a year in tax reductions for people whose incomes are over $1 million a year, and more. Perhaps we should capture a part of that $32 million. Surely those who are earning $1 million-plus a year could give up just a little of the tax cuts they have received, and we could divert it to help those who are low-income folks going into winter trying to figure out how they will pay a 60-percent increase in natural gas bills to heat their homes, at a time, by the way, when the Exxon Corporation and others are showing the highest profits in their history.

The American people who struggle to pay these bills, take a look at these companies: ExxonMobil, Shell-BP, Chevron-Texaco, Conoco-Phillips. By the way, Chevron-Texaco used to be two companies. There used to be Exxon, and then there was Mobil; then there was Chevron, then there was Texaco; then there was Conoco, then there was Phillips. They all got married. So now we have just a few companies—75-percent increase, 68-percent increase, 89-percent increase. I am talking about increase in profits.

At the same time this is going on, by the way, the American people are paying through the nose at the gas pumps, and we are setting them up to pay a dramatic increase to heat their homes this winter.

One group, one group is filling their treasury, and the other group is emptying their bank accounts. Guess which is which. The oil companies are filling their treasuries, and average Americans are having to empty their bank accounts to pay the price.

Let me give you some numbers, if I might. In January of last year, the price of a barrel of oil was $34.50 a barrel. At that price, the oil companies had the highest profits in the history of the country. Now it is over $60, and we are $25 million a year more in profits.

The Shell report, which was received in my office about two months ago, showed that they produced less oil than the previous year. They produced less and saw a 50-percent increase in their profits. The same is true with other companies saying: We had higher profits, but we produced less.

As I indicated, my colleague, Senator JUDD GREGG, has indicated publicly that he would support an excess profits tax for the purpose of providing low-income energy assistance. I personally believe that this money doesn’t belong to the Government. I don’t want to bring it in the Treasury. The way I want to capture some of that which they are not using to expand our energy supply and use it to give rebates to the consumers. They are, after all, the ones paying the price. Taking it from the consumers, putting it in the energy companies’ treasuries, and then bringing it into the Government means you have taken money from the consumers to Government. I would just as soon provide a rebate back to the consumers.

I know that when we talk about this, the oil industry has an apoplectic seizure. They get all upset. I understand that. They are making more money than ever. I have been supportive of the energy industry. I hope we find substantial new resources. While I don’t support the ANWR, I believe that is one of those pristine areas which was set aside, not to be opened first, but to be opened last, if ever. I do support opening up Lease 181 in the Gulf of Mexico. I hope we can do that. I would like to see us vote on opening that lease area. We have substantial proven reserves that exist there.

There are other things on which I do support the energy industry. People said, well, if you think prices are too high, what about when they are too low? I was one of those who supported an $18 price and did support a proposal for an $18 price, including tax credits to get to that price for marginal wells. I have supported the energy industry in every possible way. I don’t think the American people support, and I don’t believe the Senate should support these kinds of excess windfall profits that far exceed anything that is reasonable and seeing these profits gathered at the expense of the American people often who can least afford it.

There are some who, as I said when I started, make the case, Well, this is just the market system at work. This isn’t the market system. That is all nonsense. The market system is fine. I used to teach some economics at college. I was able to overcome that afterward. I understand free markets and the market system. The free market system needs a referee from time to time.

Do you know that we pay one 7-foot, 2-inch basketball player the equivalent of 1,000 elementary school teachers? That is the market system. Does that make sense? Probably not; the market system. There is a judge on the bench who declares, It is kind of out of sorts when I have been channel-surfing and I see her. I understand from a magazine article that she made $25 million in a year. I think the Chief Justice of the Supreme Court makes $190,000. Market system? Well, you know. You can take a look at the market system and see areas where there needs to be from time to time some intervention. I say, It doesn’t make any sense. The market system is not perfect. It is not the market system, however, that produces this remarkable price for energy. It has an impact on every single American. Some perhaps don’t care. But the question is this: If we in this country are going to pay these prices for a barrel of oil and, therefore, gasoline and natural gas, if we are going to pay these prices, should they result in more exploration in a greater supply of energy with greater energy security for this country’s future? Shouldn’t they? That is the question. That is happening—I described BusinessWeek—is these companies more and more are buying back their stock. They are hoarding the cash. They are drilling for oil on Wall Street where oil doesn’t exist. That is not in the country’s interest.

I take some hope from my colleague, Senator JUDD GREGG’s press statements last Friday. I take some hope from the statements by the Speaker of the House. He held a press conference suggesting that the oil companies should be investing more in exploration. His remedy was the equivalent of beating them over the head with a feather. But, nonetheless, he was speaking out about oil production. That is important. It is the case even with the majority leader of the Senate talking about that. I think perhaps, if not seeing the light, at least there are people here who are feeling the heat from drivers, from people who are worried about heating their homes in the winter, who take a look at the price and say it is unfair. The question isn’t whether it is unfair; the question is, What do we do about it? Apparently the Speaker of the House, the majority leader of the Senate, and the governor from New Hampshire think it is unfair.

What do we do about it? We can sit around and mop our brow, we can grit our teeth, wring our hands, and we can prance. We do that poorly. I don’t know of any body that does that better than the U.S. Senate. But that doesn’t do much for those being hurt in this country.

What we ought to do, in my judgment, is employ and adopt a windfall profits tax the revenue that is being taken from consumers unfairly, and use it as a rebate back to consumers.
My proposal would be a windfall profits tax, the one I introduced with Senator Dodd and others; that is, if the energy companies are, in fact, sinking their profits back into the ground to explore for more oil and build additional refineries above ground, they wouldn’t be paying a windfall profits tax. That is not what they are doing with their money. Don’t take it from me; take it from their own financial reports because that is not what they are doing with their money. I believe they ought to be paying a 50-percent windfall tax for oil above $40 a barrel, and that excise tax ought to be redistributed to the American consumers who are the ones ultimately paying the bill. It ought to be distributed to them as a rebate for those consumers. We will have more to talk about this week on this subject.

I took some heart on Friday to hear a Member of the Senate from the other side of the political aisle has come to the same conclusion I have reached, and that is that these profits are far above that which is supportable or justifiable, profits far above that which would be created by a free market system; that the consumers are being treated unfairly. The Senate ought to do something about it. The question isn’t whether we should do it. Of course we should. The question is, which method or which strategy do we employ? Do we decide this money grab goes to the Government—grab some of it and go? The majority of people have reached this money comes from the consumer and ought to go back to the consumer in the form of the rebate?

I make a final point. We will again be confronted with this question of heating fuel assistance for low-income Americans. But it is not only low-income Americans who are being injured, who will be hurt by these prices. There are a lot of working families who just get by and who will look at this 60-percent increase in the cost to heat their home this winter in my part of the country and wonder how on Earth will they be able to do that?

I have described profits of the heads of the oil companies. Let me read total 2004 compensation for the chief executive officers: $33 million, $64 million, $4 million, $16 million, $8 million. These are salaries and compensation packages for the folks who run the companies that are charging these prices.

The Senate has a right to ask the question, how on Earth is this allowed? We will have more to talk about as we go along this week. I hope, finally, there might be some tipping point at which the Senate says we must address this issue. I yield the floor and suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

U.S. FISH AND WILDLIFE SERVICE AND WATEROFL WATEROFL POPULATION SURVEY

Mr. GREGG. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 259, S. Res. 255, The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 255) recognizing the achievements of the United States Fish and Wildlife Service and the Waterfowl Population Survey. There being no objection, the Senate proceeded to consider the resolution. Mr. GREGG. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the resolution be laid upon the table, and any statements relating thereto be printed in the RECORD.

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

The resolution (S. Res. 255) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 255

Whereas every spring and summer teams of United States Fish and Wildlife Service pilot-biologists take to the skies to survey North America’s waterfowl breeding grounds; and

Whereas the Waterfowl Population Survey, operated by the United States Fish and Wildlife Service, is celebrating its 50th anniversary in 2005, is featured on the 2005-2006 Duck Stamp, and has been recognized by the Congressional Sportsmen’s Foundation for its contribution to waterfowl hunting; and

Whereas the Waterfowl Population Survey Program has evolved into the largest and most reliable wildlife survey effort in the world; and

Whereas for more than 50 years cooperative waterfowl surveys have been performed by the United States Fish and Wildlife Service, the Canadian Wildlife Service, State and provincial biologists, and nongovernmental partners; and

Whereas survey results determine the status of North America’s waterfowl populations, play an important role in setting annual waterfowl hunting regulations, and help guide the decisions of waterfowl managers throughout North America: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the achievements and contributions of the Waterfowl Population Survey Program;

(2) expresses strong support for the continued success of the Waterfowl Population Survey Program;

(3) encourages the United States Fish and Wildlife Service in its efforts to broaden understanding and public participation in the Waterfowl Population Survey Program by increasing partnerships to continue growth and development of the Survey; and

(4) reaffirms its commitment to the Waterfowl Population Survey Program and the conservation of our rich natural heritage of the United States.

Mr. GREGG. Mr. President, in a few minutes, under the regular order, we will proceed to the deficit reduction bill.

DEFICIT REDUCTION OMNIBUS RECONCILIATION ACT OF 2005

The PRESIDING OFFICER. The Senator is correct. Under the previous order, the hour of 4 o’clock having arrived, the Senate will proceed to consideration of S. 1932, which the clerk will report.

The legislative clerk read as follows:

A resolution (S. Res. 255) to provide for reconciliation pursuant to section 202(a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 86).

Mr. GREGG. Mr. President, I ask unanimous consent that the presence and use of small electronic calculators be permitted in this Chamber during consideration of S. 1932. Without objection, it is so ordered.

Mr. GREGG. Mr. President, I ask unanimous consent that time spent in quorum calls requested during consideration of S. 1932 be equally divided between majority and minority managers of the bill.

