House of Representatives

The House met at 10 a.m.

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

Lord of all the earth, the sea and sky, in today's world, when we take to flight, it is not just in fanciful imagination or escape, nor always in mystic prayer. Physically we fly in the sky over this resourceful Nation and survey the many blessings You shower upon Your people.

We marvel at Your Creation and Your infinity beyond.

By placing ourselves in the hands of an experienced flight crew and of sophisticated aircraft, we form an uncertain community of trust and sheer abandon. We become accountable to one another for tentative security. We share a common destination and seek freedom from turbulence along the way.

Together we hope for peace in the end.

Lord, help the frequent fliers of Congress understand the parable of their flight. Lift them with the wings of inspiration and accountability to take us beyond our confinement to new heights of progress and integrity while caring for the most needy and the most frightened traveling with us. Our hope is placed in their leadership and Your power to hold us in this moment of suspension now and forever. Amen.

PLEDGE OF ALLEGIANCE

The SPEAKER. Will the gentleman from New York (Mr. BISHOP) come forward and lead the House in the Pledge of Allegiance.

Mr. BISHOP of New York 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.

DEFICIT REDUCTION ACT

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

Mr. POE. Mr. Speaker, the American veteran has fought in these conflicts: French and Indian war, War for Independence, the First Barbary War, the War of 1812, the Second Barbary War, War for Texas Independence, the War Between the States, the Indian Wars, the Spanish-American War, the Philippine-American War, the Boxer Rebellion, First World War, Russian Revolutions, Spanish Civil War, the Great War II, the Cold War, Korean War, Vietnam War, Tehran hostage rescue, Grenada, Beirut, Panama, the Gulf War, Somalia, Yugoslavia, Afghanistan, and the Iraq War.

These are wars that were fought in, fought by and fought for Americans. This land of the free is consecrated by the blood of the fallen. In many of these wars the liberty of the Nation's people was at stake. Across the massive seas of time the American veteran shall be remembered and praised, for they fought in lands they had never seen, and they fought for peoples they did not know.

These, like my dad, represent the finest the Nation has ever produced. We honor them and we thank them on Veterans Day.

THE AMERICAN VETERAN

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

Mr. POE. Mr. Speaker, the American veteran has fought in these conflicts: French and Indian war, War for Independence, the First Barbary War, the War of 1812, the Second Barbary War, War for Texas Independence, the War Between the States, the Indian Wars, the Spanish-American War, the Philippine-American War, the Boxer Rebellion, First World War, Russian Revolutions, Spanish Civil War, the Great War II, the Cold War, Korean War, Vietnam War, Tehran hostage rescue, Grenada, Beirut, Panama, the Gulf War, Somalia, Yugoslavia, Afghanistan, and the Iraq War.

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These, like my dad, represent the finest the Nation has ever produced. We honor them and we thank them on Veterans Day.

Mr. POE. Mr. Speaker, Hurricane Katrina and Hurricane Rita reopened the eyes of Americans to the staggering poverty that still exists in this country, yet the Republican leadership claims they are reducing the deficit, but in reality they are actually hurting the poorest and most vulnerable in this country:

Health care for poor people, slashed by $9.5 billion; food for poor people, decreased by over $840 million; student loans for college students, a $14.3 billion cut.

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Health care for poor people, slashed by $9.5 billion; food for poor people, decreased by over $840 million; student loans for college students, a $14.3 billion cut.
today, the Republicans will have succeeded in creating a government without a conscience. Shame on them.

Let me appeal to the moderates on the other side. Do the right thing. Don't throw away your conscience. Don’t be a cheap date. Vote against this bill.

PREPARING FOR AN AVIAN (BIRD) INFLUENZA PANDEMIC

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

Mr. MURPHY. The United States must prepare for an avian flu pandemic which could potentially kill tens of thousands of people and cost tens of billions of dollars. Similar to the 1918 influenza epidemic, the avian flu is a primary cause of death where victims suffer a severe response of respiratory distress as their immune system is compromised.

Citizens should make sure they still get their annual flu shot and practice good hygiene, even though the likelihood of scenarios of flu pandemic will not occur. But Congress needs to make sure we improve vaccine distribution mechanisms, improve lines of communications and take steps to mitigate panic to make sure that there is essential communication with local media outlets.

We must also increase vaccine production and create incentives for pharmaceutical manufacturers to lower costs and promote cooperation. All this means Congress must move forward to follow the President’s national strategy for the pandemic influenza.

For further information, I encourage my colleagues to visit my Web site at murphy.house.gov.

PRIORITIES

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

Mr. CHANDLER. Mr. Speaker, the cuts to education, health care, housing and nutrition programs that we will consider later today once again expose the real agenda of the majority.

This reconciliation package presents a simple choice, either care for the poor, the sick and the hungry, and help students attend college, or cut taxes for the wealthy and give yet another handout to the oil industry. The choice seems almost too easy, but yet again, our friends on the other side of the aisle will sacrifice the moral principle of caring for your neighbor in favor of funneling billions in tax breaks and government handouts to the most well off.

These are the priorities of the majority. Increase our debt, punish the least among us, and line the pockets of the wealthy. I urge my colleagues to oppose this misguided and immoral reconciliation package.

CONGRATULATING MR. AND MRS. STANLEY AND DEANNA MAYFIELD ON BEING HONORED AS DISTINGUISHED CITIZENS BY THE BOY SCOUTS OF AMERICA

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

Mr. CONAWAY. Mr. Speaker, I rise today to recognize two of San Angelo, Texas’ most dedicated and patriotic citizens, Stanley and Deanna Mayfield. On November 21, 2005, they will be honored by the San Angelo Council of the Boy Scouts of America with the Distinguished Citizen Award in recognition of their contributions to scouting and the citizens of San Angelo.

John Stanley Mayfield and Deanna Lee Gilmore Mayfield married on August 22, 1964. They moved to San Angelo after Stanley completed 5½ years of service as an Air Force F-111 pilot. Since then, they have been active volunteers throughout Texas. They have dedicated their lives to the service of others and deserve to be recognized for their contributions.

In addition to volunteering as members of and on the board of directors of many charitable and community development organizations, both are active members of the First Baptist Church and have served as appointees of Governor George W. Bush, Deanna as Vice Chairman of the Texas Real Estate Commission and Stanley on the State Bar of Texas.

The proud parents of three children and seven grandchildren, their giving hearts have been inspirational to many, and they have truly led by example. I personally know of no two people more worthy, who have worked harder, donated more time or who have been as valuable to their community as Stanley and Deanna Mayfield. They serve as an inspiration to all those who are lucky enough to be around them, and I am honored to represent them in the 11th Congressional District of Texas.

THE DEFICIT REDUCTION BILL

(Mr. BISHOP of New York asked and was given permission to address the House for 1 minute.)

Mr. BISHOP. Mr. Speaker, when explaining budget reconciliation to the American people, perhaps the closest thing we can compare it to is balancing a checkbook. Unless, of course, we are talking about the way Congress balances its books.

On one side of the ledger, spending cuts ostensibly earmarked for rebuilding the gulf coast are in reality set aside for tax cuts, despite three consecutive record-breaking deficits and $3 trillion in new debt.

Even after the tax cuts are in place, there would be anything left in the other column to relieve Americans from the misery left in the wake of devastating hurricanes.

Championing tax cuts for the wealthiest Americans by punching holes in the safety net is the hallmark of this administration’s failed economic policies. But it shouldn’t be the way we balance our books.

While millionaires will gain another $19,000 tax break, the typical student, already saddled with $17,500 in debt, faces $5,800 in new fees and higher interest rates. How can we in good conscience cut student loans after the College Board tells us this is the most expensive semester ever?

Common sense tells us: When you are in a hole, stop digging. But we are still digging, falling deeper into red ink with this budget, beyond what we and future generations of Americans can afford.

I urge my colleagues to vote against this sham deficit reduction bill.

VETERANS DAY

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

Mr. PITTS. Mr. Speaker, tomorrow is Veterans Day. On this holiday, it is certainly appropriate that we recognize the sacrifice of our troops and veterans that have fought to protect our freedom in years past.

But Veterans Day also provides a great opportunity to note the progress our military is making today. Today, we are at war. Our troops are fighting in the cause of freedom. Just 3 years ago, Saddam Hussein wielded a brutal totalitarian regime over an oppressed people. Today, Saddam is in jail and Iraqis have adopted a constitution upholding the rule of law.

Our effort to train and deploy new Iraqi security forces is also progressing. As of October, over 206,000 Iraqi forces have been trained and equipped. Similar progress has been seen in Afghanistan. Each day we continue the rebuilding of these war-torn countries. As a veteran, I am proud to say our military is not about occupation; it is about freedom and freedom around the world.

Mr. Speaker, as we take time tomorrow to remember our living veterans, let us also recognize the noteworthy accomplishments of our troops serving today and not forget the words on the Mall—‘‘Freedom Is Not Free.’’

BUDGET RECONCILIATION

(Ms. JACKSON-LEE of Texas asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON-LEE. Mr. Speaker, tomorrow we will honor our Nation’s veterans. But the budget reconciliation legislation that we present today will not honor our veterans, because their families will be impacted by the negative aspects of this legislation.

$11.9 billion in cuts in Medicaid will impact the families of veterans. $50 billion cuts in Medicaid over 10 years will
impact the families of veterans. $14.3 billion in student loan cuts will impact the children of veterans. And those National Guard and Reservists who came home after battling in Iraq to Alabama, Mississippi, Texas, and Louisiana will find that the $8.5 billion in cuts from veterans’ benefits and their homes that have been destroyed will be impacted by this budget because there will be no money at the end to be able to provide for the restoration of their lives. 

The budget reconciliation legislation will not honor our veterans. We honor them tomorrow. Why do we not honor them today? We can do better.

□ 1015

HONORING AMERICA’S VETERANS

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

Mr. WILSON of South Carolina. Mr. Speaker, as the son of a World War II veteran, as a 31-year veteran of military service and the father of three sons serving today in the military, Veterans Day is particularly meaningful to my family. America exists today only because of the courage of the men and women who wear the uniform of the United States military. Generations of American soldiers have turned impossible challenges into incredible victories, and they have earned our highest respect.

As troops continue to risk their lives in the war on terrorism, we are especially inspired by the bravery of America’s 23 million veterans. By risking their lives to protect our freedoms, there is a greater spread of freedom today worldwide than ever in history. We will forever remain grateful for their service.

I would like to encourage all citizens to take time on Friday to personally express their sincere appreciation to the veterans of their communities.

In conclusion, God bless our troops, and we will never forget September 11 or the terrorist attacks on Jordan.

BUDGET RECONCILIATION

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

Mr. KUCINICH. Mr. Speaker, I would like to begin our day here by quoting from the book of Deuteronomy, the 15th chapter, the seventh verse: "If there be among you a poor man of thy brethren within any of thy gates in thy land which the Lord thy God hath giveth thee, thou shalt not harden thine heart nor shut thine hand from thy poor brother."

Remember, the way today when in the name of deficit reduction, you would vote to cut health care for poor children. Thou shalt not harden thine heart.

Those who would today cut food stamps, school breakfast and school lunch benefits for the poor, thou shalt not harden thine heart.

Those who would cut rental housing benefits for victims, there is a moral imperative about us being in this House. And we cannot just look at this as business as usual when we choose to just cut benefits for the poor and then turn around and give tax cuts for the rich.

MEDITATION

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

Mr. NEUGEBAUER. Mr. Speaker, this year is the 40th anniversary of Medicare. Medicare has come a long way. Initially, it started off as a hospitalization policy. Later we added physician benefits and physician visits and even some tests. Now we have put the third leg of that stool on; and we are going, effective January 1, to add prescription drugs to Medicare, making Medicare a full health care policy for our seniors.

The reason that Congress did this was because many times the physicians would prescribe prescriptions for our seniors, yet they would have to make a decision between buying food or the prescription. Congress did not think that was a good idea; and so effective January 1, seniors will have a prescription drug option. The sign-up begins next Tuesday, November 15. We encourage seniors to begin to go shopping.

I held a town hall meeting in Abilene, Texas, on Monday at the Rose Park Senior Center and encouraged our seniors to go shopping. One of the things most important about this new process was that we allowed seniors the ability to make their own choices and brought competition in it.

I urge our seniors to look very closely at this new great prescription drug benefit that has been provided for them.

REPUBLICAN BUDGET DOESN’T REFLECT AMERICA’S PRIORITIES

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

Mr. EMANUEL. Mr. Speaker, the Republican Congress is about to slash nearly $50 billion from investments in our children’s future, in health care and education. Yet because of Republican priorities, they are going to actually add $20 billion to the $3 trillion in our deficit. Only in a Republican Congress.

What kind of Congress passes a budget that cuts $9.5 billion from children’s health care, affecting 6 million children, while overpaying HMOs by $5.4 billion? What kind of Congress hands over $16.5 million in oil company, tobacco, and gas companies, while cutting 40,000 children’s nutrition programs and seniors from home heating assistance?

What kind of Congress cuts 330,000 children from child care assistance, while giving special tax breaks to bow and arrow manufacturers, NASCAR track owners, and logging companies?

What kind of Congress cuts $14.5 billion from student college assistance, the largest cut ever, while cutting taxes for millionaires?

A Republican Congress, of course. Those are the wrong priorities for America. Americans know.

Mr. Speaker, we should cut spending, but we should not do it by throwing our children under the bus. America can do better. It is time for a change.

CELEBRATING OUR VETERANS

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

Mr. PRICE of Georgia. Mr. Speaker, tomorrow we celebrate Veterans Day to honor America’s most courageous men and women of the past and the present. In conflicts around the world, those serving in our military protect our country and safeguard the values that Americans hold dear: safety and freedom and democracy.

The Defense Department has a program allowing a recorded phone call so that soldiers from my district serving overseas can listen to it and then contact me. The opinions of those serving our country are so very important, and I encourage all Members of Congress to participate in this program.

Veterans Day is often marked by parades. However, we in Congress must remember that the celebration of our veterans is more than just a once-a-year event. Over the past 5 years, we have increased benefits to veterans by over $20 billion, from the GI Bill to VA home loan guarantees to benefits for disabled veterans, widows, and dependents.

However, dollars and cents cannot measure the sacrifice of our soldiers. We enjoy our freedoms today because of what they do every day of every year. To those who have served, a grateful Nation says thank you.

REPUBLICANS STIFLE OPEN AND MEANINGFUL DEBATE ON BUDGET RECONCILIATION

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

Mr. COSTA. Mr. Speaker, having served in the California State legislature for 24 years, half of which was spent in a leadership role, I know how to engage in a bipartisan process. This budget reconciliation bill is not bipartisan.

Rather than provide the House with an opportunity to engage in a serious and meaningful budget discussion, we are left with this take-it-or-leave-it package that, if passed, will increase our budget deficit nearly $20 billion.

Rather than accept an offer by the Blue Dogs to discuss our 12-point deficit reduction alternative, we are left
with this plan as our only option. It is a Hobson’s choice, which is no choice at all.

Rather than do what our constituents expect us to do, which is discuss, debate, and have meaningful oversight and make tough policy choices, we are left with a budget reconciliation package that is nothing more than a fig leaf to cover up a host of fiscal shortcomings.

I may be new to Congress and the process, but I know this budget reconciliation package is wrongheaded and sadly lacking in transparency. I urge a ‘no’ vote.

TIME TO REDUCE FEDERAL SPENDING

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

Mrs. BLACKBURN. Mr. Speaker, today, this body is going to address and pass the Deficit Reduction Act. While we are doing this, the left is out in full force telling Americans that we are about to cut Medicaid.

Mr. Speaker, shame on them.

Next year, under this bill, Medicaid will grow 7 percent. That is not a cut. We are taking the rate of growth from 7.5 to 7 percent.

If the left wants to lie about it, there is not a lot that we are going to be able to do to stop them, but the American people should know that they are not being told the truth.

So when the Democrats come down here today talking about how we are hurting the poor and hurting seniors and hurting children, they are being dishonest, because they know they cannot win this argument. The American people are ready to see Federal Government spending reduced.

STANDING UP FOR AMERICA

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

Mr. SCOTT. Mr. Speaker, who is telling the truth? The Democrats are telling the truth on this. This is smoke and mirrors, and the Republicans are offering a budget reconciliation package that is definitely harmful to the American people.

We can do better; this Congress deserves to do better, and the American people are expecting us to do better.

Here is the truth: the truth is that this is not deficit reduction. It will add a total of $16 billion to our deficit. Here are the facts: The cuts are $44 billion. Yet the package being put forth today by the majority, the package of spending cuts, but also tax cuts, is going to end up with an increase in our deficit of $16 billion. That is not right.

Look, deficit reduction is hard to do. It requires some tough choices. The only way, in my opinion, that this Congress is going to take on those tough choices is if we put in a set of rules that force us to do it.

The Blue Dog Democrats have a 12-point plan that will put those provisions in place: a balanced budget amendment to the Constitution, real pay-as-you-go rules. Those are just two of the 12 provisions that would require this Congress to come together and make those very tough decisions; and they will be tough, let us not deny it.

Mr. Speaker, if we want to show fiscal responsibility, if we want to do right by future generations, we will come together in a bipartisan way. That is not what is happening today. It is very unfortunate.

I encourage my colleagues to vote down this package today.
sighted, narrowly targeted and driven by ideology instead of good policy. We could really do better.

RECESS
The SPEAKER pro tempore (Mr. LaHood) announced that on a motion by the Acting Majority Leader, for the purpose of providing for the orderly consideration of business preceding clause 8 of rule I, the Chair declares the House in recess subject to the call of the Chair.
Accordingly, at 10 o’clock and 32 minutes a.m., the House stood in recess subject to the call of the Chair.

AFTER RECESS
The recess having expired, the House was called to order by the Speaker pro tempore (Mr. LaHood) at 4 o’clock and 20 minutes p.m.

VACATING ORDERING OF YEAS AND NAYS ON H.R. 1953 AND H.R. 3665
Mr. BLUNT. Mr. Speaker, I ask unanimous consent that the House vacate the ordering of the yeas and nays on the motions to suspend the rules and pass H.R. 1953 and H.R. 3665 to the end of the current session, unless reconsideration is made.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

AMENDMENT PROCESS FOR CONSIDERATION OF H.R. 1065, UNITED STATES BOXING COMMISSION ACT
(Mr. DREIER asked and was given permission to address the House for 1 minute.)
Mr. DREIER. Mr. Speaker, the Rules Committee may meet next week to grant a rule which could limit the amendment process for floor consideration of H.R. 1065, the United States Boxing Commission Act.

Any Member wishing to offer an amendment should submit 55 copies of the amendment and one copy of a brief explanation of the amendment to the Rules Committee in room H-312 of the Capitol by 12 noon on Tuesday. Members are advised that the combined text from the committees of jurisdiction should be available for their review on the Web sites of the Energy and Commerce Committee, the Judiciary Committee, the Education and the Workforce Committee and the Rules Committee by later today.

Members should use the Office of Legislative Counsel to ensure that their amendments are drafted in the most appropriate format and should check with the Office of the Parliamentarian to be certain that their amendments comply with the rules of the House.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE PRESIDENT
Mr. SMITH of New Jersey, from the Committee on International Relations, submitted an adverse privileged report (Rept. No. 109-291) on the resolution (H. Res. 505) requesting the President of the United States and directing the Secretary of State to provide to the House of Representatives certain documents in their possession relating to the White House Iraq group, which was referred to the House Calendar and ordered to be printed.

LEGISLATIVE PROGRAM
(Mr. HOYER asked and was given permission to address the House for 1 minute.)
Mr. HOYER. Mr. Speaker, I yield to my friend from Missouri (Mr. BLUNT), the acting majority leader, for the purposes of informing us of the schedule for the week to come.

Mr. BLUNT. Mr. Speaker, I thank my friend from Maryland for yielding and would say that the House will convene on Tuesday at 10:30 p.m. for morning hour and 12 noon for legislative business. We will consider several measures under suspension of the rules. A final list of those bills will be sent to Members’ offices by the end of the week. Any votes called on these measures will be rolled until 6:30 p.m. on Tuesday.

For Wednesday and the balance of the week, the House will consider additional legislation under suspension of the rules, as well as two measures under a rule, H.R. 1065, the United States Boxing Commission Act, and we anticipate either the budget or the tax reconciliation package on the floor next week.

I also anticipate that the House will consider up to four additional appropriations conference reports as those reports become available. We have every reason to believe that those could all be available next week, and if there are, all of the appropriations bills will be passed individually and, with the exception of the defense and homeland security bills, the collection of the others, individually and under last year’s budgeting limit.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information.

I also want to reiterate what I understand has been the change in schedule for all of our Members to note that we will not be meeting on Monday, but Tuesday will be our day. I thank the gentleman for that information.

Which appropriation bills do you expect to come on the floor next week?
Mr. BLUNT. Well, there are four bills remaining, and we think any and all of those bills could be here next week. We have already sent the previous eight bills to the President’s desk, and so we have the remaining bills, all of which are likely to be done by the end of next week.

Mr. HOYER. Mr. Speaker, I thank the gentleman. Do you anticipate a motion to go to conference on the DOD appropriations bill next week?
Mr. BLUNT. I would expect to have that conference motion next week.

Mr. HOYER. Do you know how early in the week that might be? Obviously, as you know, there is a very important motion to instruct which would be in place at that time. Many of our Members are concerned about that. Would you know when possibly that might be done? I yield to my friend.

Mr. BLUNT. Mr. Speaker, I thank my friend for yielding to me. I do not know exactly when in the week that would get to that, but I am hopeful that enough staff work and other progress has been made on that bill that it could be on the floor next week. If it is on the floor next week, we obviously would have to roll the official conference sometime midweek.

Mr. HOYER. I thank the gentleman. The current CR, as you know, runs out
on Friday. First of all, presumably, we anticipate another CR coming. I am sure we have to have another CR at least for some agencies. How long do you think that CR would run? I yield to my friend.

Mr. BLUNT. Mr. Speaker, I thank my friend again for yielding. We are continuing to consult with the Senate on that. Of course, as a senior appropriator, as you well know, as we work the appropriations bills out, the nature of that work is that ideally, we would not have to have a CR because it would be clear that we would have all the bills passed by Friday. If not, we would have to consult with the Senate, see how long they are willing to have a CR or how long we think is in the best interest of the process, but the appropriations work has gone well and I would not see any being extended for a significant period of time.

Mr. HOYER. Mr. Speaker, I thank the gentleman for that information.

The budget reconciliation bill, we did not take it up today and the mandatory spending cuts bill today. When might we consider that?

Mr. BLUNT. I thank my friend again for yielding, and we are continuing to work on that bill. We have asked our budget chairman to take one final look at it. We have not had a mandatory review of the mandatory programs in terms of looking at their budget for almost a decade now. Frankly, what we are learning is when you have not done anything in almost 10 years, it takes a little longer to do it than you thought it would.

We hope to have that bill on the floor today. The appropriate eagerness of Members to want to be sure and be home tomorrow for Veterans Day events and, frankly, the challenge of the last few details did not allow us to have that here today. So we have asked the budget chairman to look at those details again, and we hope to have that bill on the floor next week.

Mr. HOYER. Mr. Speaker, I thank the gentleman. So it is possible that that bill might be next week?

Mr. BLUNT. It is possible. I would like to say likely. I think it is likely it will be back, and certainly, it is possible it will be back next week.

Mr. HOYER. Mr. Speaker, as I understand it, from your announcement, the tax reconciliation bill will also be on the floor next week? I yield to my friend.

Mr. BLUNT. I thank my friend for yielding. At this point, we are still talking to the Ways and Means chairman about his schedule of moving forward with that event. Like some of our other chairmen, he is also involved in the mandatory spending reconciliation, and we will be talking to him about his view of how he manages those two conflicting things going on and whether we can have them both going on at the same time or not.

Mr. HOYER. I thank my colleague for that information. Reclaiming my time, the pension bill, as the gentleman knows, which has passed through the Education and the Workforce Committee, was considered by Ways and Means and marked up on Wednesday. I believe, is it my colleague's intention that that might be on the floor next week as well? I yield to my friend.

Mr. BLUNT. I thank my friend for yielding. My expectation is not that we would have that on the floor next week, but that we would have that on the floor between now and the time we leave here for the end of this year.

Mr. HOYER. Let me then go to that question about when is the end. As I understood from our previous colloquies, we are going to be out Friday for at least 14 days, that would be the Thanksgiving week and the week thereafter. And then if we need to come back, am I correct that we are still looking at coming back the week of December 5? I yield to my friend.

Mr. BLUNT. I thank my friend for yielding. I understand everybody has their holiday plans or wants to begin to make their holiday plans. The gentleman is correct in his observations about our past discussion here. We would not intend to be here the week of Thanksgiving or the week after Thanksgiving. We do plan to be back and do not see any reason we would not be, and every Member should anticipate being back the week of December 5.

It is possible it could take 2 weeks to complete our work for the year and that we could have some work even into the week that begins on December 12. But we definitely intend to be here the 5th and would encourage Members to plan to be here both of those weeks in case our work carries over into the week following the week of December 5. That would be the week of December 12.

Mr. HOYER. Mr. Speaker, I thank the gentleman for his information.

ADJOURNMENT TO MONDAY, NOVEMBER 14, 2005 AND HOUR OF MEETING ON TUESDAY, NOVEMBER 15, 2005.

Mr. BLUNT. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 6 p.m. on Monday next, and further, when the House adjourns on that day, it adjourn to meet at 10:30 a.m. on Tuesday, November 15, 2005, for morning hour debate.

The SPEAKER pro tempore (Mr. LAHOOD). Is there objection to the request of the gentleman from Missouri? There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BLUNT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule be dispensed with on Wednesday next.

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

There was no objection.

APPOINTMENT OF HON. FRANK R. WOLF TO ACT AS SPEAKER PRO TEMPORE, TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS THROUGH NOVEMBER 15, 2005

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

WASHINGTON, DC,
November 10, 2005.

I hereby appoint the Honorable Frank R. Wolf to act as Speaker pro tempore to sign enrolled bills and joint resolutions through November 15, 2005.

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

The SPEAKER pro tempore. Without objection, the appointment is approved.

There was no objection.

DEMOCRATS ARE LIKE SIRENS

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

Ms. FOXX. Mr. Speaker, I rise today to set the record straight on some of the false accusations in the debate over the majority’s plan to help reform government and yield savings for American taxpayers. Unfortunately, some Members on the other side of the aisle have decided to attack Republicans with false statements which may sound true, but which actually ring false in their reality.

In fact, the Republican plan will help save and strengthen Medicaid by reducing waste, fraud and abuse, strengthen and simplify the student loan process, reduce our dependence on Middle Eastern oil, restrict illegal immigrant access to food stamps and Medicaid, and reduce the deficit by $50 billion.

The Democrats remind me of the sirens in Greek mythology. Sirens would sing beautiful songs to sailors who were unable to resist the beautiful music and would try to swim or steer their boats to the music. The problem, Mr. Speaker, is that the sirens actually lived on islands of sharp rocks that sank the sailors’ boats or stranded the sailors for eternity.

The Democrats, like sirens, are trying to strand the American public on an island of myth.

SPECIAL ORDERS

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.
IRAQ AND VETERANS DAY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Ms. WOOLSEY) is recognized for 5 minutes.

Ms. WOOLSEY. Madam Speaker, the irony could not be thicker or, for that matter, sweeter. Today, the day before Veterans Day, the Republican leadership failed to gather the necessary votes to pass a shameful budget reconciliation bill that will, among other things, decrease funding for veterans. Somewhere Mr. DeLAY should be left to wonder at the callously efficient arm-twisting regime that he installed in the House has crumbled so quickly.

The sheer audacity of trying to pass a budget reconciliation bill that provides more tax breaks to the wealthy at the expense of important social-net programs for the poor is unbelievable. The programs slated to be cut include health care for veterans, Medicaid, student loans, and child support enforcement.

The idea that America's Republican leaders would slash funding for veterans the day before they should be honoring them would be even more appalling than it already is if it were not so commonplace. In fact, this pattern has repeated itself throughout President Bush's tenure in office.

The U.S. invasion of Iraq in March 2003 coincided with the sharp decrease in veterans health care and other benefits for those who have bravely served in our Nation's military. The backlog at veterans hospitals had never been greater than when the United States went to war in Iraq. Now, with more than half a million soldiers having served in Iraq, the burden on the VA will only increase.

And while the U.S. has spent over $200 billion for military operations and reconstruction in Iraq over the past 2 years, during this same time period the Bush administration and the Republican Congress repeatedly refused to provide veterans with the benefits they have earned and the benefits they deserve.

Our Nation's so-called leaders have continually refused to fix the system called "concurrent receipt," whereby veterans health benefits are deducted from their retirement benefits. This veterans tax is wrong, and it needs to be fixed. Unfortunately, the Republicans in Congress are too busy trying to pass bills that would make the rich even richer, instead of fixing real inequities in our system.

Mr. Speaker, veterans deserve our respect not only on November 11, Veterans Day, but all throughout the year. They deserve our respect, they deserve our support, and they deserve all of the benefits our government has promised them without scrimping, without exception, without escape clauses. They certainly did not offer any excuses when they served in our military.

Six weeks ago, I traveled to Iraq with a small congressional delegation to learn more about the mission and the heroic Americans carrying it out. Nothing I saw changed my mind about the wrongness of our Iraq policy. But one thing did move me: I came away from the trip absolutely awed by our soldiers. They were even more committed, more dedicated, and more courageous than I imagined.

Having met and talked with them, it pains me to the core that their fate rests in the hands of leaders who have failed them time and time again. The men and women who wear the uniform deserve so much more. They deserve civilian leaders who will put their safety before their own political interests. They deserve leaders who would not send them to Iraq on false pretenses on a poorly defined mission without all of the tools they need and without a plan to get them out of there; and they deserve leaders who will give them adequate medical and financial support when they come home.

For all the reasons I have mentioned today, it is time to bring our troops home from Iraq. We need to focus on healing the wounds incurred over the last 2½ years of war and administering to America's domestic priorities. If we want to truly honor our veterans on Veterans Day, the best thing we can do is prevent more veterans from being created. We could do this tomorrow, if we wanted to, by ending the war in Iraq and bringing our troops home. That would be the best gift of all.

The SPEAKER pro tempore (Ms. Foxx). Under a previous order of the House, the gentleman from Indiana (Mr. BURTON) is recognized for 5 minutes.

(Mr. BURTON of Indiana addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DeFAZIO) is recognized for 5 minutes.

(Mr. DeFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Arizona (Mr. FRANKS) is recognized for 5 minutes.

(Mr. FRANKS of Arizona addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes.

(Mr. SCHIFF addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

(Mr. POE addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. EMANUEL) is recognized for 5 minutes.

(Mr. EMANUEL addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. WYNN) is recognized for 5 minutes.

(Mr. WYNN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from California (Mr. GEORGE MILLER) is recognized for 5 minutes.

(Mr. GEORGE MILLER of California addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maine (Mr. ALLEN) is recognized for 5 minutes.

(Mr. ALLEN addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. MCDERMOTT) is recognized for 5 minutes.

(Mr. MCDERMOTT addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to: Mrs. Jones of Ohio (at the request of Ms. Pelosi) for November 8 on account of business in the district.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:
Under clause 8 of rule XII, executive communications were taken from the Speaker’s table and referred as follows:


5132. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration’s final rule—Cold, Cough, Allergy, Bronchodilator, and Antihistamines for Over-the-Counter Human Use: Amendment of Final Monograph for Over-the-Counter Nasal Decongestant Drug Products” (Docket No. 2004N-3269; RIN: 0910-AJ78) received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.


5134. A letter from the Secretary, Department of Energy, transmitting as required by Executive Order 13313 of July 31, 2003, a 6-month periodic report on the national energy plan that was declared in Executive Order 12170 of November 14, 1979, pursuant to 50 U.S.C. 1641(c); to the Committee on International Relations.

5135. A letter from the Director, International Cooperation, Department of Defense, transmitting pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, a copy of Transmittal No. 13-05 which informs of an intent to sign a Project Arrangement (PA) to the Navigation Demonstration and System Prototype Projects Memorandum of Understanding (MOU) between the United States and India for Research, Development, Testing, and Evaluation Projects, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

5136. A letter from the Director, International Cooperation, Department of Defense, transmitting pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, a copy of Transmittal No. 13-06 which informs of an intent to sign a Memorandum of Agreement (MOA) between the United States and Australia, Canada, and the United Kingdom to 22 U.S.C. 2767(f); to the Committee on International Relations.