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

Mr. GREGG. Mr. President, at this point we turn to what is one of the more significant pieces of legislation to come before the Senate and the Congress during this session of the Senate. We always hear that, whatever legislation comes to the Congress, they always say, Well, it is a significant piece of legislation—and it is. There is very little that he we do that cannot have that identification. But this one is a little unique because for the first time in 8 years under Republican leadership, this Congress will, if we are successful in passing this bill, conferencing it and then sending it on to the President, reduce the deficit of the United States through addressing what is the most significant item of spending in the Federal budget—mandatory entitlement programs. This is a major effort. As I said, it has not occurred in 8 years. The last time it happened was in the mid-1990s, and it has not occurred because people did not want to do it. It did not occur because it is not an easy thing to do. It is not easy to control the rate of the growth of the Federal Government, and it is not easy to control the growth of mandatory entitlement programs which is what this bill does.

So it is an important step in the direction of fiscal responsibility, and it is one which I am very proud to have the opportunity to bring here to the floor as chairman of the Budget Committee.
Let me explain quickly what the problem is so that people will understand the scope and concern of the issue of mandatory spending because it is going to impact not only America today but, more importantly, it is going to affect our children and our children's children if we do not do something positive in the area of trying to control Federal spending on mandatory programs.

Mandatory programs are programs which you have a right to. In other words, if you were in the military and are a veteran, you have entitlement to certain benefits. If you are at a certain income level in this country, you have a right to certain benefits. If you are a student going to college and you meet certain income levels, you have a right to certain types of benefits. If you are a senior citizen in this country today, you have a right to certain benefits under the Medicare Program and the Medicaid Program, depending on your income level, and those payments have to be made.

In other words, mandatory programs are programs where there is no discretion. The Federal Government has to pay out a certain amount of money because the law says that if you meet a certain set of criteria, then that person has a right to the support of that program.

Mandatory programs used to be a small percentage of the Federal Government, but today they have grown—and this has occurred over the last 20 years, actually in the post-1970 period—to be the largest part of the Federal Government. This chart reflects that. Back in 1975, mandatory programs represented a very small percentage. They are the orange bar here.

Discretionary programs—let me explain discretionary programs. They are programs which are funded every year. Those are the ones you think of relating to Government, such as national defense, education, cleaning up the environment. That is called a discretionary program. Every year the Government makes a decision, under the appropriations bill process, that we are going to spend this much on foreign aid; we are going to spend this much on defending our country; we are going to spend this much on homeland security; we are going to spend this much on education.

That is a discretionary program. We can change that every year. Nobody has a right to that money. Mandatory programs, as I said, people have a right to the program. So as we see the orange bar, in 1985, it was 45 percent of the Federal Government, discretionary being the balance. So there was an equal split between discretionary and mandatory. But you see that by today's accounting, mandatory programs represent approximately 80 percent of the largest and largest item in the Federal budget, and they are growing. In fact, this chart shows it rather dramatically. So that by the year 2015, they will be 62 percent of the Federal budget and essentially absorbing most of the Federal spending.

What is the practical implication of that? Well, it means that if we are going to discipline ourselves as a government, we are going to look at mandatory programs. The only way you can look at mandatory programs is through something called the reconciliation process. That is what we have in the Chamber today, a bill which controls the amount of spending the Federal Government does in the mandatory area and therefore reduces the debt if it reduces that spending.

Why is it important to do this? Well, I mentioned the major programs in the mandatory area involve mostly health care and people who are retired: Social Security, Medicare, and Medicaid. And as a quirk of fate, there is this population group called the postwar baby boom generation, which is the largest generation in the history of our Government, and by far the largest generation in the country in every 10-year period. It has impacted the way the Nation lives. In the 1950s, we had to build a huge number of schools to meet the needs of this generation. In the 1960s, this generation had a huge impact on the natural right of women and, of course, in the Vietnam debate. In 1970s and 1980s and 1990s, this generation has become the most productive generation in the history of our country because it is the largest and also the most educated over that period and as a result has caused our country to obtain huge wealth, and as a nation have been very prosperous as a result of this generation putting its oars in the water.

But now this generation, the baby boom generation, is moving toward retirement and moving toward retirement rather quickly. By 2008, members of this generation will start to retire, and by 2030 this generation will, for all intents and purposes, be retired. And the effect of this generation retiring is it is going to put massive demands on people who are working; in other words, our children, my children, children of the baby boom generation, and their children are going to have to pay taxes to support the retirement benefits of this massive generation.

To try to put it into perspective, in 1950, there were about 16 people working for every 1 person retired. Today, there are about 3½ people working for every 1 person retired. By the time we hit the year 2030, there will only be 2 people working for every person retiring in this country because the baby boom generation is huge.

What is the impact on our Federal Treasury but more especially on the taxing of our children and our children's children when this happens? This chart, in red, shows it most dramatically. These are the three programs in the Federal Government—Social Security, Medicare, and Medicaid—and the spending they absorb.

Now, historically, Federal spending, the amount spent by the Federal Government, has averaged about 20 percent of the gross national product for a long time. That is the blue line here. And you can see that back in 1980, Social Security, Medicare, and Medicaid took up about 8 percent of the gross national product, and the balance was taken up by national defense and other items.

Today, that number has gone up so that it represents about 10 percent of the gross national product being absorbed by Social Security, Medicare, and Medicaid. But you see from this chart, by about the year 2030, when this baby boom generation is fully retired, these three programs alone—Social Security, Medicare, and Medicaid—will use up all the revenues of the Federal Government—all of them. They will represent, in spending, 20 percent of gross national product.

The practical implications of that are that you will have no money available for national defense, for education, for entitlements, for all the different things you would like to do—for veterans affairs—because these three spending programs—Social Security, Medicare, and Medicaid—will essentially be absorbing 20 percent of the gross national product, unless—unless—you want to dramatically increase the taxes on our children so that they actually end up paying more than 20 percent of gross national product in taxes or you are willing to slash programs and the benefits going to seniors.

Neither of those options are very attractive, to say the least. If you look in the outyears, you see that these programs continue to accelerate even faster, so that by the year 2050, these programs are actually absorbing almost 30 percent of the gross national product. So we have to address this.

Well, it is similar to that old television ad that used to be aired. There was an oil filter ad that said: You can pay me now or pay me later, and if you pay me later, it is going to cost a heck of a lot more. You can replace the oil filter today for $14 or a year from now or in 6 months you are going to have to replace the engine in your car for $2,500. You have the choice.

We can act now and do some constructive and conscientious things to try to bring under control the rate of growth of entitlement spending, mandatory spending, that red line there, or we can bury our heads in the sand and say those are our children's problems, and they are going to have to pay our retirement benefits; we are not going to worry about them.

Well, the Republican Congress and the President have decided it is not good policy to pass this problem on to our children and it is not fair and it is not right. So we produced a budget this year which, as I mentioned, for the first time in 8 years has moved into the area of trying to address controlling the rate of growth of mandatory spending and thus reducing the size of the Federal deficit. It has been
complicated, it has been difficult, but we have made progress, and we now have in the Chamber this bill which does some very constructive things in this area.

The bill itself represents about $71 billion in gross terms, in reducing deficit spending over the next 5 years. However, because we felt there were some initiatives which needed to be taken in moving forward to make these savings and to accomplish this deficit reduction, because we felt these should also be initiatives to move forward, the net number in this bill of actual deficit reduction is about $29 billion.

You may say, and some of our commentators have said: Well, it is not enough. This is small potatoes. Let me begin by saying, in New Hampshire, $39 billion is not small potatoes. I don’t think it is anywhere in the United States, except in Washington. And more importantly, if you don’t move forward with this attempt, you are essentially doing nothing, which means you have made no effort in the area of deficit reduction and no effort in the area of getting our spending under control.

Now, why do we net out about $30 billion of new spending in this effort? As I mentioned, the total bill is about 71 and the spending reduction is about 39. Well, there are two major initiatives in this bill which account for most of the initiative: the first is that the majority of the money from each one of the subcommittees—I should explain this quickly. Each committee in the Congress was asked to save a certain amount of money in their area of responsibility. The Finance Committee was asked to save $10 billion, the Agriculture Committee was asked to save $3 billion, the Education and Labor Committee was asked to save $13 billion. The Education and Labor Committee, in reaching its savings target, decided that corporate subsidies, those corporate subsidies, which benefit people who lend money to students. Basically, they took a policy position that the corporate subsidies were too high in this area.

In doing that, they felt that some of the savings from reducing those corporate subsidies should flow to students. So under the leadership of Chairman Enzi, there is essentially a major new push for funding programs that assist low-income students, low-income student assistance. That is good policy. We know that our country, if it is going to be competitive as we move into this century, has to be smarter, better, and more capable than the rest of the world, and the way you do that is by giving people the opportunity to go to college, no matter what their income levels are, and we give them an incentive to do that so they can be creative, imaginative, better educated and thus pursue better careers. And that is what we are trying to do for people. It creates jobs and opportunity throughout this country when we do that. So the HELP Committee—Health, Education, Labor, and Pensions Committee—came back with a program which had the $13 billion of savings in it, most of it through reducing corporate subsidies, lender corporate subsidies, and at the same time put a significant amount of new dollars, about $1 billion, into helping students, low-income students especially, go to college.

The second major initiative is in the area of trying to keep doctors engaged in the Medicare program. We knew we have a lot of doctors who don’t believe they are adequately compensated under Medicare and, as a result, are less inclined to see patients. The most important thing a patient needs if they are on Medicare is to see a doctor. That is fundamental to Medicare. There was a glidepath—it wasn’t a glidepath; I guess it was a glidepath, it was coming down—to cut by 4.5 percent the salaries of doctors participating in Medicare. The chairman of the Finance Committee, Grassley, in a very foresighted decision, said that is not going to work because that means patients won’t have access to doctors because doctors won’t be treating patients if they have that sort of financial detriment placed on their back.

Basically, in his bill, he has saved significant dollars in the area of health care. He has put a considerable amount of those dollars into the effort to keep doctors whole. There is a big increase coming in here for doctors, but basically they are at a freeze level. I guess it is a 1-percent increase, in fact, and that means we will have more access for people, patients will have more opportunity to see people they need to see when they are sick. That is an important initiative.

All the spending—almost all the spending; I can’t say all—almost all the spending programs in this bill, to the extent there are spending programs in this bill, are focused primarily on pharmaceuticals and, in addition, are designed to give Governors much more flexibility.

I will tell you right now that a Governor who is worth his or her salt is going to be able to expand—expand—their care to low-income individuals using these proposals because they will have more flexibility. You give a good Governor more flexibility and they will need less dollars to do what they know is right. Because the stringencies of the Federal Government are so extraordinary, they waste a tremendous amount of money trying to meet the obligations. But there are no reductions in this bill toward low-income individuals. The reductions are focused on the pharmaceutical side. They are focused on trying to get the Medicare drug plan. And it is something this Republican Congress has been willing to step up and try to do.

How has the other side reacted? We are going to hear a lot of people on the other side say this is a terrible bill because it cuts spending on the poor while it cuts taxes for the rich. That is the theme on the other side. It is a little hard to defend that position, quite honestly, in light of what this bill actually does.

But the truth of the matter is, this bill does not cut spending to the poor. To the extent there is new spending in this bill, it actually assists especially low-income students. The Medicaid changes are focused primarily on pharmaceuticals and, in addition, are designed to give Governors much more flexibility.

I will tell you right now that a Governor who is worth his or her salt is going to be able to expand—expand—their care to low-income individuals using these proposals because they will have more flexibility. You give a good Governor more flexibility and they will need less dollars to do what they know is right. Because the stringencies of the Federal Government are so extraordinary, they waste a tremendous amount of money trying to meet the obligations. But there are no reductions in this bill toward low-income individuals. The reductions are focused on the pharmaceutical side. They are focused on trying to get the Medicare drug plan. And it is something this Republican Congress has been willing to step up and try to do.
Before the tax bill, this is the opportunity—tied to raising taxes on teachers so they have to pay the next tax reconciliation bill to come through here. Very ironic. I think it shows the hypocrisy, maybe, of the other side of the aisle when they are opposed to the reconciliation bill when, in fact, the beneficiaries of this reconciliation bill are going to be the high-tax States, most of whom are represented by Democratic Members in the Senate.

I hope people, when they hear this constant refrain in grand, large terms, will ask specific questions: What is the tax you want to raise on people? What is the tax increase you want to stick people with? Do you want people to have to pay more because they cannot deduct their sales tax? Do you want people to pay more because they are stuck with the alternative minimum tax? Do you want people to pay more because they have in this Senate as a result of the hard deficit is going to occur when we have final passage of this deficit reduction bill. We are going to be debating it for 20 hours, and then, hopefully, we will go to a vote.

I again, congratulate all the chairmen of the different committees who were able to hit this target in what is a very difficult time and a very difficult task.

I yield the floor to one of the architects of this bill. We are going to a vote.

The PRESIDING OFFICER (Mr. BURR). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I very much thank Senator Judi Gregg, chairman of the powerful Budget Committee, for his leadership and for doing what has not been done in this Senate, it is my understanding, since 1997: We have a budget reconciliation bill that will reduce the deficit by changing programs that are either automatic or on automatic pilot that tend to never get reviewed as often as they should in order to watch the taxpayers' money wisely.

Senator Gregg's commitment to fiscal discipline has informed and defined this process, and I am grateful for his efforts.

As he just did, I congratulate the chairmen of seven other authorizing committees whose titles of this bill, along with the Finance title that I am going to talk about, comprise this giant legislation that we call reconciliation that Senator Gregg successfully reported last week.
I know that it was not easy for the chairmen of these eight committees to reach consensus and to move their titles forward. These chairmen and the members of their committees have every right to be proud of the work they have done, achieving savings but also implementing policies that will help American workers.

Today, we have saved nearly $40 billion over 5 years—to be more accurate, $39.1 billion over 5 years—and that is $41 billion more than 6. L automates and later reprinted the reconciliation bill for the Finance Committee and the Finance Committee title also achieves a net of $10 billion in savings from Medicare and Medicaid by reducing wasteful spending and by closing loopholes. The Finance Committee title also addresses a number of bipartisan priorities. These efforts were acknowledged by my colleagues during last week’s Senate Finance Committee markup, and I want those members of the Finance Committee to know that I appreciate their kind words. Rather than having their kind words, I would have rather have had those Democrats vote for this bill coming out of my committee rather than having it come out on an 11-to-9 party split.

The Finance Committee portion represents nearly a year’s worth of work on behalf of members of my committee and the staffs of the respective members, as well as committee staff.

The Senate Finance Committee title achieves a net of $10 billion in savings from Medicare and Medicaid by reducing wasteful spending and by closing loopholes. The Finance Committee title also targets resources to preserving and improving Medicaid, the State Children’s Health Program, and Medicare. In particular, the Medicare provisions in the title will also produce additional resources for States in operating their Medicaid Programs. In so doing, this bill protects Medicaid benefits for the most vulnerable of our society.

The Senate Finance Committee title cracks down on Medicaid fraud and abuse. It aggressively pursues Medicaid fraud by implementing in the respective States, beyond the 13 that have done it, State false claims acts, which in comparable legislation at the Federal level is the Medicare formula. In addition, U.S. taxpayers have to recover the billions of dollars stolen through fraud every year. In addition, my Finance Committee title requires suppliers that do business with Medicaid to have a false claims act education program so that those with evidence of fraud against Medicaid know they may pursue these claims on behalf of the Government and help to recover stolen funds. In order to fight Medicaid fraud, the Senate Finance Committee title dramatically increases resources to fight fraud and abuse in Medicaid. This will then protect State and Federal budgets and generate substantial savings from this investment.

My committee’s title also achieves savings by helping State Medicaid Programs obtain millions in payments owed by third-party payers each year. It also produces savings by ending drug manufacturers’ gaming of the system by closing the authorized generic loophole so that appropriate rebates are paid to the States.

The Senate Finance Committee title helps preserve services to beneficiaries by ending overpayments to pharmacies, by reforming the broken system used to reimburse pharmacists for prescription drugs, which is based on the flawed average wholesale price formula, costing taxpayers lots more money than it should. There have been 13 reports in the last 5 years dealing with pharmacy overpayments, each formula done by the Congressional Budget Office, the Inspector General’s Office, and from the Government Accountability Office, all calling for reforming the Medicaid pharmacy payment formula and ending overpayment for prescription drugs. These overpayments have been costing the States, as well as our Federal Government, billions of dollars needlessly.

The bill also includes provisions to protect drug manufacturers from encroaching upon their greater use of cost-saving generic drugs. In addition, my portion of this reconciliation bill balances the savings derived from pharmacy payment reforms with an increase in the rebate paid to State Medicaid Programs by drug manufacturers from 15.2 percent to 17 percent.

On the Medicare side, the Finance Committee title calls for the phaseout of the budget neutral modification to the Medicare Advantage risk adjuster. This provision will help ensure that the health status risk adjuster required by the Balanced Budget Act of 1997 meets its objective of providing accurate payments to plans based on their enrollees’ health. The title also repeals the Medicare Advantage regional stabilization fund.

There are concerns about these provisions, and some people have argued that we should change Medicare Advantage. In response, I point out that the phaseout of the risk adjuster was announced three times: first in February in the President’s budget; second, with the 2006 rates; and again in the September CMS factsheet. So plans submitted their bids knowing full well that the phaseout was going to happen.

When we worked on the Medicare Modernization Act—and that was in 2003—the idea was that if the funds were not needed, then the dollars were to be returned to the U.S. Treasury. We have strong regional preferred provider organization participation. Regional preferred provider organizations are in 21 out of the 26 regions into which the country has been divided. Regional preferred provider organizations have several other safeguards to make sure they are available.

The base Medicare Advantage rates have been fixed. There are risk corridor network adequacy requirements, the essential hospital fund, and a moratorium on local PPQs. The title does not affect any of these safeguards, so we feel this money going back to the Federal Treasury under this bill is the right thing to do.

The Finance Committee title of this bill also preserves access to health care for seniors in Medicare by providing a 1-percent payment update to all providers paid under the Medicare physician fee schedule. This replaces a 4.4-percent payment cut that physicians are scheduled to receive in 2006 under the existing formula. So we change that formula to make sure that the 4.4-percent cut does not go through. On top of that, there is a small increase for our physicians.

The Part B premium is affected due to changes included in the title that affect Part B spending. While some provisions lower Part B spending, other provisions increase the spending. However, there is no effect on the Part B premium paid by our seniors until the year 2007. It is also important to keep in mind that the Part B premium increase does not affect low-income beneficiary subsidies.

The QI Program so that Part B premiums would continue to be covered for these individuals.