5137. A letter from the Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 06-18, containing the Navy’s proposed Letter(s) of Offer and Acceptance to Spain for defense articles and services; to the Committee on International Relations.

5138. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, Transmittal No. 06-17, concerning the Department of the Air Force’s proposed Letter(s) of Offer and Acceptance to Greece for defense articles and services; to the Committee on International Relations.

5139. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting the Department’s final rule—Removal of License Requirements for Exports and Reexports to India of Items Controlled Unilaterally for Nuclear Nonproliferation Reasons and Removal of Certain Indian Entitlements from the Entity List” (Docket No. 050822227-5227-01) (RIN: 0999-AF34) received September 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

5140. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting the Department’s final rule—Removal of Certain Indian Entities from the Foreign Military Sales and Accrual of Inherently Governmental Activities for 2005, in accordance with Section 2 of the Federal Budget for Fiscal Year 2005; to the Committee on International Relations.

5141. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a copy of Presidential Determination No. 2005-38 on Transfers of Defense Articles or Services and Brokering Activities for Libya Relating to Disposition of Libyan-owned C-130H Aircraft, pursuant to Section 27(f) of the Arms Export Control Act, certification regarding the proposed transfer of major defense equipment from the Government of the Netherlands to Libya pursuant to Section 27(f) of the Arms Export Control Act; to the Committee on International Relations.

5142. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting a report pursuant to the National Security Personnel Budget Memorandum of Defense, pursuant to 22 U.S.C. 2767(f); to the Committee on Government Reform.

5143. A letter from the Deputy Director, Defense Security Cooperation Agency, transmitting a report pursuant to the National Security Personnel Budget Memorandum of Defense, pursuant to 22 U.S.C. 2767(f); to the Committee on Government Reform.

5144. A letter from the Acting Assistant Secretary for Legislative Affairs, Department of State, transmitting the Department’s final rule—Privacy Act of 1974; Implementation (AAG/A Order No. 007-2005) received September 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.
Activities Inventory Reform Act of 1998; to the Committee on Government Reform.

5157. A letter from the Director, Holocaust Memorial Museum, transmitting a strategic plan to the Holocaust Memorial Museum, as required under the Government Performance and Results Act of 1993; to the Committee on Government Reform.


5159. A letter from the General Counsel, Office of Personnel Management, transmitting the Office's final rule—Federal Employees' Retirement System; Death Benefits and Employee Refunds (RIN: 3396-AK57) received September 1, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5160. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Federal Employees' Retirement System; Death Benefits and Employee Refunds (RIN: 3396-AK57) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5161. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Excepted Service; Career and Career-Conditional Employment (RIN: 3396-AK65) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

5162. A letter from the Director, Selective Service System, transmitting the FY 2005 report pursuant to the Federal Managers' Financial Integrity Act, pursuant to 31 U.S.C. 512(c)(3); to the Committee on Government Reform.

5163. A letter from the Assistant Secretary, Land and Minerals Management, Department of the Interior, transmitting a report on the results and conclusions of environmental investigations of areas of Naval Oil Shame Reserve Number 5 and an estimate of the total costs necessary to address the site's environmental conditions, pursuant to Public Law 105-85; to the Committee on Resources.

5164. A letter from the Assistant Secretary for Policy, Management and Budget, Department of the Interior, transmitting a report on the results and conclusions of environmental investigations of areas of Naval Oil Shame Reserve Number 5 and an estimate of the total costs necessary to address the site's environmental conditions, pursuant to Public Law 105-85; to the Committee on Resources.

5165. A letter from the Secretary, Department of Commerce, transmitting the Department's biennial report on the Administration of the Coastal Zone Management Act by the Office of Ocean and Coastal Resource Management, National Ocean Service, National Oceanic and Atmospheric Administration for fiscal years 2002 and 2003; to the Committee on Resources.

5166. A letter from the Secretary, Department of Commerce, transmitting the Department's final rule—Administrative Wage Garnishment (RIN: 1090-AA89) received July 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5167. A letter from the Assistant Secretary, Policy, Management and Budget, Department of the Interior, transmitting the Department's final rule—Administrative Wage Garnishment (RIN: 1090-AA89) received July 27, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5168. A letter from the Rules Administrator, Bureau of Prisons, Department of Justice, transmitting the Department's final rule—Inmate Fees for Health Care Services (RIN: 0590-0005) received August 12, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on the Judiciary.

5169. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Oswego Harbor Fest Fireworks, Lake Ontario, Oswego, NY (CGD09-05-100) (RIN: 1625-AA90) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5170. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Rohrbach's Ontario Regatta, Hamlin Beach State Park, Monroe County, NY (CGD09-05-101) (RIN: 1625-AA90) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5171. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety Zone; Camp Rilea Offshore Small Arms Firing Range; Warrenport, Oregon (CGD13-05-030) (RIN: 1625-AA11) received September 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5172. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety and Security Zones; Liquefied Hazardous Gas Vessel, Liquefied Hazardous Gas Vessel Transits, New York Marine Inspection Zone and Capport the Port Zone (CGD01-05-072) (RIN: 1625-AA00) received August 11, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5173. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Safety and Security Zones; Sisters Creek, Jacksonville, FL (COTP Jacksonville 05-092) (RIN: 1625-AA00) received August 8, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5174. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Liquefied Hazardous Gas Facility and Designated Vessel Transits, New York Marine Inspection Zone; Capport the Port Zone (CGD01-05-072) (RIN: 1625-AA00) received August 11, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5175. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Homeland Security, transmitting the Department's final rule—Liquefied Hazardous Gas Vessel, Liquefied Hazardous Gas Vessel Transits, New York Marine Inspection Zone; Capport the Port Zone (CGD01-05-072) (RIN: 1625-AA00) received August 11, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5176. A letter from the Director, Regulations and Rulings Division, Alcohol & Tobacco Tax & Trade Bureau, Department of the Treasury, transmitting the Department's final rule—Establishment of the Red Hill Storage Area (2001R-88P) (T.D. TTB-35; Re: ATF Notices Nos. 969 and 966; TTB Notice Nos. 6 and 31) (RIN: 1513-AS93) received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5177. A letter from the Director, Regulations and Rulings Division, Alcohol & Tobacco Tax & Trade Bureau, Department of the Treasury, transmitting the Department's final rule—Establishment of the Dos Rios Viticultural Area (2004R-0173P) (T.D. TTB-34; Re: ATF Notices Nos. 969 and 966; TTB Notice Nos. 6 and 31) (RIN: 1513-AS95) received October 25, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

5178. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department’s “Major” final rule—Medicare Program; Home Health Prospective Payment System Rate Update for Calendar Year 2006 (CMS-1301-F) (RIN: 0938-AN44) received November 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

5179. A letter from the Regulations Coordinator, CMS, Department of Health and Human Services, transmitting the Department’s “Major” final rule—Medicare Program; Home Health Prospective Payment System Rate Update for Calendar Year 2006 (CMS-1301-F) (RIN: 0938-AN44) received November 3, 2005, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. OXLEY: Committee on Financial Services. H.R. 414. A bill to facilitate recovery from the effects of Hurricane Rita and Hurricane Katrina by providing greater flexibility for, and temporary waivers of certain requirements and fees imposed on, depository institutions, credit unions, and Federal regulatory agencies, and for other purposes (Rept. 109-232). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 679. A bill to direct the Secretary of the Interior to convey a parcel of real property from Beaver County, Utah (Rept. 109-261). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 538. A bill to redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the “Bob Hope Memorial Library” (Rept. 109-284). Referred to the Committee of the Whole House on the State of the Union.

Mr. POMBO: Committee on Resources. H.R. 1654. A bill to authorize the Secretary of the Interior to convey a parcel of real property from Major County, Oklahoma (Rept. 109-292). Referred to the Committee of the Whole House on the State of the Union.
Mr. POMBO: Committee on Resources.

Mr. CANNON: Committee on Resources.

Mr. SODREL: Committee on Resources.

Mr. HYDE: Committee on International Relations.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. FRANK of Massachusetts (for himself, Mr. GRORUD MILLER of California, Ms. LEE, Mr. FELSENGANG, Mr. RALPH ALLEN, Mr. SABO, and Ms. VELÁZQUEZ):

H.R. 4301. A bill to amend the Securities Exchange Act of 1934 to require additional disclosure to shareholders of executive compensation; to the Committee on Financial Services.

By Mr. POMBO (for himself and Mr. RAGALLI):

H.R. 4302. A bill to amend Public Law 107-153 to further encourage the negotiation of tribal claims; to the Committee on Resources.

By Mr. WAXMAN (for himself, Mr. DINELL, Mr. RANGEL, Mr. BROWN of Ohio, Mr. STARK, Mrs. CAPPS, Ms. SCHAKOWSKY, Mr. BACA, Ms. BALDWIN, Mr. BIEDEN, Mr. BRADY of Pennsylvania, Mr. HUNTER, Mr. JUN, Mr. LEE, Mr. MILLER of California, and Ms. SCHAKOWSKY):

H.R. 4303. A bill to amend titles XVIII and XIX of the Social Security Act to establish a program to provide benefits to persons with disabilities related to service-connected injuries or sickness; to the Committee on Education and the Workforce.

By Ms. SCHAKOWSKY, Mr. BACA, Ms. BALDWIN, Mr. BIEDEEN, Mr. RANGEL, Mr. SABO, and Ms. VELÁZQUEZ:

H.R. 4304. A bill to designate the Republic of Korea as a program country under the Violence Against Women Act; to the Committee on the Judiciary.

By Mr. BRIDGES: H.R. 4305. A bill to amend the Internal Revenue Code of 1986 to provide increased expensing for section 179 property in the Gulf Opportunity Zone; to the Committee on Ways and Means.

By Ms. POE (for himself, Mr. SOUDER, Mr. CULKERS, Mr. MUSGRAVE, Mr. KENNEDY of Minnesota, Mr. PITTS, Mrs. MYRICK, Mr. GINGRITY, Mr. GOODLATTE, Mr. GUTENRICH, Mr. DOOLITTLE, Mr. RATHBUN, Mr. McCALDIE of Texas, Mr. BOUSTANY, Mr. MARCHANT, Ms. FOXX, Mr. GOMHER, and Mr. HOSTETTLER):

H.R. 4306. A bill to amend title I of the Social Security Act to eliminate the prohibition on state Medicaid programs paying for services provided by an institutional provider to an individual who is a beneficiary of such program; to the Committee on Education and the Workforce.

By Mr. BOREN:

H.R. 4307. A bill to require the President to present a gold medal on behalf of the Congress to the Chocotaw Code Talkers in recognition of their contributions to the Nation, and for other purposes; to the Committee on Financial Services.

By Mr. FERGUSON (for himself, Mr. BROWN of South Carolina, Mr. GOODE, Mr. SANDBERS, and Mr. UDALL of Colorado):

H.R. 4308. A bill to amend the Internal Revenue Code of 1986 to extend the credit for renewable energy property and certain energy efficient property and certain expiring provisions of the energy credit; to the Committee on Ways and Means.

By Ms. BALDWIN:

H.R. 4309. A bill to require the Secretary of the Interior to provide financial information related to certain funding provided to nongovernmental organizations by the Department of the Interior; to the Committee on International Relations.

By Mr. ROGERS of Alabama (for himself, Mr. McCALDIE of Texas, and Mr. PEARCE):

H.R. 4312. A bill to require the Secretary of Homeland Security to annually compile data relating to unauthorized aliens who cross the borders into the United States; to the Committee on Homeland Security.

By Mr. WAXMAN (for himself, Ms. SOLTIS, Ms. SLAUGHTER, and Mr. FALZONE):

H.R. 4313. A bill to amend the Toxics Substances Control Act to reduce the exposure of children, workers, and consumers to toxic chemical substances; to the Committee on Energy and Commerce.

By Mr. WU:

H.R. 4314. A bill to amend title 38, United States Code, to improve services for veterans residing in rural areas; to the Committee on Veterans’ Affairs.

By Mr. BROWN of Ohio (for himself, Mr. JONES of Ohio, Mr. McCALDIE of Ohio, Mr. MALuces, Mr. SHAW, Mr. WATSON, Mr. WEXLER, Mr. WILSON of South Carolina, Mr. KLINE, Mr. COLE of Oklahoma, Mr. WESTBERG, Mr. ISA, Mr. WELDON of Florida, Mr. PORTENBERGER, and Mr. OSWALD):

H.R. 4315. A bill to amend the Internal Revenue Code of 1986 to provide increased expensing for section 179 property in the Gulf Opportunity Zone; to the Committee on Ways and Means.

By Mr. NADER:

H.R. 4316. A bill to amend the Internal Revenue Code of 1986 to provide increased expensing for section 179 property in the Gulf Opportunity Zone; to the Committee on Ways and Means.

By Ms. BLACKHURST, Mrs. BLACKHURST, and Mr. FORD: H.R. 4317. A resolution expressing the sense of Congress that there is no honor in “honor killings”; to the Committee on International Relations.

By Ms. ROSE-LIGHTNIN (for herself, Mr. ACKERMAN, Mr. LANTOS, Mr. CHABOT, Mr. BIERMAN, Mr. PINCE, Mr. ENDEL, Mr. BURTON of Indiana, Mr. MCCOTTER, Mr. ISA, Mr. PITTS, Ms. WATSON, Mr. WINCHESTER of South Carolina, Mr. TANCREDO, Mr. PEH, Mr. SHAHS, Mr. CROWLEY, Mr. ABERCOMBREE, Mr. CAPUANO, and Mr. BLUMENAUER):

H.R. 4318. A bill to designate the Republic of Korea as a program country under the Violence Against Women Act; to the Committee on the Judiciary.

H.R. 4319. A bill to designate the Republic of Korea as a program country under the Violence Against Women Act; to the Committee on the Judiciary.
By Mr. MURPHY (for himself, Mr. PITTS, Mr. POE, Mr. RYAN of Kansas, Mrs. MYRICK, Mr. GINGRICH, Mr. KING of Iowa, Mr. GARRETT of New Jersey, Mr. KUHL of New York, Mr. PRICE of Georgia, Mr. McHENRY, Mr. JINDAL, Mr. ISA, Mr. DOOLITTLE, Mr. CHOCOLA, Mr. BARRETT of South Carolina, Mr. GOMERST, Mr. ADERHOLT, Mr. KLINE, Mr. WESTMORELAND, Mr. TIAHRT, Mr. COLE of Oklahoma, Mr. WAMP, Mr. PORTENBERGER, Mr. RYAN of Wisconsin, Mr. BARTLETT of Maryland, Mr. ROHRABACHER, Mrs. MUSGRAVE, Mr. MURPHY of North Carolina, Mr. FRANKS of Arizona, Mr. CULBERSON, Mr. CANNON, Mr. HENSARLING, Mrs. CURIN, Mr. AKIN, Mr. KING of Iowa, Mr. BACHUS, Mrs. TO ANG of Texas, Mr. ROYCE, Mr. HERGER, Mr. MILLER of Florida, Mr. BURGESS, Mr. NEUGEBAUER, Mr. MCCAUCL of Texas, Mr. HAYTOWTH, Mr. STEAKS, Mr. BURTON of Indiana, Mrs. MYRICK, Mr. FOXX, Mr. NORWOOD, Mrs. MUSGRAVE, Mr. HART, and Mrs. BLACKBURN): H. Res. 548. A resolution honoring National Review magazine on its 50th anniversary for its contribution to the national political discourse; to the Committee on Government Reform.

PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, Mr. FITZPATRICK of Pennsylvania introduced a bill (H.R. 5310) to authorize and request the President to award the Medal of Honor to Richard Greasko, of Newtown, Pennsylvania, for acts of valor in the Republic of Vietnam on March 11-12, 1969, while serving as a lance corporal in the Marine Corps during the Vietnam War; which was referred to the Committee on Armed Services.