Avoiding the physician payment cut has strong support in the Senate. In July of this year, 89 Senators from both sides of the aisle sent a letter to the White House Office of Management and Budget calling for the removal of Part B drugs from the physician payment formula. This change, which the administration has the authority to make, will help to address the longstanding problems with the Medicare formula for reimbursing physicians.
President Bush, this bill includes a consistent with a proposal put forth by care for seniors and the disabled. Concerning spending in the Medicaid Program, this long-term care costs account for significant long-term care costs. Recognizing that long-term care services for rural beneficiaries. It is important that we take steps to in Medicare are not worth much if in the Medicare Program. The benefits in Medicare are not worth much if in the Medicare Program. The benefits in Medicare are not worth much if the changes in the physician fee called for in that letter would also increase Part B premiums to our senior citizens. It is important that we take steps to maintain access to physician services in the Medicare Program. The benefits in Medicare are not worth much if they need one. Another important area addressed by the Senate Finance Committee is long-term care costs. Recognizing that long-term care costs account for significant spending in the Medicaid Program, this bill makes key provisions in long-term care for seniors and the disabled. Consistent with a proposal put forth by President Bush, this bill includes a "money follows the person"balancing demonstration program. This program would direct grants to States to increase use of home- and community-based services rather than institutional care, and it would eliminate barriers that prevent or restrict the flexible use of Medicaid funds so that individuals may receive support for long-term services in a setting of their choice. This is empowering people. The title also provides new options for private coverage of long-term care through consumer choice and preserves options for such coverage. It also extends the hold-harmless provisions for the small rural hospitals and sole community hospitals from implementation of the hospital outpatient prospective payment system. Second, it would expand coverage of additional preventive benefits under the Federal qualified health centers. Third, it would extend the Medicare Dependent Hospital Program, which provides financial protections for Medicare hospitals with fewer than 100 beds that have greater than 60 percent of their patients coming from Medicare. Another issue I suspect we will hear a good deal about during this debate over the next few days is the impact that Hurricane Katrina had when it devastated hundreds of thousands of our fellow Americans. The title would provide for a much needed downpayment to those States that have suffered as a result of Hurricane Katrina. I am committed to ensuring that the families who have suffered so greatly as a result of this national tragedy receive the services they need to rebuild their lives, and the States which have been affected are made whole.

The Finance Committee title of this bill also provides funding to strengthen and improve the Medicaid and State Children's Health Insurance Program. As my colleagues know, as many as 23 States are projected to experience shortfalls in the Children's Health Insurance Program over the next 2 years. The national total of these State Children's Health Insurance Program shortfalls is near $1 billion. The Senate Finance Committee title includes temporary provisions that will stem these State shortfalls and ensure that States are not forced to curtail or end their Children's Health Insurance Program coverage for vulnerable low-income children. In order to continue to improve the Medicaid and Children's Health Insurance Programs, the Senate Finance Committee title in this reconciliation bill also includes enrollment efforts so that children eligible for public health assistance receive that assistance.

This legislation also addresses a fundamental flaw in our current Medicare payment system. Right now, Medicare payment policies do not encourage high-quality care. In other words, doctors get the same reimbursement and hospitals get the same reimbursement whether they are doing the highest quality of care or whether they do not care, and people are always going back into the hospital because the job is not done right the first time. So we have come to the conclusion that we need to reward quality and we need to provide incentives to invest more in health care information technology and other efforts that will improve health care quality.

This reconciliation bill does just that. This bill implements recommendations from the Institute of Medicine and also from the Medicare Payment Advisory Commission. These provisions are based on the bipartisan Medicare Value Purchasing Act, which is S. 1556, introduced by me and my Democratic colleague, the leader on the other side of the aisle of the committee, Senator Baucus of Montana. The legislation creates quality payments under Medicare for physicians and other providers, including hospitals, skilled nursing facilities, home health organizations, and end stage renal disease facilities. Finally, the Senate Finance Committee title includes the Family Opportunity Act. The Family Opportunity Act was motivated by the circumstances of individual families—the Melissa Arnold family of Iowa and the Dylan Lee James family. You could say they are representative of hundreds of thousands of families. Both are families we used as an example of those who would be affected by the Medicare rules for their children with disabilities, and both families ended up risking eligibility for Medicaid as a result of financial eligibility rules that continue to create disincentives for parents to work and stay working and even improve their employment opportunities. Acute need persists for the Family Opportunity Act. It is just as important today as it was over the past several years that I have been fighting to get the Family Opportunity Act law. I have heard from a number of families in Iowa and across the country, speaking of the imperative to enact the Family Opportunity Act. They tell me how much they love their child or grandchild and how important it is to tell their story. They tell about the illness or disability that their families have been struggling with for years.

Then they describe how dad and mom could comfortably support their family but must remain poor, even unemployed, in order that their child receive the health care coverage they need. These parents want to work and provide for their family, but they can’t put the health care of their child first.

If we are able to successfully pass the legislation—we have been able to pass this legislation in the Senate, but it did not get through the House of Representatives. If we are successful again, we will achieve important savings that help put our fiscal house in order as well as preserve benefits and ultimately expand access through the Family Opportunity Act for families in Iowa and across the Nation.

The Finance Committee title of this bill achieves significant savings in Medicare and Medicaid by reducing wasteful spending and closing loopholes. It then directs much of these savings to make improvements in these programs that expand access to health care services, protect health care coverage for kids, and protect access to Medicare beneficiaries.

But the bottom line is more than $10 billion in savings in existing programs or additional monies that could be used from fraud or money coming in from fees. The bottom line to the Federal deficit is $10 billion.

I have two summaries of the Finance Committee title. I ask unanimous consent that they be printed in the RECORD.

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

SUMMARY OF TITLE VI

Title VI of the Deficit Reduction Omnibus Reconciliation Act of 2005 achieves significant budget savings, slashes wasteful spending, and targets resources to preserve program integrity, improve access to health care services, and protect Medicare and Medicaid.

SPENDING REDUCTIONS

MEDICAID

PRESCRIPTION DRUG PAYMENT REFORMS

Redefines average manufacturer price (AMP) to reflect discounts and rebates available to wholesalers, pharmacies, and for the calculation of the best price.
Spanish loopholes, closes loopholes in current Medicaid law concerning transfer of assets to limit the circumnavigation of which persons may intentionally shelter their assets in order to qualify for Medicaid.

This section includes the following provisions: cures the loopholes that exist in current law.

- Requires states to apply partial month penalties to
- Requires states to accumulate transfers in computing the period of ineligibility to
- Requires that annuities are treated the same way as trusts under current law.
- Requires that certain notes and loans are considered countable.
- Requires private annuities be included in actuarial life expectancy.
- Limits transfers to purchase life estates.
- States would be required to provide a notice of the undue hardship waiver process to any individual applying for Medicaid who would be subject to a penalty period so they may request a waiver of the penalty period.
- States would be required to provide for a timely process for determining whether an undue hardship waiver will be granted, and a process for appeal of an adverse determination.

- $355 million / 5 years

FRAUD, WASTE AND ABUSE

Enhance third party recovery. The section creates useful new tools for existing third party recovery programs: (1) clarifies that PBMs must respond to claims; (2) clarifies that plans must turn over eligibility data; and (3) clarifies that states can recover claims for up to three years from the date of service.

Limitation on use of contingent fee arrangements. The section gives the Secretary authority to implement standards for states in their use of contingent fee contracts.

State False Claims Act. Creates an incentive for states to implement state False Claims Acts by providing them with an enhanced APF for federal state Medicaid funds to any individual applying for Medicaid who would be subject to a penalty period so they may request a waiver of the penalty period. States would be required to provide for a timely process for determining whether an undue hardship waiver will be granted, and a process for appeal of an adverse determination.

- $355 million / 5 years

PHARMACY

TARGETED CASE MANAGEMENT REFORMS

The Targeted Case Management provision clarifies the definition of case management services. The provision specifies that “case management services” include: assessment activities, the development of a specific care plan, referral and related activities to help an individual obtain needed medical, social, educational and other services, monitoring and follow up activities.

Further clarifies that “case management services” do not include the direct delivery of medical care by or of medical or other services, such as: research gathering, assessing adoption placements, recruiting or interviewing potential foster care parents, serving legal papers, homes investigations, and transportation.

- $760 million / 5 years

DRUG REBATES AND RELATED PROVISIONS

Close Authorized Generic Loophole

Improved regulation of authorized generic drugs. This section requires CMS to consider the best price of an authorized generic in the calculation of the best price for the branded drug.

- $180 million / 5 years

Increase Flat Rebate Amount to 17% in 2006

Increase in rebates for covered outpatient drugs. This section increases the rebate paid by innovator drug manufacturers from 15.1% to 17% and on innovator drugs from 11% to 17%.

- $1.4 billion / 5 years

Physician Administered Drugs

Requires the collection and submission of utilization data for physician administered drugs. This section requires states to begin collecting information on physician administered drugs for the purpose of insuring the state receives the proper rebate amount.

- $150 million / 5 years

Subtotal—Medicaid Spending Reductions:

- $8.607 billion / 5 years

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MEDICARE

PART A

EXTEND MEDICARE BAD DEBT POLICY TO SKILLED NURSING FACILITIES

As proposed in the President’s FY 2006 budget, this provision reduces Medicare’s reimbursement of skilled nursing facility bad debt (unpaid beneficiary co-pays and deductibles) from 100% to 70% of allowable costs.

MEDICARE BAD DEBT

Medicare skilled nursing facility bad debt payments have increased 44% from 1996 to 2003.

Congress provides a 30% reduction in Medicare bad debt payments to hospitals. This policy would equalize the SNF bad debt payment rate making it consistent with the bad debt payment rate for hospitals.

- $250 million / 5 years

PROHIBIT PHYSICIAN SELF-REFERRALS TO PHYSICIAN-OWNED LIMITED SERVICE HOSPITALS

Prohibits new physician-owned limited service hospitals from having any ownership or investment interest by physicians who refer Medicare or Medicaid patients to the hospital. This provision is consistent with a June 2005 MedPAC recommendation.

- $5.410 billion / 5 years

OTHER MEDICARE

PAY FOR PERFORMANCE

Requires the Secretary of Health and Human Services to develop and implement payment and performance programs under Medicare for acute-care hospitals, physicians and practitioners, Medicare Advantage

STATE FINANCING OF MEDICAID

MCO Provider Tax Reform

This provision would treat managed care organizations the same as other providers for purposes of applying current law on provider taxes. This section permits states that have a Medicaid-only managed care provider tax to keep it.

- $75 million / 5 years

TARGETED CASE MANAGEMENT REFORMS

Express Prohibition on payments to States for pre-scriptions drugs claim that have already been submitted and paid. This section clarifies that pharmacists cannot bill Medicaid for drugs that have been paid for previously and restocked.