ADDITIONAL SPONSORS

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

H.R. 202: Mr. ENGEL.
H.R. 292: Mr. EFSTATHIOU and Mr. HALL.
H.R. 475: Mr. CUMMINGS and Mr. ROTHMAN.
H.R. 601: Ms. WATSON, Mr. CONYERS, Mr. KILPATRICK of Michigan, and Ms. MATSUI.
H.R. 697: Mr. ROGERS.
H.R. 698: Mr. ROUGHS of Alabama, Mr. FORBES, Mr. BOOZMAN, Mrs. DRAKE, and Mr. WELDON of Florida.
H.R. 856: Mr. GILCHREST of Georgia.
H.R. 864: Mr. ABERCOMBIE.
H.R. 983: Mrs. SANDERS.
H.R. 1053: Mr. FLATTS and Mr. FITZPATRICK of Pennsylvania.
H.R. 1107: Mr. HONDA.
H.R. 1131: Mr. SERRANO.
H.R. 1141: Mr. ADERHOLT, Mr. UPTON, Mrs. BONO, Mr. SCOTT of Georgia, and Mr. KINGSTON.
H.R. 1204: Ms. MCKINNEY and Mr. CUELLAR.
H.R. 1246: Mr. CUNNINGHAM.
H.R. 1297: Mr. SHAYS.
H.R. 1415: Mr. GRAJALVA.
H.R. 1416: Ms. DEGETTE, Mr. ACKERMAN, Mr. CROWLEY, Ms. MATSUI, Ms. McCOLLUM of Minnesota, Mrs. MALONEY, and Ms. DEFUO.
H.R. 1424: Mr. OBERSTAR.
H.R. 1498: Ms. SCHAKOWSKY, Mr. HEFLY, and Mr. SHEUSTER.
H.R. 1526: Mr. CONYERS and Mr. RUPPERSBERGER.
H.R. 1636: Mr. KENNEDY of Rhode Island.
H.R. 1668: Ms. SOLIS, Mr. DAVIS of Illinois, and Mr. TIERNEY.
H.R. 1704: Ms. DEGETTE and Mr. FATTAH.
H.R. 1898: Mr. MICA.

H.R. 1490: Mr. CARSON.
H.R. 1951: Mrs. LOWEY and Mr. REHEIS.
H.R. 2012: Mr. LAHOOD.
H.R. 2039: Mr. ALLEN.
H.R. 2066: Mr. OTTO.
H.R. 2180: Mr. BRADY of Texas.
H.R. 2233: Mr. FRANK of Massachusetts.
H.R. 2238: Mr. PICKERING and Mr. FOLEY.
H.R. 2268: Mr. CLAY and Mr. CARSON.
H.R. 2671: Ms. SOLIS and Mrs. CAPPS.
H.R. 2682: Mr. GRIJALVA.
H.R. 2694: Mr. SALAZAR.
H.R. 2715: Mr. DEFAZIO.
H.R. 2717: Mr. HIGGINS, Mr. WYN, and Mr. SANDERS.
H.R. 2738: Mr. BAIRD, Mr. SHAW, and Mr. SULLIVAN of Washington.
H.R. 2803: Mr. McHENRY, Mr. LATHAM, Mr. DUNCAN, and Ms. BERKLEY.
H.R. 2669: Mr. DOYLE.
H.R. 2862: Mr. RYAN of Wisconsin.
H.R. 3005: Mr. ALLEN, Mr. FATTAH, Ms. DEGETTE, and Mr. FITZPATRICK of Pennsylvania.
H.R. 3006: Mr. FATTAH and Mr. WEXLER.
H.R. 3068: Mr. FATTAH and Mr. GENE GREEN of Texas.
H.R. 3127: Ms. VELÁZQUEZ.
H.R. 3136: Mr. LIFTSKE, Mr. OWENS, Mrs. MOONEY, Mr. LARSEN of Washington, Mr. ROSS, and Mr. FARR.
H.R. 3301: Mr. PENCE.
H.R. 3312: Mr. LARSON of Connecticut.
H.R. 3373: Mr. JACKSON of Illinois, Mr. HOSTETTLER, Mr. NADLER, and Mr. HINOJOSA.
H.R. 3438: Mr. CONYERS.
H.R. 3476: Mr. MENENDEZ.
H.R. 3555: Mr. INSLEE.
H.R. 3560: Mr. GRIJALVA.
H.R. 3561: Mr. CAPUANO and Mr. UDALL of New Mexico.
H.R. 3616: Mr. FORD, Mr. DICKS, Mr. KING of New York, Mr. GILCHREST, Mr. PALLONE, Mr. ETHERIDGE, Ms. BONO, Mr. ENGEL, Mr. RANGEL, Mrs. JONES of Ohio, Mr. CLAY, Mr. LYNCH, and Mr. ISRAEL.
H.R. 3617: Mr. KENNEDY of Minnesota and Mr. RYAN of Ohio.
H.R. 3630: Ms. WALDEN of Oregon.
H.R. 3639: Mr. VAN HOLLEN.
H.R. 3774: Mr. HINOJOSA.
H.R. 3658: Ms. PRICE of North Carolina, Mr. DELANEY of Georgia, Mr. FOLEY, and Mr. HASTINGS of Florida.
H.R. 3883: Mr. BISHOP of Georgia, Mr. DAVIS of Alabama, Mr. HAYES, Mr. WU, Mr. ROGERS, and Mr. NICHOLSON of Mississippi.
H.R. 3917: Mr. Berman.
H.R. 3931: Mr. CASTLE.
H.R. 3949: Mr. MCCOTTER, Mr. MENENDEZ, and Mr. RAMSTAD.
H.R. 3954: Mr. CUMMINGS.
H.R. 3960: Mrs. DRAKE, Mr. KLINE, and Mr. EVERETT.
H.R. 3985: Mr. UDALL of Colorado, Mr. TOWNS, Mr. SNYDER, Mr. REICHERT, Ms. DELAURO, Mr. MOORE of Kansas, Mr. TIERNEY, Ms. ESCH, Mr. RAYES, Mrs. CARSON, Mr. HINCHey, Mr. FARR, Mr. BASS, Mr. THOMPSON of California, Mr. LANTOS, Mr. STUPAK, and Mr. DAVIS of Alabama.
H.R. 4015: Mr. SHADEGO.
H.R. 4022: Mr. SIMMONS, Mr. SHIRMAN, and Mr. GRIJALVA.
H.R. 4072: Mr. GILLMORE.
H.R. 4082: Mr. LEWIS of Kentucky and Mr. HERGER.
H.R. 4097: Mr. FORSELLA.
H.R. 4099: Mr. RODGERS of Alabama, Mr. SMITH, Mr. CARTER, and Mr. BURGESS.
H.R. 4136: Mr. WELDON of Pennsylvania.
H.R. 4156: Ms. ZOE LOFgren of California, Mr. SERRANO, Ms. WASSERMAN SCHULTZ, and Mr. COOPER.
H.R. 4157: Mr. KENNEDY of Minnesota.
H.R. 4158: Mr. MOORE of Kansas, Ms. EDDIE BERNICE JOHNSON of Texas, and Ms. LEE.
H.R. 4196: Mr. HOLT.  
H.R. 4207: Mr. CANTOR.  
H.R. 4222: Mr. SIMMONS and Mr. RUPPERSBERGER.  
H.R. 4223: Ms. WATSON, Mr. RAHALL, Mr. McGovern, Mr. MEEHAN, Mr. CUELLAR, and Mr. HONDA.  
H.R. 4229: Ms. CARSON, Mr. CUMMINGS, and Ms. ZOE LOFGREN of California.  
H.R. 4238: Mr. ROGERS of Alabama, Mr. BONILLA, Mr. SMITH of Texas, Mr. NEUGEBAUER, Mr. CULBERSON, Mr. SESSIONS, Mr. BRADY of Texas, Mr. ROYCE, and Mr. CARTER.  
H.R. 4253: Mr. McCaul of Texas.  
H.R. 4259: Ms. McKinney, Mr. Moore of Kansas, Mr. BOYD, Mr. KUCINICH, and Mr. BERRY.  
H.R. 4263: Mr. KILDRE, and Mr. FRANK of Massachusetts.  
H.R. 4265: Mrs. Jo Ann Davis of Virginia, Mr. RYAN of Ohio, Mr. SMITH of New Jersey, and Mr. FORTENBERRY.  
H.R. 4267: Mr. Salazar.  
H.R. 4238: Mr. Rogers of Alabama, Mr. Bonilla, Mr. Smith of Texas, Mr. Neugebauer, Mr. Culberson, Mr. Sessions, Mr. Brady of Texas, Mr. Royce, and Mr. Carter.  
H.R. 4253: Mr. McCaul of Texas.  
H.R. 4259: Ms. McKinney, Mr. Moore of Kansas, Mr. Boyd, Mr. Kucinich, and Mr. Berry.  
H.R. 4263: Mr. Kildre, and Mr. Frank of Massachusetts.  
H.R. 4265: Mrs. Jo Ann Davis of Virginia, Mr. Ryan of Ohio, Mr. Smith of New Jersey, and Mr. Fortenberry.  
H.R. 4267: Mr. Salazar.  
H.J. Res. 3: Mr. Boren.  
H. Con. Res. 90: Mr. Gordon.  
H. Con. Res. 290: Mr. Cuellar.  
H. Con. Res. 284: Mrs. Jo Ann Davis of Virginia, Mr. King of New York, Mr. Boozman, Mr. Cardin, Mr. Wilson of South Carolina, and Mr. Kingston.  
H. Res. 85: Mr. Hayworth.  
H. Res. 166: Mr. Doyle.  
H. Res. 296: Mrs. Christensen.  
H. Res. 411: Mr. Conyers.  
H. Res. 466: Mr. Kline.  
H. Res. 477: Mr. McHattie.  
H. Res. 498: Mr. Upton.  
H. Res. 517: Mr. Mooney of Kansas.  
H. Res. 524: Mr. Pallone and Mr. Hastings of Florida.
The Senate met at 9:30 a.m. and was called to order by the Honorable JOHN E. SUNUNU, a Senator from the State of New Hampshire.

PRAYER

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

Let us pray.

Eternal Spirit, fountain of wisdom, reveal to us the path that leads to the fulfillment of Your will. Illuminate the minds of our Senators that they will accomplish Your purposes. Thwart the plans of the enemies of peace.

As Veterans Day approaches, we ask You to give wisdom to our military people in harm’s way that they will be instruments of Your providence. Lord, hasten the day when peace will reign.

Empower the citizens of this Nation to live with integrity so that You will hear our prayers and heal our land. Give us wisdom today to see what we ought to do, courage to begin it, fidelity to continue it, and skill to complete it.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable John E. Sununu led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
President pro tempore,

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable John E. Sununu, a Senator from the State of New Hampshire, to perform the duties of the Chair.

Ted Stevens, President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. Frist. Mr. President, today, following the 1 hour for morning business, we will resume work on the Department of Defense authorization bill. Under the agreement reached last night, we have two rollover votes to begin at 11:30 this morning. The first vote is on Senator Talent’s amendment relating to C–17s, and the second vote is in relation to the Dorgan amendment on a special committee. Yesterday, we made good progress on the bill, and we will finish the bill today.

In addition to a couple amendments already pending, there are only a few remaining amendments in order to be offered. Senators should be prepared to offer those amendments this morning. I hope we can finish this bill at a reasonable time today. I encourage the two managers to move forward with the bill if Senators do not show up to offer their amendments. We must finish the Defense bill today, along with three appropriations conference reports that are now at the desk. I do not expect a great deal of debate on those conference reports, but we will need to schedule rollover votes on each.

Having said that, we will have a full day of voting to finish our work, but with the cooperation of Senators, we can complete our work at a reasonable time today.

JORDAN BOMBINGS

Mr. Frist. Mr. President, yesterday the world received the sobering news that a series of three explosions struck Jordan’s capital city of Amman. At least 57 innocent civilians were killed in the immediate blast, and well over 100 were wounded.

In an apparently coordinated attack, terrorists targeted three large hotels that are frequented by Americans. Indeed, when I traveled to Jordan, I stayed at one of those hotels, as many in this body have in the past. One of the blasts occurred during a wedding party of over 300 guests. We have seen over the course of the night and the morning those pictures displayed on television.

On behalf of the Senate and the American people, I express my heartfelt condolences to the victims, their families, and the Jordanian people. I condemn in no uncertain terms the perpetrators of this grievous attack. It is an attack on all free peoples. It is an attack on civilization. Together, we will help the Government of Jordan, if requested, to hunt down the criminals responsible for this egregious event and bring them to justice.

Throughout the global war on terrorism, Jordan has been our steadfast partner, a reliable partner of our country. King Abdullah has bravely spoken against Islamic terrorism and extremism in the Arab world. Under his leadership, Jordan has demonstrated their commitment to peace, stability, and moderation.

Yesterday’s violence against the Jordanian people is another reminder of the indiscriminate brutality and vicious nature of the terrorist enemy. My Senate colleagues and I renew our call on the international community to redouble its efforts to defeat the terrorists and dismantle their networks. Defeating terrorism is the duty of all civilized nations. It is the challenge of our age.
The United States stands shoulder to shoulder with the people of Jordan during this difficult time. We share their grief and their determination to bring the killers to justice.

Mr. President, I yield the floor.

RESERVATION OF LEADER TIME
The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS
The ACTING PRESIDENT pro tempore. Under the previous order, there will now be a period for the transaction of morning business for up to 1 hour, with the first half of the time under the control of the majority leader or his designee and the second half of the time under the control of the Democratic leader or his designee.

The Senator from Idaho.

116TH BRIGADE COMBAT TEAM IN IRAQ
Mr. CRAIG. Mr. President, tomorrow and through the weekend, we will be celebrating Veterans Day. I thought it was appropriate that I come to the Chamber this morning for two purposes. First, as chairman of the Veterans’ Affairs Committee in the Senate, I have had the distinct pleasure of working with the VA and working with veterans across this country over the last year to not only provide them the services they need to improve their lives but to recognize the changing scene of veterans health care and the new veterans that are being created out of the conflict in Iraq and Afghanistan and the kind of care and service those brave young men and women will need as they return home, some of them certainly not as physically or mentally whole as we would like.

Because of their tremendous service to our country in the war on terrorism, I can say very proudly that this Congress and our committee and the Veterans’ Administration have clearly stepped up to do what is right and appropriate in the recognition of the time-honored care we have provided for our veterans down through the decades and down through the conflicts in which America found itself, in the preservation of our freedom and the advancement of all peoples around the world.

Idaho played a unique role this year, and I am here today to talk about the Idaho National Guard 116th Brigade Combat Team that is now returning from service in Iraq. For the last 18 months, these brave men and women have made a tremendous sacrifice to be away from their families and friends to defend our Nation and work to build a stable and prosperous Iraq. For that, I am extremely grateful to all of them.

It is important to remember that the soldiers of the National Guard are civilians first and soldiers second. They are our doctors and our business men and women, plumbers, farmers, teachers. Yet they have all answered their country’s call to action during this time of need. The skills these civilian soldiers bring to the table have proven to be indispensable in helping our work side by side with the Iraqi people to restore the critical infrastructure, establish a thriving economy, and promote a free and prosperous system of government.

Earlier this year, I had the privilege, once again, to visit Iraq—it was my second time while we have been engaged there in the war on terrorism—fulfilling a promise I had made to the 116th as I and the delegation and the Governor saw them off now over a year ago. So I was extremely proud to be there and to see this phenomenally enthusiastic civilian soldier in his or her work area as they did what they do so very well in a very courageous and skilful manner.

These civilian skills not only were essential to provide the security for the Iraqi people, but they also provided the essential ongoing construction efforts. I was humbled to have that opportunity to work with these fine young men and women on the battlefield in Iraq and to express the gratitude of the people of the State of Idaho and our Nation for these efforts.

I also had the opportunity for what they did, but what is phenomenal is the feedback we received from the Iraqi Government officials regarding the work of the 116th. As I say, these are unique soldiers. The Iraqi people saw that and understood that these were really civilians who had tremendous talents in civilian life, and they incorporated that not only in the protection and the soldiering that went on there but in the rebuilding of the Iraq government institutions, and the de-escalation of the basic and critical infrastructure about which I talked. These soldiers handled it with the difficult and dangerous task of maintaining the peace and stability in some very hostile environments. Yet they continued their mission, and they handled it with tremendous honor.

The members of the 116th have spent 12 months in Kirkuk and other areas within that region. Their mission was to provide for the security of the people of Iraq against insurgents and terrorist attacks, establishment of self-reliant governmental institutions, and the reconstruction of the basic and critical infrastructure. Their two overriding missions were overseeing the successful national elections in January and the national referendum vote on October 15. Both of these missions were tremendously successful. I know about that. This is exactly what our President had proposed and laid out before us.

While Americans and Members of Congress are tremendously anxious about the war currently going on in Iraq, as hard as is our on the schedule and on course to do exactly what we set out to do to help the citizens of Iraq in standing up for government, providing a representative form of government, and stabilizing that area of the world. The 116th from Idaho, these tremendous civilian soldiers, participated in that, and I must tell you that in representing the largest deployment from the State of Idaho that has ever happened in its history, I stand as Idahoans today tremendously proud of the work they did.

The good news is, they are coming home, and most of them will be home for Thanksgiving. We will be glad to see them back with their families and back in their communities and re-assuming their civilian lives and doing that not only for the Idaho National Guard but for all guardsmen and reservists around the country. As chairman of the Veterans’ Affairs Committee, working with the Secretary of the VA, holding hearings in Idaho and other places around the country, we want to make sure that this transition back into civilian life is as seamless as possible.

These are men and women who have been at war. To simply step out of a war zone and step into their community is not going to be an easy task. Yet that is exactly what a civilian citizen soldier does. Whether it is the Idaho 116th or whether it is the tens of thousands of other guardsmen, men, women, and reservists around the country, we owe them a phenomenally debt of gratitude for the work they have done.

You see, we have a system within our military that it is not just the active soldier who serves so well, but it is that citizen soldier, our friends and neighbors in our communities across the country, such as the 116th of Idaho, who continue to serve and, in a time of war, serve with honor and dignity.

As we celebrate Veterans Day tomorrow and this weekend, recognizing those who have stood in harm’s way and in many instances have given their lives so our lives could be freer, let’s remember those who are serving in Iraq, be it the active soldier or be it the Guard or Reserve, for they are all one and their missions are all the same. The 116th of Idaho Brigade Combat Team has made Idaho extremely proud.

I yield the floor.

The ACTING PRESIDENT pro tempore. The Senator from Alabama.

THE WAR IN IRAQ
Mr. SESSIONS. Mr. President, I want to express my appreciation for Senator CRAIG’s comments. I think they are so appropriate as we approach Veterans Day. Tomorrow and this weekend, as he said, it is important that we give gratitude to these soldiers. But it is also very important—maybe even more important—that this Senate and this Congress give our support to them, we back them up, we affirm them in the course of their noble service and not undermine what they are doing by thoughtless and unfair criticisms. That is what is on my heart today and I
Afghanistan today. We have soldiers pleased and said it was a good and went so well, virtually everyone was Senate supported military action. We supported that. And when Mullah over bin Laden or face military action.

The military action in Afghanistan went well. But make no mistake, we Senators knew the mission was dan- gerous. Saddam possessed a more than 100,000 casualties than occurred in that effort. The credit goes to our military's brilli- ant tactics.

At this same time, Iraq was con- tinuing its systematic, illegal, and un- conscionable actions against its own people, against the United States, and against the United Nations—contin- uing violation of 16 U.N. resolutions. These resolutions in essence were a re- sult of Iraq's plea for peace after the coalition forces ejected it from the na- tion. U.N. approval in this case has not been forgotten. Surely this Senate has not forgotten that. Surely we re- member that Saddam's Iraq had, by surprise and brutality, attacked and occupied its peaceful neighbor Kuwait. At the time, many countries, led by the U.S., in the lead, the coalition demanded that Saddam withdraw or face military force.

In 1991, he refused and, in a brilliant strike, our forces, under the command of Gen. Norman Schwarzkopf, forc- ibly ejected Saddam's military from Kuwait and liberated that nation. Then Kuwait's was a responsible voice on the world scene, as it is today.

To stop the coalition forces from moving to Baghdad to remove him from office, Saddam made a series of agreements under the supervision of the United Nations. He did not keep them, of course. First he declared he had not lost the war but was in fact the victor. Such a statement was a clear indication of his plans to continue his drive to dominate that region and to bring Saddam into compliance, but the U.N. plan was developed to allow the sale of Iraq's oil so food could be made available to the Iraqi people. He cheat- ed on the Oil for Food Program to re- build his military and his personal pal- ces, leaving millions of his own people hungry.

He attacked his own people, brutally repression of the Shiites in the south and the Kurds in the north. He had earlier used poison gas, a weapon of mass de- struction, against his own people, the Kurds. He effectively ejected U.N. in- spectors and refused to provide assur- ance that he was not creating or was not in possession of weapons of mass destruction. He had previously prom- ised not to possess or develop these weapons. He fired missiles regularly at American and British aircraft as they sought to enforce the no-fly zones to protect the Kurds and the Shites from oppression.

In response, President Clinton and President Bush authorized hundreds of military responses against Iraq, drop- ping bombs on military positions and carrying out missile strikes. Surely we have not forgotten—we were in a state of hot hostility with Iraq, leading up to our decision to remove him from power.

The megalomania of Saddam, and his brutality, presented the decent nations of the world with a direct challenge. With the growth of terrorism that had culminated in the 9/11 attacks, and the shredded that it became clear that the reconstituting of Saddam's forces in violation of the United Nations could not be allowed to continue. Once again, our Nation led a huge international coalition to demand that he comply with the U.N. resolu- tions. The vote in this Senate to au- thorize that and to insist that he com- ply and use force if he refused to do so was 78 to 22, with a clear majority of our Democratic Senators in support to authorize military force with or without U.N. approval he refused to comply with these resolutions.

Our decision was not taken lightly or in haste. The issue had been openly dis- cussed for months. The Senate debate was full and free. Most felt there was no other option.

I remember the Economist magazine of London said the embargo was fail- ing. We either give up or fight. They concluded in their editorial: Our choice is to fight. The British Government came to the same conclusion, as did many others.

Of course, our vote was consistent with the 1999 resolution of this Senate signed by President Clinton to make it the official policy of our Government to effect a regime change in Iraq, so bad had Saddam's actions become even at that time. Still, there was no rush to war. President Bush powerfully made his case abroad and at the U.N. Countless efforts were undertaken to have Saddam into line, but they all failed. The demands on Sad- dam became more and more direct, the warnings more and more explicit, and his utter refusal to comply with the agreements on weapons inspections and other U.N. resolutions became more and more obvious. He had made up his mind. The stark reality became clear. He would not ever voluntarily comply. He thought he could break the coali- tion, that we would not invade, that he could continue on with what he said, working directly with the people of Afghanistan to try to lift them up and give them a period of sunshine and peace, after dec- ades of war. These good results hap- pened, however, not because we voted to authorize force but because this Na- tion was able to call on great soldiers, sailors, airmen, and marines to go into harm's way, facing what they had to know was a danger, to execute the policy we voted for and that the President was authorized to execute.

The military action in Afghanistan went well. But make no mistake, we Senators knew the mission was dan- gerous. Saddam possessed a more than 100,000 casualties than occurred in that effort. The credit goes to our military's brilli- ant tactics.
defeat one of the world’s largest armies, to effect a regime change in Iraq. The men and women of our military heard their Nation’s call, as they have for so many years. They responded with professionalism, courage, and determination. They challenged relatively quickly in the face of our aggressive forces executing General Frank’s superb battle plan. While the effort was fraught with dangers, as our media told us every night, and indeed there was considerable tough fighting, our soldiers were again magnificent. We all rejoiced to see the Iraqi celebrations break out.

Some said, What happened to the celebrations? They were there. We saw them on TV, to see the fall of the statue of Saddam. The coalition then set about to help this exhausted nation, brutalized by decades of oppression, rebuild itself with freedom and prosperity.

While the initial military conflict went better than we could have hoped, our vision for a prosperous and democratic Iraq is still on track. But it definitely has presented more difficulties than most of us anticipated. It has been hard. It has been difficult. Suicide bombers persist in their hateful bombings. Terrorists are still active against our forces and the people in Iraq, attacking our people. Still, despite the violence, initial elections were completed with blue fingers held high and a separate election ratified the Constitution. Now the first democratic elections are set for December and are on track. Vicious, terroristic suicide bombers remain. While they will be able to inflict suffering and fear on the people of Iraq and death on our soldiers, their efforts are and must be doomed. The terrorists have no plan. They simply desire, like Saddam, to seize power and run Iraq for their own purposes, to control the reins of power for their own radical and twisted purposes.

But, our military personnel, soldiers, marines, sailors, and airmen, all one force, have performed magnificently. I have been to Iraq three times, and visited with active, Guard and Reserve units. The soldiers are so proud of them. They have not whined or advocated retreat. They want the war to be successful. Every day they go out on patrol placing their lives on the line for America. Because in this Republic, the proper governmental authorities of the people have spoken.

Consistently, they tell me, their parents, and their friends that they believe in what they are doing. They know the Iraqi people want a better life. They, by countless acts of kindness and courtesy, amid the violence and strain of war, work to create good will, to explain democracy, and promote the idea to help the Iraqi people to have a better life, and then they want to come home.

You bet they want to come home. But they truly desire that our noble goal, their mission for a better Iraq, be realized. Who, more than our soldiers, knows the dangers from hidden and sneak attacks? Who knows the reality on the ground better than they? Certainly not the television networks constantly focusing on violence and contention who drop in and bag out.

But, colleagues, the greatest concern our soldiers have is that this Senate, our Congress, will lose its nerve and pull back before the job is done. You see, losing our nerve and undermine what they have accomplished by blood and sweat.

While remarkably steadfast and determined, they do not like what they see from Congress or the media. Their success ignored, the problems exaggerated. Their errors are highlighted. I am particularly concerned that our Senate debate in recent months has become infected by personal animosity and political venom. The criticism out of Congress is astounding. It was somewhat understandable last year, when we were in a Presidential election campaign, that the political language would be overheated. But, now, after the American people have affirmed President Bush’s leadership by reelecting him with the first majority vote for President in many years, there seems to be a blind force driving some of my Democrat colleagues to prove their votes for military force in Iraq were wrong, and that our election was not an affirmation of our Nation’s bipartisan Iraqi policy, but that this policy was a result of “lies.” What false and damaging rhetoric this is. I urge my colleagues to remember that the world, our enemies, and our soldiers fighting for our policies are listening. While there were intelligence failures, our leaders did not lie us into war. We Senators heard the same intelligence estimates and we voted to authorize war. The truth is abroad the intelligence and we authorized those hostilities. Some of the intelligence was wrong, but it was not wrong that an unleased Saddam, freed from his box, would again become a dangerous threat to world peace. That is a true fact. That is a strategic issue we faced. As we wrestle over the intelligence failures that occurred, we must not overreact. This Senate should never parrot the false charges of our enemies. If we make errors, confront them honestly and fix them. That is our Nation’s position in the world, encouraging the enemy to falsely believe the U.S. is divided, and leading the enemy to believe that we may quit if they can just kill a few more American soldiers or marines is wrong, wrong, wrong. Political animosity in some cases seems to have so infected our rhetoric that criticism has become not constructive but destructive. So my plea to my colleagues is insistent. Please remember that the world hears what we say here. Please remember that exaggerated political charges can do more than sting officials at home. The issuance of the existence of weapons of mass destruction in Iraq was important, but it was the strategic recognition that an unrepentant and triumphant Saddam, unloosed from the U.N. embargo and in acting violation of 16 Bush Resolutions, was an fundamental threat to us and to the world. And we certainly all knew that weapons of mass destruction would surely be his easiest tool for international intimidation.

The United Nations’ final report when they exited the country concluded that Saddam had weapons of mass destruction and virtually all intelligence agencies in the world, including the French, who certainly were not under, our control agreed. The Intelligence Committee report, phase I, unanimously passed 17 to 0, concluded, however, that the intelligence given to the President and Congress was wrong in the final vote. The report concluded that President Bush was not lying to the American people. And importantly, the report concluded that the intelligence community was not pressured to alter or shape their views to please the President or anyone else.

Another major report, the Robb-Silberman Report—Senator Robb, a former Democratic Member of this body, was cochairman—on weapons of mass destruction. They found “no evidence of political pressure to influence the Intelligence Community’s pre-war assessments of Iraq’s weapons programs . . . analysts universally asserted that in no instance did political pressure cause them to skew or alter any of their analytical judgments. We conclude that it was the paucity of intelligence and poor analytical tradecraft, rather than political pressure, that produced the inaccurate pre-war intelligence assessments.”

So why do our colleagues continue to promote what I believe are falsehoods? Why call the President and the Vice President liars? Why accuse them of sending soldiers to death based on false intelligence? This world hears what we say here. The world hears what we say here. Please remember that exaggerated political charges can do more than sting officials at home. They cost lives. They cost lives.

In 1956, President Eisenhower warned us not to allow the military to threaten our way of life. Now it is the President. This nation is at war. We are at war. Let us support our military and let not our political animosity, the poisonous rhetoric, do us harm and cost us lives. Please remember that we are at war. Please remember that we are at war.
together to meet the challenge and successfully conclude our policies to create a better, positive, democratic, and prosperous future for Iraq. We must pull together and focus on the goal we endorsed when the war started.

The PRESIDING OFFICER (Ms. Murkowski). The Senator from Rhode Island.

(remarks of Mr. Reed pertaining to the introduction of S. 898 are printed in today's Record under 'Statements Made in Introduced Bills and Joint Resolutions."

The PRESIDING OFFICER. The Senator from Washington.

VETERANS DAY

Mrs. MURRAY. Madam President, tomorrow our country is going to be celebrating Veterans Day. Together, across the country, we will be honoring the service and sacrifice that so many Americans have made to keep all of us safe and free.

Tomorrow, in the State of Washington, I am going to join with local veterans at a breakfast for the Compass Center, which provides services to homeless veterans.

I will be at a “Service of Remembrance” at the Evergreen-Washelli Memorial Park in Seattle, and I will visit the Washington Soldiers Home in Pierce County.

I am looking forward to those events and the chance to share my thanks with those who have sacrificed so much.

Veterans Day is not just a ceremonial holiday. It is not just an occasion for us to thank others for what they have done for us. It is also a time to ask if we have done enough for those who serve our country. And that is a very timely occasion today with so many veterans coming home from places such as Iraq and Afghanistan, and with an aging veterans population that needs more care today.

So today I ask: Are we keeping our promise to those who served our country? Do our politicians and our budgets reflect the great debt that we owe to so many veterans?

I want to try to answer that question by looking at how we treat our veterans who need health care and how we budget for their needs and how we treat our Guard and Reserve members.

First of all, we recognize we have an obligation to those who serve us. When they signed up to serve our country, we agreed to take care of them. They kept their part of the bargain, and now we need to keep ours.

In my home State of Washington, we have made a tremendous contribution to that effort. I am sad to report that 102 servicemembers from Washington State have made the ultimate sacrifice on behalf of our Nation in this war in Iraq. These men and women gave of eternal honor in a rollcall of freedom.

We owe them and their families a debt that can never be fully repaid.

Many other veterans have come home to us with serious injuries, both visible and invisible. They need our help as well.

Today, more than 6,500 Washington State citizens are serving in Operation Iraqi Freedom and Operation Enduring Freedom.

Since 2001, more than 1 million Americans have served in Iraq and Afghanistan, and of those 20,000 have been from my home State of Washington.

Back in March, I traveled to Iraq and Kuwait. I had the opportunity to meet with a number of our Washington State National Guard who are serving our country there. I saw firsthand they were all operating under tremendously difficult and dangerous conditions. I also saw how every one of them was professional and fully committed to completing their mission.

We need to do right by everyone who serves us because we made a promise and because it keeps our military strong. The way we treat our veterans today affects our ability to recruit new soldiers tomorrow. But don't take my word for it. Listen to what George Washington once said:

"The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional to how they perceive the Veterans of earlier wars were treated and appreciated by their country."

Those are the words of George Washington. They are just as true today as when he said them.

Let's look at how well we are keeping our promise, starting with health care. We can all be proud the VA provides some of the best health care available anywhere in America. We have a great health care system in the VA, but we don't fund it like a priority. Every year it is a struggle to get Congress to provide the funding that is needed. That is why I worked with Senators Durbin and Obama to put language into the Senate VA bill that will require the VA to explain its plan to Congress and to hold veterans accountable in cases of fraud. Those protections have to stay in the final bill that emerges from this conference. We will be watching.

As I think about the way we treat veterans health care, it is pretty clear to do two more things. First of all, the VA has to provide an accurate accounting of how it is spending the money we have provided. It needs to give us a clear picture of the needs it is seeing throughout the country. Second, the VA has to start sending realistic budgets, no more gimmicks, no games—sent a 2007 budget that is based on real numbers and real needs. They need to send a budget that takes care of both our aging veterans and our veterans of current operations.