- $312 million / 5 years

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- $75 million / 5 years
plans, end-stage renal disease (ESRD) providers, home health agencies, and to take initial steps toward value-based purchasing for skilled nursing facilities. 

Outpatient care provisions and requirements for the development, implementation, and updating of a Quality Measurement System that will guide reporting and value-based purchasing initiatives.

Principles for Medicare value-based purchasing include:

Building upon existing system and involving all stakeholders.

A two-phased implementation that first ties Medicare reimbursement updates to the reporting of quality measures, and then creates a reward system for meeting certain thresholds of quality improvement and quality attainment.

The amount of Medicare payments in the quality pool will start at 1% of provider payments scaling up to 2% over a 5-year period.

Increased transparency and mandatory reporting of quality data to ensure that beneficiaries and the public have access to information to help them make informed health care decisions.

$4.5 billion / 5 years

Subtotal- Medicare Spending Reductions: $11.5 billion / 5 years

Subtotal- Gross Spending Reductions: $14.6 billion / 5 years

PROGRAM IMPROVEMENTS

MEDICAID AND SCHIP

IMPROVED FRAUD AND ABUSE OVERSIGHT

HEALTH CARE FRAUD AND ABUSE CONTROL

PROGRAM/MEDICAID INTEGRITY FUND

Under current law, funds from the Health Care Fraud and Abuse Control (HCFA) account are used by federal agencies in their efforts to control fraud and abuse in health care programs. Funds go to the HHS OIG and for health care fraud enforcement.

The additional funding provided would be used to continue efforts to find erroneous and fraudulent uses of Medicaid and SCHIP funding and provide an increase in audits and evaluations of state Medicaid programs.

$403 million / 5 years

PRESERVING AND IMPROVING ACCESS TO HEALTH CARE

FAMILY OPPORTUNITY ACT

Under current law, parents of severely disabled children who work lose Medicaid eligibility for their disabled children if they have income and resources above the poverty level.

The Family Opportunity Act, which has broad bipartisan support, would allow these parents to go to work and earn above-poverty wages while maintaining health care for their disabled children.

Key Provisions:

Medicaid "pick-up" for disabled children whose family income or resources are at or below 300% of the poverty level ($38,050.00 for a family of four).

Funds for demonstration projects in 10 states to provide services to Medicaid enrolled children with psychiatric disabilities at home, instead of in an institution.

Funds for information and outreach centers to measure home and community compliant, the Secretary would revoke the

Immediate access to Medicaid coverage for those children who are "presumed eligible" for Supplemental Security Income (SSI).

$727 million over 5 years

ADDRESSING SCHIP SHORTFALLS

Under current law, CMS projects that as many as 23 states are projected to experience funding shortfalls in their SCHIP programs over the next 2 years.

Consistent with the SCHIP proposal in the President’s budget, this provision addresses SCHIP shortfalls by redistributing a portion of these balances from states that have SCHIP surpluses to states that have SCHIP shortfalls.

States to use up to 10% of their 2006 and 2007 allotments for outreach activities.

Prohibits future SCHIP waivers for non-emergency medical care for all states and entities that redistributed funds for shortfall states must be spent on targeted low-income children in order to receive the enhanced SCHIP-match.
creates a fund to provide partial reimbursement for incurred expenditures above a certain level.

$37 million/5 years

INTERNATIONAL VOLUNTEERS

There are several older Americans that volunteer overseas for programs sponsored by 501(c)(3) organizations.

During this time, volunteers are required to purchase health plans that provides international health benefits.

Volunteers are also required to pay Medicare Part B premiums in order to avoid future penalties and delayed enrollment when they return to the United States.

This provision would waive the Part B late enrollment penalty and would establish a special enrollment period for these individuals upon their return to the United States.

$20 million/5 years

MEDICARE PAYMENT ADJUSTMENT TO FEDERAL QUALIFIED HEALTH CENTERS

Federal Qualified Health Centers (FQHCs) are located in areas where care is needed but scarce.

This provision would allow FQHCs to provide diabetes outpatient self-management training services and medical nutrition therapy services.

A health care professional (including registered dietitian or nutrition professional) under contract with the center can now provide services in an FQHC.

This provision would also allow FQHCs to be eligible for Health Care for the Homeless grants.

$40 million/5 years

Subtotal Medicare Spending: $12.916 billion/5 years

Subtotal—Gross Spending: $16.638 billion/5 years

PACKAGE TOTALS

Medicaid: Savings: $8.007 billion; Spending: $4.285 billion (Figures are over five years.)

Medicare: Savings: $18.567 billion; Spending: $12.916 billion; Net: $5.721 billion.

Package Net Savings: $10.006 billion over five years.

Mr. GRASSLEY. Mr. President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICIAL. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

RUBY JUBILEE OF THE CRISIS CALL CENTER IN RENO, NEVADA

Mr. REID. Mr. President, I rise today to honor the Ruby Jubilee of the Crisis Call Center in Reno, NV. For 40 years, volunteers have provided intervention, prevention, referral, and education services to the people of Nevada. The center has become a lifeline for countless individuals. While its volunteers know how valuable their efforts are, we will never know how much pain they have prevented or the full extent of the healing they have promoted.

The Crisis Call Center was founded in 1966 at the University of Nevada, Reno to combat the high rate of suicide. However, its scope grew over time. Now an independent nonprofit, the Crisis Call Center offers support to all individuals in crisis, including victims of sexual assault and child and elder abuse and neglect. It is still the leading community organization working to end suicide in Reno.

Additionally, the Crisis Call Center runs outreach projects for youth and seniors, groups that are at high risk for depression and suicide. I am particularly impressed by the Senior Connection, a specialized hotline to provide advocacy, support, and education to seniors. Uniquely, its services are provided by seniors for seniors.

The Crisis Call Center is one of the oldest continuously operating crisis centers in the country. It has provided a model for the many that followed and its innovative approaches ensure that it will be a leader for many years to come. I hope that you will join me in celebrating this milestone and in looking forward to the important work the Crisis Call Center will perform in the future.

SEQUENTIAL REFERRAL OF S. 1803

Ms. SNOWE. Mr. President, I respectfully ask unanimous consent that the following letter be printed in the RECORD.

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

SENATE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS, WASHINGTON, DC, OCTOBER 31, 2005.

HON. WILLIAM FRIST, Majority Leader, U.S. Senate, Washington, DC.

DEAR LEADER FRIST: Pursuant to paragraph 3(b) of S. Res. 400 of the 94th Congress, as amended, I request that S. 1803, the Intelligence Authorization Act for Fiscal Year 2006, as just reported by the Committee on Armed Services, be sequentially referred to the Committee on Homeland Security and Governmental Affairs for a period of ten days. I am making this request because this bill amends the Privacy Act, Section 552a of Title 5 of the United States Code, and the Privacy Act falls within the jurisdiction of the Committee on Homeland Security and Governmental Affairs pursuant to Senate Rule 25 and S. Res. 445 of the 108th Congress.

This request is without prejudice to any request for an additional extension of five days, as provided for under the resolution. Moreover, the amended resolution provides that the period of referral does not begin until the Committee to which the bill is referred receives the bill “in its entirety and including annexes.” Thus, the ten days of initial referral will not begin until the Committee of Homeland Security and Governmental Affairs receives the classified annex to the bill as well as the bill and report. Finally, I request that I be consulted with regard to any unanimous consent or time agreements regarding this bill.

Sincerely,

SUSAN M. COLLINS,
Chairman.

SENATE BUDGET RECONCILIATION BILL

Mr. CORZINE, Mr. President, I rise today to express my serious concern about and opposition to the Senate budget reconciliation package.
The bill we are considering today contains harmful program cuts that would fall disproportionately on the most vulnerable in our society. And though its sponsors claim it is fiscally responsible, it is part of a budget reconciliation package that adds to the deficit rather than reducing it.

This legislation cuts funding for health care provided through the Medicaid Program, which provides health insurance to poor children, pregnant women, and elderly. My colleagues on the other side of the aisle argue that we must cut waste and fraud in the Medicaid Program. I agree with that. But, what I don’t agree with is taking money out of this critical safety net program—without which millions of Americans would be uninsured—and using that money to pay for tax cuts for people with high incomes. This amounts to a direct transfer of benefits that just doesn’t make any sense.

In addition, much of the reduction in Medicaid comes not from reducing costs but from shifting them to States. The Federal Government can make its books look a little prettier, but one way or the other, taxpayers are still paying the same bill. Some of the cuts continue to show my important services. For example, under this bill, my home State of New Jersey would lose critical Federal resources that it relies on to provide health insurance to parents of children enrolled in the Children’s Health Insurance Program, SCHIP. And, the State would be prohibited from using any SCHIP funding to expand coverage to other adult populations. In fact, my State has estimated that it will lose $44.6 million in Federal SCHIP funding. As usual, the most vulnerable in our society will feel the most pain from these cuts, while reaping the least benefit from the associated tax breaks.

The reconciliation bill also includes authorization for drilling in the Arctic National Wildlife Refuge, which I strongly oppose. It is simply unacceptable that the majority is using the protection of deficit-reduction procedural rules to enact controversial, environmentally damaging policy. In fact, the language opening the coastal plain does not even afford ANWR the same environmental protections afforded to every other wildlife refuge or public land that is currently open to oil and gas development.

The damage our environment is too great to bear and will not improve our energy independence. Drilling in ANWR, by nearly all credible predictions, is expected to yield only marginal amounts of oil that will have little or no effect to reduce our Nation’s dependence of foreign oil.

Adding insult to injury, not one cent of the savings achieved from the cuts in this legislation will be going towards reducing the deficit. Instead, they will be used to pay for balance of the cost of the package of tax breaks that will be considered next in the reconciliation process. So it would be wrong to pat ourselves on the back and misrepresent today’s legislation as “fiscally responsible” because that only tells part of the story.