When I look at our budget and our priorities, I know we have a lot more work to do to keep our promise to our American veterans.

Another area that concerns me is how we are treating our reservists, especially when they come home from the battle front. In this war, we are relying on guard and reserve heavily. It is estimated that 40 percent of those on the ground in Iraq are citizen soldiers. Unfortunately, today the support services for the Guard have not kept pace with the way we are now relying on them in this war. They did not often have access to employment services or job training or family support or health care when they return home.

This past summer, I held a series of roundtables around the State of Washington. I heard from Guard and Reserve members who had come home, who could not find a doctor that accepts TRICARE. I heard about reservists who returned home and fell through the cracks without the payments or support they were promised. I heard from veterans who could not find a job when they came home to this country after serving so honorably.

Our transition services are left over from the Cold War. They do not work for a military that now today relies so
The administration officials suggested the threat from Iraq was imminent and went to great lengths to convince the American people that it was. At a roundtable discussion with European journalists last month, Secretary Rumsfeld deviously insisted: I never said imminent threat.

In fact, Secretary Rumsfeld told the House Committee on Armed Services on September 18, 2002: . . . some have argued that the nuclear threat from Iraq is not imminent—that Saddam Hussein is at least 5-7 years away from having nuclear weapons, would not be so certain.

In May of 2003, White House spokesman Ari Fleischer was asked whether we went to war because we said WMD were a direct and imminent threat to the United States. And Fleischer responded, Absolutely.

What else could National Security Adviser Condoleezza Rice have been suggesting other than an imminent threat, extremely imminent threat when she said 2.2002: We don’t want the smoking gun to be a mushroom cloud.

President Bush himself may not have used the word imminent, but he carefully chose strong and loaded words about the nature of the threat, wanting to make sure those efforts are achieved for people not only in the State of Washington and Massachusetts but all across the country.

Madam President, how much time remains?

The PRESIDING OFFICER. Seventeen minutes remain.

Mr. KENNEDY. Madam President, I ask the Chair to let me know when 1 minute is remaining.

The PRESIDING OFFICER. The Chair will notify the Senator.
He said:
Senior members of Iraqi intelligence and AI Qæda have met at least eight times since the early 1990s. Iraq has sent bomb-making and document-forgery experts to work with AI Qæda. Iraq has also provided AI Qæda with chemical and biological weapons training. An AI Qæda operative was sent to Iraq several times in the late 1990s for help in acquiring poisons and gases. We know that Iraq is harboring a terrorist network headed by a senior AI Qæda terrorist planner. This network runs a poison and explosive training camp in northeast Iraq, and many of its leaders are known to be in Baghdad.

Who gave the President this information? The NIE? Scooter Libby? Chalabi? In fact, there was no operational link and no clear and persuasive pattern of ties between the Iraq Government and AI Qæda. A 9/11 Commission staff statement in June of 2004 put it plainly: Two senior bin Laden associates have adamantly denied that any ties existed between AI Qæda and Iraq. We have no credible evidence that Iraq and AI Qæda cooperated on attacks against the United States.

The 9/11 Commission Report stated clearly that there was no "significant" connection between Saddam and AI Qæda. That fact should have been abundantly clear to the President.

The Pentagon's favorite Iraqi dissident, Ahmed Chalabi, is actually proud of what happened. "We are heroes in error," Chalabi said in February 2004. "As far as we're concerned, we've been entirely successful. That tyrant Saddam is gone and the Americans are in Baghdad. What was said before is not important. The Bush administration is looking for a scapegoat. We're ready to fall on our swords, if he wants."

What was said before does matter. The President's words matter. The Vice President's words matter. So do the words of the State and the Secretary of Defense and other high officials in the administration. And they did not square with the facts.

The Intelligence Committee agreed to investigate the clear discrepancies, and it is impossible to get to the bottom of this and find out how and why President Bush took America to war in Iraq. Americans are dying. Already more than 2,000 have been killed and more than 15,000 have been wounded.

The American people deserve the truth. It is time for the President to stop passing the buck and for him to be held accountable.

I yield back the remainder of the time.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Parliamentary inquiry, Madam President: We are in morning business?

The PRESIDING OFFICER. Yes, for another 2 minutes.

EXTENSION OF MORNING BUSINESS

Mr. WARNER. Madam President, I ask unanimous consent that the period of morning business be extended another 5 or 6 minutes.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, reserving the right to object, could the time be evenly divided? I will not object if he wants to add time but that it be for both sides.

Mr. WARNER. Madam President, I am delighted to do that. We will have a 6-minute extension on each side in morning business.

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

Mr. WARNER. Madam President, if the Senator will entertain a question, we will allocate my time on the question, as I propound it, and to the extent he responds will be on his time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. WARNER. Madam President, I would previously conclude that the Senator said we are locked down in a quagmire in Iraq. I have made a number of trips there and I think there have been in the last 6 or 8 months. What do you think is the core of the problem?

Mr. WARNER. The problem we are facing here is essentially a terrorist problem. They are fighting a very courageous war against international terrorism. The movement sparked by Osama bin Laden, Zarqawi, and others is a worldwide movement. It goes from Spain to Indonesia. And they have, I think, in the last 6 or 8 months, at the service of the United States. We have a responsibility to protect the American people. And it is my belief that we do that. And I think it is the President's constitutional responsibility to protect the American people. We have a responsibility to do that.

Mr. WARNER. And I think it is time for the President to come forward and actually start to tackle the problem. When he spoke to the American people, he said the enemy is a quagmire in Iraq. I think it is a quagmire because of the fact that we are trying to do too many things at once. We are trying to help the Iraqi people. We are trying to help some of the other countries that are part of the coalition. And we are dealing with international terrorism. And I think it is time for the President to come forward and actually start to tackle the problem. Mr. Secretary.

Mr. BUSH. I think it is time for the American people to understand that there is a war against terrorism. We are winning, and we must continue to win. And we will do that. We are taking the fight to the enemy in Afghanistan, in Pakistan, in other countries. And we will do that. And we will win.

Mr. WARNER. And I am delighted to do that. We will have a 6-minute extension on each side in morning business.
Mr. KENNEDY. Well, Madam President, I have nothing but the highest regard and respect for those who are involved in the conflict and fighting for the United States. I regret sometimes that we have not provided them with the military equipment that we should have provided. I have the highest regard and respect for the Armed Forces of the United States, and I have supported, and will continue to support, to make sure they have the equipment they need to carry on their mission. They are all heroes.

The question is the policy. At some time, I will respond, whenever—Madam President, what is the time allocation now?

The PRESIDING OFFICER. The Senator from Virginia has 3 minutes, the Senator from Massachusetts has 5 minutes.

Mr. KENNEDY. Fine. Well, that will be the answer. When the Senator is finished, I will be glad to respond generally.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I am perfectly willing to, at this point in time, conclude this colloquy. I certainly do not have adequate opportunity to make my point. So unless the Senator so desires, we will proceed on with the bill.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Well, I will make a brief comment in response to the general statement that the Senator made and use my own time. And then the Senator can use whatever time.

Madam President, we were attacked on 9/11. We were attacked by Osama bin Laden. Where is Osama bin Laden today? Since 9/11 we have not captured him. The focus and attention was in Afghanistan. Nonetheless, this administration took us to war in Iraq. At that time, we had adequate opportunity to make my point. So unless the Senator so desires, we will proceed on with the bill.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Madam President, I will simply state to my colleague and fellow member of the Senate Armed Services Committee that it is well recognized that certain intelligence that was used by not only our President but the Prime Minister of Great Britain, the President of France—we could go on and on—was universally accepted at that moment in time. History has shown that a good deal of that intelligence turned out to be inaccurate.

But there were many reasons for going to war in Iraq, not the least of which was to get the United Nations resolution prohibiting Iraq from taking certain actions to the north and to the south. They were actually firing on our aircraft that were trying to patrol and enforce U.N. resolutions. Saddam Hussein ignored consecutive resolutions of the United Nations. That whole structure was before the world, and he was flaunting it.

Most recently, I note that the United Nations Security Council has extended the basis on which operations are now being conducted by the coalition of forces in Iraq today.

With regard to the administration, I commend the administration for putting out, for example, this report called “The Special Inspector General for Iraq Reconstruction.” It is very truthful with the American people and, indeed, the world on the successes and the lack of success in certain areas. This administration is being accountable for its participation in one of the several nations in the coalition in putting the facts down. But when the Senator says it is all for naught, I say to myself, Iraq is in a struggle to establish its own government. We have just seen the referendum on the constitution. They have adopted the constitution. The constitution is subject to further rework as the next government stands up in the aftermath of the December 15 elections—free elections, free elections—that has not taken place in Iraq in several decades. Much has been accomplished to try to stabilize that nation to enable it to select, by the freedom to vote, its own government and the degree to which it wishes to join the rest of the nations in exploring the challenges of democracy, particularly in that area of the world.

I salute the men and women of the Armed Forces who have made this possible. Yes, we always hope that diplomacy can solve the disputes between nations. Diplomacy can be no stronger than the will to back it up and enforce the decisions of the diplomats. That has been done bravely by the men and women of the Armed Forces of the United States and other coalition forces.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KENNEDY. Madam President, the definition of a quagmire is a complex or precarious position where disengagement is difficult. That says it, in regard to Iraq. This body understood the reason we went to war with Iraq was because this administration represented that Saddam Hussein had a nuclear weapon or was on the brink of getting nuclear weapons and, secondly, had ties with al-Qaida. Others may draw from another part of history, but I stand by that. Both of those facts are not so. It is important that we understand how we came about using those facts, which we see are not so, to make sure we are not going to make those mistakes in the future.

I yield back the remainder of my time.

Mr. WARNER. Madam President, parliamentary inquiry as to the status of the Senate at this time.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is now closed.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2006

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1042, which the clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 1042) to authorize appropriations for fiscal year 2006 for military activities of 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.

Pending:

Dorgan amendment No. 2476, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts for military construction of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personal strengths for such fiscal year for the Armed Forces, and for other purposes.

Lautenberg amendment No. 2478, to prohibit individuals who knowingly engage in certain violations relating to the handling of classified information from holding a security clearance.

Talent amendment No. 2477, to modify the multisource procurement authority for C-17 aircraft.

Mr. WARNER. Madam President, there is a further order for two votes to
occur beginning at the hour of 11:30. I think it would be helpful to all Members if the Chair would restate the timing and status of those votes.

The PRESIDING OFFICER. Under the previous order, the time until 11:30 shall be equally divided in the usual form, followed by a vote on the Dorgan amendment at 11:30, which will be followed by the Talent amendment.

Mr. WARNER. I thank the Chair. Under the time I control, I yield such time as my colleague from Alabama may desire to speak. He will speak as in morning business, to reserve the time on the bill, on such aspects of the amendments that he so desires.

The PRESIDING OFFICER. The Senator from Alabama.

AMENDMENT NO. S96

Mr. SESSIONS. Madam President, I rise to speak on the Dorgan amendment and share some thoughts about that. I think there has been a lot of misinformation, and the Senator has been misled in some of the allegations he is making and is certainly inaccurate in picturing our handling of the reconstruction effort in Iraq as being a wasteful enterprise. So much good has gone undone. It was time to get paid. Where there are errors, as I will note, we are taking vigorous steps to correct them.

With regard to Senator Kennedy’s remarks, he said it is not the soldiers, it is the contractors. The Senator has been misled in some of the allegations he is making and is certainly inaccurate in picturing our handling of the reconstruction effort in Iraq as being a wasteful enterprise. So much good has gone undone. It was time to get paid. Where there are errors, as I will note, we are taking vigorous steps to correct them.

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class at West Point. No, sir, this is a true patriot trying to serve our country to help Iraq and fix it up.

Point No. 3, they charge this. This is the quote and the charge

There is massive waste, fraud and abuse going on in Iraq. . . . who is watching over this massive amount of fraud, waste and abuse? Nobody seems to care.

Nobody seems to care? That is not true. This statement is most misleading of all. It implies that U.S. tax dollars are just being wasted with no care or concern. However, 100 audits and management reviews have been performed to date by the GAO, the Defense Contract Audit Agency, the Army Criminal Investigative Service, and so on. I met with the chief inspector general in Iraq, and he is a firecracker. I mean he is a totally focused man, dedicated to his job of establishing accountability and eliminating fraud.

Have there been instances of fraud? Sadly, yes. Those found guilty are being punished. Companies defrauding the Government have had payments withheld. They have been removed. Investigations continue and those who violate criminal laws will be prosecuted. The Department of Defense and other Government agencies in charge of reconstruction in Iraq are acting swiftly to the comments of the auditors and incorporating all of the corrective actions.

There is even a special investigative body in Iraq, SIGIR, that issued the report I believe that Chairman WARNER recommended corrective actions. And management reviews have been performed to date by the GAO, the Defense Contract Audit Agency, the Army Criminal Investigative Service, and so on. I met with the chief inspector general in Iraq, and he is a firecracker. I mean he is a totally focused man, dedicated to his job of establishing accountability and eliminating fraud.

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Yet claims persist that no one cares, there is no oversight and no accountability. It is not true. It is a slander on our people whose lives are at risk serving our country in Iraq. As with detainee abuse allegations, time and again an objective review of the facts is slowly rolling back outlandish accusations that we have heard, Iraq is a war zone. It is a dangerous place in many areas. For too many in Congress and across the Nation we seem to overlook this fact, even while the media gives us all a daily count of fatalities.

As any soldier can tell you, paperwork is not always the first priority when leading a combat operation. However, we place special trust and confidence in military officers and senior Government officials overseeing the expenditures of taxpayer funds. Continuing to claim fraud and abuse is rampant and that no one is accountable is directly questioning the competency and dedication of these professionals who are doing their best job possible in very difficult and many times dangerous circumstances.

There are areas in Iraq that are dangerous and even the contractors’ lives are in danger, as we well know. Their actions are making a difference. The most recent report to Congress from the SIGIR states—this is the Special Inspector General for Iraq Reconstruction. Listen to this:

The positive results achieved in the reconstruction program are impressive. . . .

The United States has made steady progress in its part of Iraq's reconstruction. Despite the hazardous security environment, the fluid political situation, and the harsh realities of working in a war zone.

The media and the other side of the aisle spend too much time dwelling on the negative side of what is going on in Iraq, I believe. To far too many Americans, the image of the conflict in Iraq is a burning humvee or the scene of a car bomb. I would like to show you a few before and after photos of how the reconstruction funds have benefited the people of Iraq.

This first slide portrays reconstruction of the Ministry of the Environment Building. Here is the way it looked after the war. And here is how it looked when it had been reconstructed. Somebody was paid for that. I hope it was an Iraqi contractor who had a family to feed. Commander Paquette says it was. This is a matter he has personal knowledge of. I believe. So somebody went around and said let’s look into these allegations that we have heard. Iraqis don’t want a check, I can tell you that. They want to see the work instead of seeing a building being constructed. Then somebody went into the Ministry, and they saw the damage that had been done there. Then they did a job of reconstructing this building that was utterly gutted.

Here is another one, the Az Zubayr Courthouse. Look at this courthouse here. Now, we are going to go to this and talk about how it has been reconstructed. Are they going to be paid or not? They don’t want a check. I can tell you that. And here we have a new courthouse where we hope justice can be done.

Mr. WARNER. Madam President, will the Senator yield?

Mr. SESSIONS. I would be pleased to yield.

Mr. WARNER. Has the Senator put into the RECORD the name of the assistant he has worked with in developing this and explained about his background as having been there and participated? Because this is an extremely important segment of our debate that the Senator is filling in this morning. You are receiving a lot of this information from your very able assistant who is an on-the-scene individual responsible for some of this.

Mr. SESSIONS. I thank the chairman. I did have a moment. Commander Paquette was in Iraq shortly after Saddam Hussein’s government fell, when the statue fell and he was given the charge of handling the northern third of the reconstruction effort for the military. He was a Naval lieutenant commander then and that was his responsibility in our joint effort. We have Navy people, Air Force people there, Army and Marines, of course, and he worked on the reconstruction effort.

Mr. SESSIONS. I thank the chair. I also want to express my personal appreciation to Commander Paquette for his service. He is doing a great job. He has been on active duty. He has been a tremendous asset to my office and helped me craft the legislation I am most proud of to double the death benefits for soldiers who lose their life in defense of our country. We appreciate it, and I thank him also for helping us bring a personal touch directly from the frontline in our efforts in Iraq.
I yield the floor.