Our Nation faces serious challenges right now, with the war in Iraq, the war on Cancer, and the need to rebuild the gulf coast region devastated by Hurricane Katrina. We must keep our economy strong by keeping our workforce competitive and investing in our human and physical capital. Now is not the time to be cutting important benefits for those most vulnerable.

If we intend to seriously confront these issues, we need to stop with the irresponsible fiscal policies that have driven us deep into deficit. We need to stop with the wasteful tax cut giveaways. And we need to stop forcing the most vulnerable members of our society to pay for the costs of our irresponsibility.

This legislation before us today accomplishes none of these goals, and so I cannot support, Mr. President, we can do better than this.

BREAST CANCER AWARENESS MONTH

Mr. JOHNSON. Mr. President, today, I want to discuss the importance of breast cancer awareness. October is National Breast Cancer Awareness Month, and during this time, a concerted effort is being made to bring awareness to the breast cancer experience of women, and taking control over their health. As a husband of a two-time breast cancer survivor, I am deeply committed to supporting this campaign and to finding a cure for this awful disease.

I understand that finding out that a loved one has breast cancer is frightening news and one of the most difficult experiences any family can encounter. Unfortunately, far too many families face these challenges each year. In fact, according to the American Cancer Society, one in three women is diagnosed with breast cancer. Yet initiatives, such as the National Breast Cancer Awareness campaign, are working to help to decrease these numbers by educating women about the importance of preventive efforts such as self-exams and mammograms.

Even though we have the most advanced medical technologies and experts in the world, we have continued to face increases in the prevalence of breast cancer in recent years. In fact, research has shown that breast cancer rates have increased progressively since 1998. Though the national rate of breast cancer mortality has fallen since 2002, still approximately 24 percent of South Dakota women diagnosed with breast cancer do not survive.

One of the best ways to decrease the breast cancer mortality rate is through early detection and treatment, which is the fundamental goal of the National Breast Cancer Awareness campaign. Recognizing this goal, each year my wife Barbara and I sponsor a mammogram van at the South Dakota State Fair. This mammogram van, provided by a local health care facility, offers two days of free mammograms for uninsured, low-income women. We are proud to sponsor such an important service. As we learned with Barbara’s case, early detection is key in beating this disease and that is why women must have access to mammogram exams.

Because of the work of the American Cancer Society, scientists, researchers, and the National Breast Cancer Awareness Month campaign, I look forward to the future when women and families do not have to hear the words “breast cancer.” And until that day comes, I will continue to show my support for the goals of this critical campaign for women’s health.

VOTE EXPLANATION

Mr. NELSON of Florida. Mr. President, due to my travel to survey the damage caused by Hurricane Wilma, I missed the vote on Senator BYRD’s title I amendment on the Labor-HHS appropriations bill. If I had been present, I would have voted to waive the Budget Act and approve Senator BYRD’s amendment.

ADDITIONAL STATEMENTS

HONORING FELIPE TRUJILLO ROYBAL, WORLD WAR II VETERAN

Mr. BINGAMAN. Mr. President, I rise today to honor SFC (Ret.) Felipe Trujillo Roybal and to recognize his lifelong service to this country. His dedication and commitment to this country is to be commended.

Mr. Roybal served 33 years in the U.S. Army and is a veteran of Vietnam, The Korean war and World War II. Mr. Roybal will be buried with military honors at the Normandy drop and received a Purple Heart for bravery, Parachute Wings, the Combat Infantryman Badge, the Bronze Star Merit Award, and the European Command Badge. He then served in the Korean war and received his second Purple Heart after becoming a prisoner of war, later escaping. He enlisted his services as a Green Beret in the Special Forces Division in the Vietnam war. Mr. Roybal was assigned to critical defense duty due to his elite training in the Special Forces and was praised for his immense dedication to our country. Mr. Roybal and his wife, Bertha Morales, are native New Mexicans and have been married for 57 years. They are the proud parents of three daughters and the grandparent of two grandsons. All who have had the opportunity to know them have been touched by their kindness and generosity. So today it is with great admiration that I pay tribute to Mr. Roybal.
and his courageous service to this country.

TRIBUTE TO JOEL STUBBLEFIELD
• Mr. BRYOR. Mr. President, I rise today to pay tribute to the life of Joel R. Stubblefield, president and chancellor of the University of Arkansas at Fort Smith. For over 22 years, Joel made immeasurable contributions to education in Arkansas, serving the students and citizens of Fort Smith with passion and dedication.

Following his studies at Ouachita Baptist University and Syracuse University and his military training at the Army Command and General Staff College, Joel dedicated his life to improving educational opportunities for others. He strengthened programs and increased faculty at UA Fort Smith and established the Western Arkansas Technical Center for high school students who sought to take college courses to get ahead.

With his vision and leadership, Joel elevated UA Fort Smith from a 2-year to a 4-year institution. He increased enrollment by more than 100 percent, while simultaneously improving the quality of the curriculum dramatically. As president and chancellor, Joel raised nearly $60 million in private donations for new buildings, equipment, and scholarships. Yet as willing as Joel was to raise money for the school, he was just as eager to donate his own funds. Joel was known to use personal resources to pay students’ tuition and he refused a salary increase for 5 years because he was unable to raise faculty salaries. Joel once even bought a bicycle for a student who did not have transportation.

Earlier this summer, Joel shared his passion and dedication to volunteering at the Sioux Falls VA hospital and donating money to the ASUM specifically on the reauthorization of the Higher Education Act. I congratulate the Associated Students of the University of Missouri on the 30-year anniversary of political advocacy for students and look forward to working with them for years to come.

MESSAGE FROM THE HOUSE
At 2:02 p.m., a message from the House of Representatives, delivered by Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:


H.R. 1461. An act to reform the regulation of certain housing-related Government-sponsored enterprises, and for other purposes.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill H.R. 2744 making appropriations for Agriculture, Rural Development, Food and Drug Administration, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

HONORING THE WOMEN OF VFW AUXILIARY UNIT NO. 60
• Mr. JOHNSON. Mr. President, I rise today to publicly commend the Veterans of Foreign Wars Auxiliary Unit No. 60 from Humboldt, SD, for their many years of devoted service to the Humboldt community.

In late November of 1929, the Humboldt VFW Auxiliary No. 60 began with only 10 members. Seventy-six years later, Unit No. 60 boasts 68 devoted and patriotic members, all from the Humboldt community and surrounding areas.

Each year, Unit No. 60 participates in numerous community activities. In addition to the local “Bingo Night” and the VA Halloween party, and a variety of Christmas activities. During the holiday season, these caring and patriotic ladies also distribute gifts while visiting shut-ins and veterans residing in nursing homes, local hospitals, and assisted living facilities. They also send stamps to community members serving in the military, and also buy postage for local groups wishing to send care packages to soldiers overseas. Additionally, during Scholarship Week, the Auxiliary distributes scholarships to high school seniors.

The Auxiliary also annually donates to numerous local charities and organizations, namely: West Central Future Farmers of America, Community Club Fund, Volunteer Firemen, Volunteer Ambulance, Buddy Walk, Special Olympics, and Creative Arts for Veterans, in addition to purchasing dictionaries that were distributed to third-grade students at West Central Elementary.

Mr. President, I am proud to have the opportunity to honor the Veterans of Foreign Wars Auxiliary Unit No. 60 for their outstanding and compassionate service. Their commitment to our Nation’s veterans and to educating the students of elementary school is admirable. I strongly commend their years of hard work and dedication, and I am very pleased that their substantial efforts are being publicly honored and celebrated. It is with great honor that I share their impressive commitment to civic duty with my colleagues.

TRIBUTE TO THE ASSOCIATED STUDENTS OF THE UNIVERSITY OF MISSOURI, ON ITS 30TH ANNIVERSARY
• Mr. BOND. Mr. President, it is with great pleasure that I rise to celebrate the 30th anniversary of the Associated Students of the University of Missouri. ASUM specifically on the reauthorization of the Higher Education Act.

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

H.R. 420. An act to amend Rule 11 of the Federal Rules of Civil Procedure to improve attorney accountability, and for other purposes; to the Committee on the Judiciary.

H.R. 1461. An act to reform the regulation of certain housing-related Government-sponsored enterprises, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

ENROLLED BILL SIGNED
The enrolled bill was signed subsequently by the President pro tempore (Mr. STEVENS).

MEASURES REFERRED
The following bills were read the first time and referred:


H.R. 1461. An act to reform the regulation of certain housing-related Government-sponsored enterprises, and for other purposes.

ENROLLED BILL PRESENTED
The Secretary of the Senate reported that on today, October 31, 2005, she had presented to the President of the United States the following enrolled bill:

S. 37. An act to extend the special postage stamp for breast cancer research for 2 years.
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-4456. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Balanced System for Measuring Organizational and Employee Performance Reporting of the Internal Revenue Service” (IRIN1545-BE46/DT 9227) received on October 25, 2005; to the Committee on Finance.

EC-4457. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “October-December 2005 Bond Factor Amounts” (Rev. Rul. 2005-67) received on October 25, 2005; to the Committee on Finance.

EC-4458. A communication from the Acting Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “2005 Based Period T-Bill Rate” (Rev. Rul. 2005-70) received on October 25, 2005; to the Committee on Finance.

EC-4460. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a report of a rule entitled “Applicable Federal Rates—November 2005” (Rev. Rul. 2005-71) received on October 25, 2005; to the Committee on Finance.

EC-4462. A communication from the Acting Under Secretary, Emergency Preparedness and Response, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, a report that funding for the State of North Carolina as a result of Hurricane Ophelia on September 11-17, 2005, has exceeded $5,000,000; to the Committee on Banking, Housing, and Urban Affairs.

EC-4466. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Changes in Flood Elevation Determinations” (Doc. No. FEMA-7891/44 CFR 64) received on October 25, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-4467. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Final Flood Elevation Determinations 70 FR 52909” (44 CFR 67) received on October 25, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-4468. A communication from the General Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Final Flood Elevation Determinations 70 FR 52906” (44 CFR 65) received on October 25, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC-4470. A communication from the Acting Chairman, National Transportation Safety Board, transmitting, pursuant to law, a report relative to the Board’s compliance with the Federal Manager’s Financial Integrity Act for fiscal year 2005; to the Committee on Homeland Security and Governmental Affairs.

EC-4471. A communication from the Chairman, Postal Commission, transmitting, pursuant to law, the Commission’s Fiscal Year 2007 Budget Request; to the Committee on Rules and Administration.

EC-4472. A communication from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report relative to loan guarantees to Israel; to the Committee on Foreign Relations.

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. KYL:

S. 1490. A bill to create a national register of cases of child abuse or neglect; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HATCH (for himself, Mr. BеннETT, Mr. REID, and Mr. ENSIGN):

S. 1941. A bill to direct the Secretary of Agriculture to convey certain real property in the Dixie National Forest in the State of Utah, and for other purposes; to the Committee on Energy and Natural Resources.

ADDITIONAL COSPONSORS

At the request of Mr. INOUYE, the name of the Senator from Maryland (Mr. MURRILL) as a cosponsor of S. 146, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Government of the Commonwealth of the Philippines and the Philippine Scouts to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 407. A bill to restore health care coverage to retired members of the uniformed services, and for other purposes.

At the request of Mr. JOHNSON, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a co-sponsor of S. 407.

At the request of Mr. HARKIN, the name of the Senator from Connecticut (Mr. DODD) was added as a co-sponsor of S. 828, a bill to enhance and further research into paralysis and to improve rehabilitation and the quality of life for persons living with paralysis and other physical disabilities, and for other purposes.

S. 1278. A bill to amend title 38, United States Code, to provide assistance to veterans of the Vietnam Era, and for other purposes.

At the request of Mr. LEAHY, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1278.

At the request of Mr. SMITH, the names of the Senators from Oregon (Mr. SMITH) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors.
At the request of Mr. Talent, the name of the Senator from Ohio (Mr. DeWine) was added as a cosponsor of S. 1633, a bill to allow law enforcement officers to represent themselves as minors on the Internet to better protect America’s children from sexual predators.

At the request of Mr. Inhofe, the name of the Senator from Georgia (Mr. Isakson) was added as a cosponsor of S. 1926, a bill to provide, for the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year for the Armed Forces, and for other purposes; which was ordered to lie on the table.

The Harrison family was among the first to locate property in the Dixie National Forest to Mr. Kirk Harrison. Let me explain why this legislation is necessary.

The 1984 survey was flawed for two principal reasons: First, a rock survey monument used in the 1881 survey is 37 feet away from a different rock monument used in the 1905 survey, creating a significant, and perhaps other, monuments which could be located or used during the 1984 survey. Next, the 1984 surveyor did not accept an historic “rock mound” monument, despite the fact that other surveyors had.

The Harrison family has used this land for nearly 150 years. Mr. Harrison wants nothing more than to be able to continue to use the land that his family settled and has used for so long. While Mr. Harrison has worked to resolve this issue with the Forest Service for nearly 15 years, the parties have not been able to agree upon a viable solution. This legislation offers a fair, commonsense answer to the problem.

The bill would direct the Secretary of Agriculture to sell Mr. Harrison 112 acres at fair market value. This represents slightly more land than the Harrison family’s original property to satisfy the Forest Service’s requirement that boundaries be uniform. The Forest Service stipulates that its national forest boundaries must be straight and manageable, and the purchase of additional acreage will fulfill that requirement. The bill also would ensure that the Secretary uses the proceeds from the sale of the land to purchase other acreage for the Dixie National Forest. In my view, this legislation is the easiest and most effective way to resolve this longstanding dispute.

I am aware that some concerns have been raised about this bill in the past. For example, some have expressed concerns that this legislation would restrict sportsmen’s access to the Dixie National Forest, prevent landowners from obtaining water, and allow for the subdivision of the Herrons, since those concerns were raised, the plan has been cleared by the Washington County Commission, the State hunter interests, and the majority of landowners in the Pinto Valley. Only after receiving assurances that the Herrons did not oppose this legislation did I decide to move forward.

Thank you, Mr. President.
whether directly, by referral, or under contract or other arrangement between a federally-qualified health center or a Native Hawaiian health care system and another health care provider before the period.

(b) EFFECTIVE DATE.—The amendment made by this section applies to medical assistance provided on or after the date of enactment of this Act.
INTRODUCTION OF NATIONAL EMERGENCY FAMILY LOCATOR SYSTEM

HON. JUANITA MILLENDER-MCDONALD OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Monday, October 31, 2005

Ms. MILLENDER-MCDONALD. Mr. Speaker, I rise to address the House about a bill that I have introduced recently—The National Emergency Family Locator System.

We talk a great deal about being prepared as a Nation for when disaster strikes. Yet the images of the devastation of Hurricane Katrina are still fresh in our minds.

Prior to Katrina, the dialogue in Washington was focused on preparedness in case of a terrorist attack. However, given the number of missing children, what is becoming more and more apparent is that our government needs to have the capacity to assist in reuniting families after disaster strikes.

We must have a National Emergency Family Locator System. This bill, which is a companion bill to Senator OBAMA'S Senate bill S.1630, will take us in that direction.

This legislation directs the Department of Homeland Security to create a national service, so that after an emergency, displaced individuals can call one phone number or go to one website, and post their location or to be able to use this same secure, centralized system to check the status of missing loved ones.

Finally, this bill directs the Department of Homeland Security to create a Family Preparedness Education program that encourages families to sit down and discuss how the family will reunite if disaster strikes their community.

These are not pleasant conversations, but they are conversations that our Nation's families need to be having given the climate we now live in.

I ask my colleagues to cosponsor this legislation and I look forward to working with the Department of Homeland Security in implementing these important programs.

HONORING THE 2005 WINNERS OF THE RUTGERS UNIVERSITY PRESIDENT'S EXCELLENCE IN SERVICE AWARD

HON. ROBERT E. ANDREWS OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Monday, October 31, 2005

Mr. ANDREWS. Mr. Speaker, I rise today to commend and honor this year's winners of The Rutgers University President's Recognition Program. The Excellence in Service Awards acknowledge the exceptional individual contributions of university staff employees. It recognizes employees who provide superior sustained service, exceptional creativity and resourcefulness, and continually contribute to a positive work environment.

The winners of this award are Erica Anderson, Camille S. Andrews, Jeanette Danner, David Maullio, Joan McCracken, and Christina Strasburger. The school and I are both extremely proud of their efforts.

The second award, the Bridge Award, is given to small teams. These teams are nominated for an extraordinary accomplishment demonstrated by the completion of a special project or activity during the last year, while giving a superior, sustained effort. The winning teams of this award are:


GLBA Compliance—Risk Assessment, Office of Financial Services—Cameron, Team members: Christopher V. Caracino, Domenick C. Nasuti, Marlene L. Druding, Stevenson Pierrejacques, Elizabeth A. Gorman, Joyce A. Sepanic, Maria V. Grace, Pamela Yvette Wells.


Rutgers Cook College & NJAES (New Jersey Agricultural Experiment Station) Resource Center, Team members: Richard Buckley, Gary Huntziger, Lori A. Gillar, Holly S. Kenningen, Michael J. Green, Stephanie L. Murphy, Stephen Griglak, Sabrina Tirpak, Michele Hujber, Bonnie G. Wasielewski, Tina M. Hunter, and Philip Winkler.


Rutgers Learning Centers New Programs Team, Team members: Mary Ann Canco, Shawn Taylor, Maryann Puccio, Matthew Winkler, Christine E. Sohn, and Calvin Yu.

All of the winners have truly earned these awards. I commend them for their hard work and dedication. Along with their fellow nominees, they are vital to making Rutgers a great University, and I hope they continue their excellent work.

SOCIETY OF MILITARY WIDOWS, DESERT ROSE CHAPTER 14 OF TUCSON, ARIZONA

HON. J.D. HAYWORTH OF ARIZONA
IN THE HOUSE OF REPRESENTATIVES

Monday, October 31, 2005

Mr. HAYWORTH. Mr. Speaker, as American soldiers valiantly serve and fall in the defense of an enduring freedom this nation and its allies are bringing to Iraq and Afghanistan, I am pleased to recognize an extraordinary sisterhood of supporters dedicated to bringing comfort and assistance to our military widows. That is the purpose and legacy of the Society of Military Widows and its Desert Rose Chapter 14 based in Tucson, Arizona, as described in a recent news article that appeared in the Arizona Daily Star.

With congratulations and gratitude for the marvelous work the Society is doing, I am pleased to enter the following article into the CONGRESSIONAL RECORD.

[From the Arizona Daily Star, Oct. 6, 2005] A SISTERHOOD OF SUPPORTERS—SOCIETY ENSURES THAT MILITARY WIDOWS ARE NOT ALONE

(Levi J. Long)

It was 3 a.m. when Dee Ruelas found herself in front of a computer staring at the words “military widow.”

They weren’t easy for her to type. Her husband, Command Sgt. Maj. David A. Ruelas, with the Arizona Army National Guard, had died of a heart attack 1 month before. They had been married less than 10 years.

“That was something I never thought I’d do so soon,” said Ruelas, a 57-year-old northern Arizona resident. “It took me a while to even utter the word ‘widow.’ But there I was . . . searching for something.”

What Ruelas said she found via the Internet that night was direction and “a sisterhood of supporters and friends.”

For 25 years, the Society of Military Widows Desert Rose Chapter 14—based on Tucson’s East Side—has been a whisper of active-duty and retired military personnel by lobbying on their behalf for health and retirement benefits. The society also serves as a support group for sorts for recent widows.
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, November 1, 2005 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

NOVEMBER 2

9 a.m.