The PRESIDING OFFICER. All time has expired.

The Senator from Virginia.

Mr. WARNER. Madam President, I want to say again how important is the debate the distinguished colleague from Alabama has provided the Senate this morning on these key subjects. It is reassuring. The Senator made, as did I, reference to this report, which I think is an accurate compilation of what has been achieved and what remains to be achieved and the struggle they are having with regrettably this cultural thing called graft, which is all pervasive throughout much of the Middle East, but nevertheless somehow we are overcoming that.

Mr. SESSIONS. I thank the chairman. I note I did meet that special inspector general. He impressed me. I know Senator COLLINS has met with him and is thoroughly impressed with him. He is very present throughout Iraq and makes sure our dollars are being spent wisely.

Mr. WARNER. I thank the Senator.

Madam President, it is my understanding that the time under the control of the Senator from Virginia has now expired.

The PRESIDING OFFICER. The Senator is correct.

Mr. WARNER. And there remains what period of time?

The PRESIDING OFFICER. There is 20 minutes 15 seconds.

Mr. WARNER. Madam President, the Senate has already defeated this amendment twice—first on September 14, 2005, on the Commerce, State, Justice, Appropriations bill by a vote of 53-44 and then on October 19, 2005 on the Transportation, Treasury, Housing and Urban Development Appropriations bill by a vote of 54-44.

This amendment is unnecessary and duplicative of the current contracting oversight tools in place and is intended to meet the challenges that then Senator Truman identified. The Truman Committee was needed at the outbreak of World War II. There were no GAO or IG investigations, no Defense Contract Audit Agency or Defense Contract Management Agency. There were no conflict of interest laws to reign in the contractors that are supporting our troops. The DOD IG withdrew his people. These are the folks on the ground who can tell us what has been achieved and what remains to be achieved and the struggle they are having with regrettably this cultural thing called graft, which is all pervasive throughout much of the Middle East, but nevertheless somehow we are overcoming that.

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The Armed Services Committee has conducted numerous hearings and briefings on acquisition oversight and reform, including oversight of contracting in Iraq as well as the Initial Acquisition Task Force and conducted numerous investigations by the GAO and the Inspector General on DOD acquisition practices and programs.

Senator ENSIGN plans to conduct several more briefings on acquisition oversight and contracting in Iraq, as well as the Initial Acquisition Task Force and Senator MCCAIN is conducting a series of hearings on the overall procurement process.

The Office of the Special Inspector General for Iraq Reconstruction was established to look at Iraqi contracting. This new IG has routinely briefed this Committee and others on its findings.

Section 823 of this bill establishes a contract fraud task force at DOD to identify potential areas where DOD is susceptible to fraud, waste and abuse. This group will inform Congress on how to modify our contracting laws wherever we need to get tougher on contract fraud.

This is how best to conduct our oversight—through the established committee process and established oversight mechanisms. I am sure that the Chairman of the Senate Foreign Relations Committee who shares responsibility for the oversight and jurisdiction over contracts in Iraq, as well as the Chairman of the Homeland Security Committee who has jurisdiction of Federal contracting would agree.

I appreciate the concerns of the sponsors of this legislation. However, I do not support the establishment of a new special committee which would duplicate the work of this committee and others and only look at a narrow amount of Federal expenditure.

The PRESIDING OFFICER. Who yields to the Senator from Michigan.

Mr. LEVIN. Madam President, is the time between now and 11:30 allocated?

The PRESIDING OFFICER. All time remaining until the vote is controlled by the Senator from Michigan.

Mr. LEVIN. I thank the Presiding Officer. I know that Senator DORGAN wanted some of this time. I would have a couple comments relative to the Dorgan amendment, first of all. I happen to agree with what has been recently said about the Special Inspector General for Iraq Reconstruction. He, indeed, would be a useful witness for the Senate to call, and I hope that either the Armed Services Committee or the Homeland Security and Governmental Affairs Committee would call that Special Inspector General for Iraq Reconstruction so that he could come and testify before us. That has not been done.

The Department of Defense IG has withdrawn his people. These are the people who look at the contracts with the contractors that are supporting our troops. The DOD IG withdrew his people so that there are no longer those folks on the ground who can tell us about those contractors. I do not believe that the Government Accountability Office people have been called to testify before the Senate.

There are a lot of issues. There are a lot of people asking about the initial contract, why it was awarded on a sole-source basis, whether the CPA, the provisional authority, was overcharged by Halliburton for oil which was purchased. There are serious questions about money which were not performed. There are questions about whether Halliburton had the estimating, subcontracting, and financial management systems they needed to run two multi-billion dollar contracts. There are a lot of questions which need to be reviewed. They ought to be reviewed. And we ought to have Senate committees that are calling these people to testify in front of us. It seems to me that in the absence of that, what Senator DORGAN is doing is saying: Let's have a Truman-type committee, a special inspector general to look at the contracting issues. Not only do I see nothing wrong with it, it has tremendously powerful precedent.

It is named the Truman committee because Harry Truman, in the middle of a war—I emphasize in the middle of a war, World War II—Harry Truman, a Democrat, with a Democratic President, was willing to undertake an investigation of contracting practices and procurement practices because he felt the war was being exploited for profit by certain persons who were trying to profiteer off the bravery of others.

There is no disagreement among any Member of this body that I know of about the bravery, the professionalism, the courage of our troops. They deserve everything we can give them, and I believe we are giving them everything they need. There is no disagreement about that here. When Members of this body get up and are critical about the way in which this war has been won, it seems to me that is what we owe our troops. We not only owe them the material and the training and we owe their families everything, but we also owe them our best thinking. And our best thinking is not unanimous. There is not a consensus. There are not 100 people here who are cloned to think the same way. There are different thoughts.

We owe our troops our best, honest, conscientious thinking, and when people get up on this floor and provide that thinking, particularly where it is critical, it should not just be characterized as somehow or another undermining our troops.

Our troops depend upon us for the equipment, the training, the material, the supplies the support of their families. They depend on us for that. They are entitled to that. People who stand up and give their best thinking are supporting our troops in the best sense of
The stories go on and on. Renting a car for $7,500 a month, buying towels for the troops, double the price so you can put the company logo on it because the company tells their buyers that is what they are required to do: Double the price. We can put our company logo on it.

How many of these stories do we need? Do we need 100 more stories like it? There is rampant waste, fraud, and abuse. Why is that the case? Because massive quantities of money are being shipped over there in pursuit of reconstruction. Massive quantities of money are going, in many cases, to no-bid, sole-source contracts under the buddy system, and the taxpayers. I think in many of these cases, are being robbed blind. Will someone do something about it?

This amendment I have offered would establish what I call a Truman-type committee. Harry Truman stood on this floor in the 1940s in the middle of a war with a President of his own political party in the White House, and said: Why is that, if it is that important, why are there no oversight hearings? They formed a special Truman committee, and he went after and uncovered tens of billions of dollars, in today's dollars, of waste, fraud, and abuse.

Normally, we would do this through oversight hearings, but we have not had many oversight hearings. In some cases, in other venues, none at all, in others, no aggressive oversight hearings designed to track this massive amount of money.

Yesterday, I showed a picture of a fellow who testified at a hearing I chaired that we have been doing in the Policy Committee. Why? Because the regular committees don't want to have oversight hearings. Why don't they want to do that? I guess they don't want to embarrass anybody. It would be embarrassing to the White House, I guess. If we had hearings about no-bid, sole-source contracts under the buddy system to big companies that then waste a lot of money, it would be embarrassing to display that in public.

The fact is, we owe it to the taxpayers to get rid of the waste, fraud, and abuse. Yesterday, I showed a photograph of money that was in the downstairs vault of a building that was occupied by the Coalition Provisional Authority, that was利亚 to in many hearings now from contractor employees who were sickened and disgusted by the waste, fraud, and abuse they saw, if all of the Members of this Senate could hear that and then vote against an amendment that asks for this kind of long-term investigation. I don't know how they can sleep at night.

We have had this vote previously, and sufficient Members of the Senate have said it does not matter what the evidence is; I don't intend to support a special type committee to investigate this waste, fraud, and abuse. And they have prevailed. So we will have another vote today.

I say to those Senators who have voted against this amendment previously, if they still believe this waste, fraud, and abuse doesn't matter very much, then vote against it. If they still believe it is OK for the special type committees of the Senate not to hold any significant oversight hearings, not to do their due diligence, not to meet their accountability responsibility, and they don't care about that, then vote against this. Just vote against it. It doesn't matter. But then they should not stand up at home and say to their constituents that they care about how this money is spent when there is such dramatic evidence of waste, fraud, and abuse.

I used some newspaper headlines yesterday to describe the charges: $31.6 million worth of Government equipment missing at the moment that a contracting company was given to make a deal. One-third management of that company was entrusted with at this point cannot be accounted for. Does it matter? Is somebody looking into this? It doesn't look like it to me. It is really pretty unbelievable. I have spoken before, I am guessing nobody in this Chamber—at least only a few in this Chamber—care.

My colleague from Michigan was at a hearing we held with Bunnnatine Greenhouse who rose to become the top civilian contracting official of the Corps of Engineers. She was the top civilian contracting official in the Corps of Engineers. She had outstanding recommendations every single year. She was an outstanding Federal employee, and she was in charge as the highest civilian official in the Corps of Engineers for making sure contracting was done properly.

As the war in Iraq ramped up and some companies began to get substantial no-bid contracts under the old buddy system, she said this doesn't meet the test of the law; you are violating the procedures of the Corps of Engineers. You are not doing things
the right way; there is a right way and wrong way to do things. You do it this way. We are going to see substantial waste, abuse, and fraud. When she started raising those questions, something important happened to her. She was the first one of two things will happen: You will either be fired or you will be demoted.

This public servant had the courage to speak up and speak out against practices she thought were horribly unfair and too hurt the country, and she paid for it with her career. What a message to send to those who have the courage to blow the whistle and speak up. Does anybody care about that? It doesn’t appear so. It really doesn’t appear that way. We have asked Secretary Rumsfeld. We sent many letters to Secretary Rumsfeld. It is like sending those letters into a deep abyss someplace. You get a little one-sentence reply saying: Go to your letter, no action to you later. And there will never be a later. That is the way it works. Zip it up, cover it up, sew it up, it doesn’t matter and, oh, by the way, ask Congress for more money; they will certainly appropriate it. Don’t worry where it is going. If it is waste, nobody cares very much and, by the way, if somebody does care and raises the issue, we will have sufficient votes on it to say we won’t do anything about it. And those sufficient votes will go home and talk about the fact, boy, they are tigers watching out for the American taxpayers. Hardly. Hardly. We will see, once again, in a few minutes whether people really do care about this and whether they are willing to own up to the oversight responsibility Congress has, to care about how the taxpayers’ money is spent.

This case is made. This is not an open case, it is not an argument that has to be made. This case is made. The evidence is all around us. The question is whether enough Senators will care.

Mr. President, I reserve the remainder of the time.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I ask unanimous consent that I speak on the bill for a minute or two.

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

Mr. WARNER. Mr. President, I say to my good friend and colleague, if there is an award to be made for determination, this is certainly the occasion. It is interesting that the Senator from North Dakota invoked a good deal of history as to the Truman committee. I commend him for his tenacity. I am glad he is bringing this to a vote, and maybe one of these days—hopefully today—he will prevail.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. At this point in time, a vote is imminent.

EXECUTIVE SESSION

NOMINATION OF DONALD C. WINTER, TO BE SECRETARY OF THE NAVY

Mr. WARNER. Mr. President, I ask unanimous consent that the Senate now proceed to the Executive Calendar. The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. WARNER. I ask unanimous consent that the Senate immediately proceed to executive session to consider Calendar No. 410. I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate’s action, and finally that the Senate then return to legislative session. This has been cleared on both sides.

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

The nomination considered and confirmed is as follows:

DEPARTMENT OF DEFENSE

Donald C. Winter, of Virginia, to be Secretary of the Navy.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I believe now the confirmation has taken place? Mr. WARNER. That is correct. Mr. LEVIN. I wish to have a very brief colloquy with my dear friend from Virginia on this matter, which I think he would want to comment briefly on, and that I understand that once Secretary Winter is confirmed, which he now is, the Department of Defense will adopt an approach under which Secretary England will continue to act as Deputy Secretary of Defense on an interim basis. This approach is lawful, but it is temporary only and it is not intended to establish a pattern for future appointments. Would the Senator agree with that statement?

Mr. WARNER. Yes, Mr. President. This is a subject I have discussed with the administration. I am most specifically with the Secretary of Defense. I assure my colleagues that it will not establish a pattern because to me the administrative and consent process is a very precise obligation of the Senate. This type of action is taken in this case because it is my understanding that the President will make a recess appointment within 120 days, and I assure the Senator this matter will not go beyond the 120 days.

I thank the Senator for bringing it up, and I thank him for his cooperation and the cooperation of other Senators on this matter.

Mr. LEVIN. I do welcome that assurance. It is important for this institution. Whether the President is a Democrat or a Republican makes no difference on this issue. This is a matter of this institution asserting its constitutional responsibility, and I thank my friend from Virginia.

Mr. WARNER. Mr. President, I spoke with Secretary of Defense Rumsfeld very early this morning on this issue.
The amendment (No. 2476) was rejected.

Mr. WARNER. Mr. President, I move to reconsider the vote, and I move to lay that amendment on the table.

The motion to lay the amendment on the table was not adopted.

Mr. MCCAIN. Mr. President, I oppose the amendment. There has been a capability study which indicates that we have an acceptable number for this capability. We are looking at cuts in defense spending, and there are a lot of tremendous cost overruns. We are looking at rapidly escalating procurement costs. These additional aircraft are not needed. They are not needed today. I believe we have to at some point have some kind of discipline and listen to what we need and have in capabilities, and this is not one of them.

I yield the floor.

Mr. DODD. Mr. President, as many of you may know, almost everyone in uniform who has looked at this believes that this program is of critical importance to our national security structures in the 21st century. There is not any debate that exists there. We believe it is an important element. If we don’t do this, there is a great fear that this line will be dropped and the C-17 will be lost.

We, obviously, have an interest in Connecticut. The engines are made in our State. But this aircraft is far more important than where the engines or the bodies are made. It is important to our national security needs. That is why we have this bipartisan support.

We thank the chairman and ranking member for their support as well of the amendment being offered by the Senator from Missouri and the Senator from Connecticut. I am proud to be a sponsor of it.

We urge adoption of the amendment. The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. The following Senator was necessarily absent: the Senator from Tennessee (Mr. ALEXANDER).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “yea.”

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) and the Senator from Hawaii (Mr. INOUYE) are necessarily absent.

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

The result was announced—yeas 89, nays 8, as follows:

YEAS—89

Mr. ALEXANDER, Mr. CORZINE, Mr. STEIN, CORNYN, CHAMBLISS, and a number of others, a Special Inspector General for Defense Contract Audit Agency is engaged. The Defense Contract Management Agency is looking at these things. Most important, in response to Senator DORGAN’s concerns and others, a Special Inspector General for Defense Construction is engaged and is very tough and capable.

Mr. WARNER. Regular order. Have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not been ordered.

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

The PRESIDING OFFICER. Is there a sufficient second?

Mr. WARNER. I further request the yeas and nays on the Talent amendment which follows.

The PRESIDING OFFICER. The yeas and nays have been ordered on the Talent amendment.

The question is on agreeing to the amendment.

The clerk will call the roll.

The legislative clerk called the roll.

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Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted “no.”

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Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) and the Senator from Hawaii (Mr. INOUYE) are necessarily absent.

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

The result was announced—yeas 89, nays 8, as follows:

[Rollcall Vote No. 317 Leg.]
The amendments we know of that remain—one by the distinguished Senator from South Carolina. At this time I would like to set the hour of 2:30 to consider that. Is that agreeable? We simply bring it up at 2:30 and we determine how it unfolds. That is to second degree. Mr. LEVIN. The Senator from Massachusetts is ready to proceed with his amendment.

Mr. WARNER. There is no objection to that. Mr. LEVIN. Senator AKAKA needs 5 minutes—have you gone through this? Mr. WARNER. What I am trying to get at the moment is the amendments, and then we will try to splice in periods of time for our colleagues to speak to other matters on the bill. Mr. LEVIN. We are hopeful we can complete the drafting of an Iraq amendment in the next half hour which, if so, we will show it to the Senator from Virginia, but it may take some real time this afternoon.