Appropriations
Labor, Health and Human Services, Education, and Related Agencies Subcommittee
To hold hearings to examine funding needs for pandemic influenza preparedness.

SD-124

9:30 a.m.

Environment and Public Works
To resume hearings to examine the response to Hurricane Katrina.

SD-406

Foreign Relations
To hold hearings to examine Avian Influenza.

SD-419

Homeland Security and Governmental Affairs
To hold hearings to examine why the faces failed relating to Hurricane Katrina.

SD-342

Indian Affairs
To hold an oversight hearing to examine Re Tribal Lobbying Matters, Et Al.

SH-216

2 p.m.

Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine S. 1548, to provide for the conveyance of certain Federal lands to the city of Coffman Cove, Alaska, 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. 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, H.R. 482, to authorize appropriations for the government until December 31, 2006, and S. 405, to provide for the conveyance of certain Federal lands to the city of Eastern Washington University.

SD-366

2:30 p.m.

Commerce, Science, and Transportation
Business meeting to consider pending calendar business.

SH-216

Judiciary
Constitution, Civil Rights and Property Rights Subcommittee
Business meeting to markup S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage.

SD-226

Intelligence
To hold closed hearings to examine certain intelligence matters.

SH-219
NOVEMBER 3
9:30 a.m.
Judiciary
Business meeting to consider pending calendar business.
SD-226

10 a.m.
Veterans’ Affairs
To hold hearings to examine the rebuilding of VA assets on the Gulf Coast.
SD-226

Joint Economic Committee
To hold hearings to examine the current economic outlook.
2175 RHOB

10:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine agricultural transportation and energy issues.
SH-216

2:30 p.m.
Intelligence
To hold closed hearings to examine certain intelligence matters.
SH-219

NOVEMBER 4
9:30 a.m.
Joint Economic Committee
To hold hearings to examine the employment-unemployment situation for October 2005.
2226 RHOB

12:30 p.m.
Judiciary
To hold hearings to examine the nomination of Harriet Ellan Miers, of Texas, to be an Associate Justice of the Supreme Court of the United States.
SH-216

NOVEMBER 7
9:30 a.m.
Foreign Relations
To hold hearings to examine Kosovo.
SD-419

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

NOVEMBER 9
9:30 a.m.
Commerce, Science, and Transportation
Energy and Natural Resources
To hold joint hearings to examine energy pricing and profits.
SD-106

2 p.m.
Armed Services
Readiness and Management Support Subcommittee
To hold hearings to examine Department of Defense Business Transformation and Financial Management Accountability.
SR-232A

10 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings to examine the impact of the Wright amendment, which restricts travel into and out of Dallas Love Field for commercial flights with more than 56 seats.
SD-562

10:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine the nominations of Charles R. Christopherson, Jr., of Texas, to be Chief Financial Officer, and James M. Andrew, of Georgia, to be Administrator, Rural Utilities Service, both of the Department of Agriculture.
SR-328A

NOVEMBER 10
10 a.m.
Energy and Natural Resources
To hold hearings to examine the nominations of Jeffrey D. Jarrett, of Pennsylvania, to be Assistant Secretary for Fossil Energy, and Edward F. Sproat III, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, both of the Department of Energy.
SD-366

11:30 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

NOVEMBER 15
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

11:30 a.m.
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD-366

POSTPONEMENTS
NOVEMBER 3
10 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine regulations for the national security personnel system.
SD-342

2:30 p.m.
Energy and Natural Resources
To hold hearings to examine the nominations of Jeffrey D. Jarrett, of Pennsylvania, to be Assistant Secretary for Fossil Energy, and Edward F. Sproat III, of Pennsylvania, to be Director of the Office of Civilian Radioactive Waste Management, both of the Department of Energy.
SD-366

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

NOVEMBER 9
11:30 a.m.
Energy and Natural Resources
Business meeting to consider pending calendar business.
SD-366
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S12059–S12078

Measures Introduced: Two bills were introduced, as follows: S. 1940–1941.

Measures Passed:


Budget Reconciliation: Senate began consideration of S. 1932, to provide for reconciliation pursuant to section 202 (a) of the concurrent resolution on the budget for fiscal year 2006 (H. Con. Res. 95).

Pursuant to the order of Thursday, October 27, 2005, Senate will continue consideration of the bill at 9 a.m., on Tuesday, November 1, 2005.

Privileges of the Floor:

Adjournment: Senate convened at 2 p.m., and adjourned at 4:58 p.m., until 9 a.m., on Tuesday, November 1, 2005. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S12078.)

Committee Meetings

(Committees not listed did not meet)

UN OIL-FOR-FOOD PROGRAM

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations concluded hearings to examine corruption in the United Nations Oil-for-Food program, focusing on recent reports relative to illegal payments to individuals, investigations of the United Nations Office of Internal Oversight Services and the United Nations Procurement System, Bayoil oil diversions, and progress toward implementing United Nations management reforms, 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, after receiving testimony from former Representative Newt Gingrich; Thomas Melito, Director, International Affairs and Trade, Government Accountability Office; Robert W. Werner, Director, Office of Foreign Assets Control, Department of the Treasury; and Paul A. Volcker, Independent Inquiry Committee into the United Nations Oil-for-Food Programme, New York, New York.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 1 public bill, H.R. 4182, was introduced.

Additional Cosponsors: Pages H9435–36

Reports Filed: Reports were filed today as follows:

D1120
H.R. 3405, to prohibit the provision of Federal economic development assistance for any State or locality that uses the power of eminent domain power to obtain property for private commercial development or that fails to pay relocation costs to persons displaced by use of the power of eminent domain for economic development purposes, with an amendment (H. Rept. 109–261, Pt. 1); and H.R. 4128, to protect private property rights, with an amendment (H. Rept. 109–262).

Speaker: Read a letter from the Speaker wherein he appointed Representative Thornberry 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 3 p.m. and adjourned at 3:03 p.m.

**Committee Meetings**

No Committee meetings were held.

**COMMITTEE MEETINGS FOR TUESDAY, NOVEMBER 1, 2005**

*(Committee meetings are open unless otherwise indicated)*

**Senate**

Committee on Armed Services: to receive a closed briefing to examine progress of the Joint Improvised Explosive Devices Task Force, 9:30 a.m., SR–222.

Committee on Commerce, Science, and Transportation: to hold hearings to examine the nominations of Shana L. Dale, of Georgia, to be Deputy Administrator of the National Aeronautics and Space Administration, and Mark V. Rosenker, of Maryland, and Kathryn Higgins, of South Dakota, each to be a Member of the National Transportation Safety Board, 10 a.m., SD–562.

Committee on Energy and Natural Resources: Subcommittee on National Parks, 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, 10 a.m., SD–366.

Committee on Foreign Relations: business meeting to consider S. 1315, to require a report on progress toward the Millennium Development Goals, S. 1184, to waive the passport fees for a relative of a deceased member of the Armed Forces proceeding abroad to visit the grave of such member or to attend a funeral or memorial service for such member, the Protocol of 1997 to Amend the International Convention for the Prevention of Pollution from Ships, 1973, as Modified by the Protocol of 1978 thereto (Treaty Doc. 108–7), the Convention for the Strengthening of the Inter-American Tropical Tuna Commission established by the 1949 Convention between the United States of America and the Republic of Costa Rica, with Annexes (Treaty Doc. 109–2), and the Nominations of Donald A. Gambratosa, of Virginia, to be Inspector General, United States Agency for International Development, Roland Arnall, of California, to be Ambassador to the Kingdom of the Netherlands, Jeffrey Thomas Bergner, of Virginia, to be an Assistant Secretary of State for Legislative Affairs, Ellen R. Sauerbrey, of Maryland, to be an Assistant Secretary of State for Population, Refugees, and Migration, and James Caldwell Cason, of Florida, to be Ambassador to the Republic of Paraguay, 2:15 p.m., S–116, Capitol.

Committee on the Judiciary: to hold hearings to examine pending judicial nominations, 2:30 p.m., SD–226.

House

Committee on Armed Services, Asymmetric and Unconventional Threats Gap Panel, hearing on space security, 3 p.m., 2212 Rayburn.

Committee on Government Reform, Subcommittee on Criminal Justice, Drug Policy and Human Resources hearing entitled “Sick Crime: Counterfeit Drugs in the United States,” 2 p.m., 2154 Rayburn.


Committee on International Relations, Subcommittee on Africa, Global Human Rights and International Operations, hearing on Sudan: Losing Ground on Peace? 4 p.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, oversight hearing entitled “Administrative Law, Process and Procedure Project,” 10 a.m., 2141 Rayburn.


Subcommittee on the Constitution, oversight hearing entitled “Pain of the Unborn,” 4 p.m., 2141 Rayburn.

Committee on Small Business, hearing entitled “Promoting Private Sector Emergency Preparedness,” 2 p.m., 2360 Rayburn.

Committee on Ways and Means, Subcommittee on Social Security, hearing on Social Security Number High Risk Issues, 4 p.m., B–318 Rayburn.
Next Meeting of the SENATE
9 a.m., Tuesday, November 1

Senate Chamber

Program for Tuesday: Senate will continue consideration of S. 1932, Budget Reconciliation.

(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, November 1

House Chamber

Program for Tuesday: Consideration of Suspensions: (1) H.R. 3548—Heinz Ahlmeyer, Jr. Post Office Building Designation Act; (2) H.R. 2413—Lillian McKay Post Office Building Designation Act; and (3) H.R. 3989—Albert Harold Quie Post Office Designation Act.

Extensions of Remarks, as inserted in this issue

HOUSE
Andrews, Robert E., N.J., E2225
Hayworth, J.D., Ariz., E2225
Millender-McDonald, Juanita, Calif., E2225, E2226