Mr. WARNER. Fine. Let’s deal with the known quantities. The Senator from Massachusetts wishes to bring up an amendment which is within the 12 amendments of the Senator from Michigan. That is to be taken up now. We will proceed with that. There may well be an amendment in the second degree; I cannot anticipate that.

Mr. LEVIN. If I could ask the Senator to yield, the Senator from Minnesota has an amendment or needs morning resumption.

Mr. DAYTON. To speak on two amendments already included in the managers’ package.

Mr. WARNER. We will try and package, for the moment, two items. The Senator from Minnesota, if so, we will now proceed on his amendment. We cannot predict how long it will take because we do not know of the potential for second degrees. That will take place under the underlying unanimous consent. At 2:30 we will take up the amendment of the Senator from South Carolina and proceed on that.

Mr. LEVIN. With a second-degree amendment expected on that.

Mr. WARNER. So let us get those two in second for the moment.

Mr. LEVIN. Excuse me. We made reference to two other Senators within that period of time. Senator AKAKA would get 5 minutes for morning business, and I want to make sure the Senator from Minnesota, within that same time period, will have 10 minutes that relates to the pending amendments, as I understand the Senator.

Mr. DAYTON. Amendments to the bill that are in the managers’ package.

Mr. WARNER. And Senator Burr needs 5 minutes. Within that period of time we will accommodate the three colleagues for the matters they wish.

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

Mr. WARNER. Further, I wish to inform Senators that the likelihood of any votes between, say, the hour of 12:45 and 2 o’clock is most unlikely. As a matter of fact, I ask unanimous consent there be no votes during that period of time to accommodate a number of Senators on both sides.

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

Mr. LEVIN. Does the Senator expect the possibility of a vote before 12:45? Mr. WARNER. No.

Mr. LEVIN. So it is unlikely between now and when? Mr. WARNER. 2:15.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. I understand the Senator from Hawaii wants to speak for 5 minutes. I ask unanimous consent the Senator from Hawaii be recognized for 5 minutes and I be recognized at the conclusion.

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

The Senator from Hawaii.

VETERANS DAY 2005

Mr. AKAKA. Mr. President, I thank my friend and colleague, Senator KERRY, for this amendment.

Tomorrow is Veterans Day. I pause this morning and join my fellow Americans in paying homage to those who served in this Nation’s Armed Forces. Observance of this day is a wonderful tradition that Americans reflect upon the sacrifices made by our veterans in protecting our freedoms and liberties. This Veterans Day is especially poignant during this time of conflict.

Our current battles abroad are a constant reminder of the ordeals our soldiers of this war and past wars endured on behalf of this great Nation. I commend the many soldiers, sailors, airmen, and marines on Active Duty, and the National Guard and the Reserves, and their families for their service to our country. Our support of our service members must be steadfast and strong.

Veterans Day has a long and important history. In 1911—at the eleventh hour of the eleventh day of the eleventh month—an armistice was signed between the Allied nations and Germany, effectively ending World War I, then hoped to be “the war to end all wars.” In November of 1919, President Wilson proclaimed November 11 the first commemoration of Armistice Day.

This great day was initially celebrated in honor of those veterans who fought in World War I.

It was not until 1954 that Congress, at the urging of veterans and service organizations, renamed Armistice Day as Veterans Day to extend the commemoration to all those who have so honorably served this Nation.

Although we pause today to commemorate the service of those who served on behalf of this grateful Nation, we must make certain that this day has meaning and is not merely set aside for fanfare and speeches. Indeed, we must make certain that our veterans have our commitment and support every day and not just Veterans Day.

Too often our veterans’ priorities are not our own. As we saw earlier this year, VA had a tremendous funding shortfall.

It took some time to acknowledge what so many of us had known for some time—that VA health care was not being funded at an adequate level—a level commensurate with the sacrifices that our veteran made on the beaches of Normandy, the harbors of Hawaii, the jungles of Vietnam, and the deserts of the Middle East.

I am pleased that VA has announced that it is suspending its planned review of 72,000 post traumatic stress disorder claims. This surely great news for all veterans because many times VA compensation is the sole source of income for a veteran and his family.

We must put into practice daily the sentiment that Abraham Lincoln expressed when he said during his second inaugural address that we should—and I quote the President—care for him who shall have borne the battle and for his widow and for his orphan.

Our 25 million living veterans are the backbone of this Nation. Today, I want to personally express my gratitude to all veterans of our Armed Forces and thank them for their service.

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

The PRESIDING OFFICER. Mr. Kerry from Massachusetts.

AMENDMENT NO. 2507

Mr. KERRY. Mr. President, I send an amendment to the desk and ask for its immediate consideration.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Massachusetts [Mr. KERRY] proposes an amendment numbered 2507.

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

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

The amendment is as follows:

(Purpose: To require reports on clandestine facilities for the detention of individuals captured in the global war on terrorism.)

At the end of subtitle D of title X, add the following:

SEC. . REPORTS ON CLANDESTINE DETENTION FACILITIES FOR INDIVIDUALS CAPTURED IN THE GLOBAL WAR ON TERRORISM.

(a) SECRETARY OF DEFENSE REPORT.

(1) REPORT REQUIRED.—Not later than sixty days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a detailed report on the knowledge of the Secretary, and of the personnel of the Department of Defense, on whether or not there exists any clandestine facility outside of United States territory for the detention of individuals captured in the global...
war on terrorism, whether operated by the United States Government or at the request of the United States Government.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) Whether or not the Secretary or any personnel of the Department of Defense have affirmative knowledge that a facility described in paragraph (1) exists.

(B) If the Secretary or any such personnel have affirmative knowledge that such a facility exists—

(i) the existence of such facility;

(ii) any support provided by the Department of Defense to any other department, agency, or element of the United States Government, or any foreign government, for the establishment, operation, or maintenance of such facility;

(iii) the amount of funds obligated or expended by the Department in furtherance of the establishment, operation, or maintenance of such facility;

(iv) whether the Department has transported individuals captured in the global war on terrorism to or from such facility, and if so—

(I) the number of such individuals;

(II) the date of transfer of each such individual;

(iii) the place from which each such individual was transferred; and

(iv) the identity of the agency or authority in each case which such individual was held before such transfer;

(v) whether any detainee in such facility is expected to be prosecuted by military commission or another system for administering justice; and

(vi) the interrogation procedures used on each individual detained in such facility.

(C) Whether or not the Department has ever held any individual captured in the global war on terrorism at a facility controlled by the Department at the request of, or in cooperation with, another department, agency, or element of the United States Government, and for any such individual so held, a detailed description of the circumstances surrounding the detention of such individual and the disposition, if any of such individual.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in classified form.

(b) DIRECTOR OF NATIONAL INTELLIGENCE REQUIREMENTS.—

(1) REPORTS REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall submit to each member of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representaties a detailed report setting forth the nature and cost of, and otherwise providing a full accounting on, any clandestine prison or detention facility currently or formerly operated by the Department of Defense, regardless of location, where detainees in the global war on terrorism are or were being held.

(2) ELEMENTS.—The reports required by paragraph (1) shall set forth, for each prison or facility covered by such report, the following:

(A) The location and size of such prison or facility.

(B) If such prison or facility is no longer being operated by the United States Government, the disposition of such prison or facility.

(C) The number of detainees currently held or formerly held, as the case may be, at such prison or facility.

(D) Any plans for the ultimate disposition of any detainees currently held at such prison or facility.

(E) A description of the interrogation procedures used or formerly used on detainees at such prison or facility.

(3) FORM OF REPORT.—The reports required by paragraph (1) shall be submitted in classified form.

Mr. KERRY. Mr. President, I ask unanimous consent that Senator HARRY REID of Nevada and Senator BIDEN be added as co-sponsors of the amendment.

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

Mr. KERRY. Mr. President, in recent weeks the American people and Members of Congress have learned more about the existence of secret prisons and detention facilities run by the United States Government in various countries around the world.

Now, I know many of my colleagues take this matter very seriously. The Central Intelligence Agency has reportedly requested a Justice Department investigation of how classified intelligence information got into print. Clearly, the revelation of the potential of these programs is a serious national security matter. It is one we can all agree on, no matter where we sit.

No one in this Chamber underestimates the seriousness of the war on terror. It is a war we have to win, we must win. And no one underestimates the depravity and the viciousness of our enemies. We don’t need to look any further than the bombings last night in Jordan to once again be reminded of the kind of enemy we face—an enemy willing to always target the innocent. We know that success in any war requires the informed consent of the American people. And in an issue as sensitive as this, that informed consent can only be derived from the Congress’s full and appropriate understanding and involvement in these issues. That in and of itself requires information and cooperation from the administration so we in Congress can provide effective and informed oversight. That begins by knowing what the money we authorize and appropriate is being used to do. The American people demand no less than that. The fact is, we are not aware; we are not as a Congress performing that proper oversight. The vast majority of us first heard about the possibility of clandestine detention facilities in the Washington Post last Wednesday.

Since then, we have heard that this may have been discussed by Vice President CHENEY in a meeting with the Republican caucus. That obviously comes from statements by people at the caucus made publicly. If, as has been reported by members of the Republican caucus can hear about these facilities from the Vice President of the United States, then the Senate Armed Services Committee and the Senate Select Committee on Intelligence ought to be able to receive a full accounting.

So the amendment I offer today seeks to simply assert, appropriately, congressional oversight in this matter by requiring two classified reports—one by the Secretary of Defense and one by the Director of National Intelligence—to the appropriate committees, detailing the involvement of the Department of Defense and the intelligence community in these activities if, indeed, there is any.

Not later than 60 days after enactment, the Secretary of Defense will provide a classified report to the House and Senate Committees of Intelligence to the—

the appropriate committees, detailing the involvement of the Department of Defense and the intelligence community in these activities if, indeed, there is any.

The second classified report required by this amendment is from the Director of National Intelligence to the Intelligence Committees of both the House and the Senate. In it, the Director will provide a detailed accounting of the nature, cost, and operation of any clandestine prison or detention facility operated by the United States Government, regardless of location, where detainees from the global war on terror are being or have been held.

Now, let me be clear: We are not passing judgment on the merit or the value of these facilities. What we are saying is we need to know and understand what the policy of our country is, what is being done with taxpayer money, and what are the appropriate accounting and oversight mechanisms with respect to this.

In its reporting, the Washington Post said:

The CIA and the White House, citing national security concerns and the value of the program, have dissuaded Congress from demanding that the agency answer questions in open testimony about the facilities.

My colleagues will note that both of these reports would be classified, both of them would be limited to the committees of jurisdiction. This is not about open testimony. It is about Congress doing its appropriate job through the appropriate committees.

I do not have any doubt that in the American public’s mind we are all unified and determined to win the war against radical Islamic terrorists. But I do know that any administration that tries to keep Congress in the dark ultimately winds up damaging the very effort we are engaged in. We have seen this all through history. This goes back two and a half years of potential oversight by the Congress and efforts by administrations to undertake clandestine initiatives on their own.
The executive branch cannot win this by itself. It needs Congress to be invested. It needs Congress to act on behalf of the American people. And in this case, the simple job of oversight is critical to our ability to maintain the consensus necessary for our Nation. We have seen too often too many instances of efforts that go awry that cost us leverage as a nation, cost us leverage with other communities, and ultimately may even cost us lives of Americans because they do go awry without the proper consent.

We also do better as a country in these kinds of efforts when Members of both parties across the aisle have joined together in a foreign policy that represents the broad consensus of the American people and where all of us are accepting responsibility for our actions.

I would hope my colleagues, the distinguished chairman and ranking member, would accept this amendment because I think it acts in the best interests of this institution and of our Nation.

With that, Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, the Senator from Massachusetts provided us a copy of his amendment just a minute before he began his remarks to the Senate. Mr. Roberts, on this side, is now in consultation with the ranking member, Senator ROCKEFELLER, and I anticipate that one or both will shortly come to the floor on this issue. At this time I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

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

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

Mr. BURR. Mr. President, I ask unanimous consent to address the Senate as in morning business.

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

(The remarks of Mr. BURR pertaining to the introduction of S. 1990 and S. 1991 are printed in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”)

The PRESIDING OFFICER. The Senator from Minnesota.

Mr. DAYTON. I ask unanimous consent that I be permitted to speak as in morning business for up to 15 minutes.

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

Mr. DAYTON. Mr. President, I rise to thank the distinguished chairman of the Senate Armed Services Committee and the ranking member, who are two of the finest public servants I have ever had the privilege of knowing, for their leadership of that committee on which I serve and for their leadership on this important legislation before the Senate, which I support. I also thank them for including two of my amendments in the bill, the first of which is a sense-of-the-Senate resolution which I am proud to coauthor with Senator MURRAY of Washington and Senator COLLINS of Maine, that says the Department of Defense must honor its promise to pay reenlistment bonuses to Reserve and National Guard. I was told yesterday that the Pentagon has reversed its position and has now approved the National Guard’s payment of those promised reenlistment bonuses.

My second amendment authorizes an additional $50 million for childcare for Active-Duty military families and an additional $10 million for family assistance centers. The committee bill already provided for increased funding for these two vital programs, and I thank the chairman and ranking member for agreeing to these further authorizations which parallel the increased funding that I added to the Senate’s 2006 Defense appropriations bill.

Our military families are facing increased pressures as husbands and wives are deployed in faraway war zones and thus separated from their families for up to 18 months at a time. The Office of the Secretary of Defense has reported that some 38,000 children of Active-Duty families are being denied childcare in military facilities due to the lack of funding for the centers and for the spaces needed. This imposes an unfair additional hardship on these conditions for active-duty military families, which all of us truly want to support and extend assistance to. The extended absence of a parent is compounded by the lack of available, reliable childcare. For the same reasons of extended absences, emotional and financial stresses, and the understandable need for support, the military family assistance centers are more important now than ever. They are especially valuable for the families of Reserve and Guard men and women whose wife or husband is called to active duty and then deployed in adjusting to extended absences to the spouses return or, in the worst case, to the spouse’s not returning home alive, or returning home seriously wounded or maimed for life. When we talk about supporting our troops, which all of us truly want to do, two very important ways are through childcare and family assistance services.

I decided to take this opportunity to address briefly a related area, one vital to our national security. Last week the Washington Post reported that the CIA is operating secret prisons in up to eight other countries, including one in Northern Scotland that it operates in Europe. These are so-called “black sites” where reportedly the CIA’s “enhanced interrogation techniques,” some of which are prohibited by U.N. convention or U.S. military law—in other words, torture—are being used against unidentified subjects for indefinite periods of time. They are reportedly being denied lawyers or any opportunity to defend themselves against whatever charges of wrongdoing have brought them there. In the same time, the Vice President has reportedly given “one of the most impassioned pitches he has ever delivered” to Republican Senators at last week’s caucus lunch opposing the McCain amendment, which passed the Senate by a vote of 90 to 9, that would prohibit the use of torture against detainees. The President has reportedly threatened to veto the entire 2006 Defense appropriations bill if it contains the McCain amendment. The Vice President was reportedly urging that the prohibition against torture be stricken, or at least an exception be given to the CIA.

Now we know why the President and the Vice President are so adamantly opposed to the Senate’s ban on the use of torture or want an exemption for the CIA. It is because the CIA is operating secret prisons in other countries where torture is allegedly being used. Why else would they be against prohibiting torture if they weren’t doing it or intending to do it?

In response to the Post story, Republican congressional leaders sent a letter to the chairmen of the Senate and House Intelligence Committees requesting them to “immediately initiate a joint investigation into the possible release of classified information to the media alleging that the United States Government may be detaining and interrogating terrorists at undisclosed locations abuses that know, if accurate, such an egregious disclosure could have long-term and far-reaching damaging and dangerous consequences, and would imperil our efforts to protect the American people and our homeland from terrorist attacks by a votary of torture.”

Well, with all due respect, I say that the Republican leaders have the right idea but the wrong focus. There ought to be a congressional investigation, but it ought to be on the existence of those secret prisons on who is being held there, why, for how long, and how are they being treated, whether torture is being used, and why these “black
Mr. PRYOR. Mr. President, as Veterans Day approaches, we pay homage to the soldiers who once stormed the beaches of Normandy, reclaimed the mountains of Korea and crossed the sands of Kuwait. We pay homage to our veterans’ sacrifice and courage, and also to the brave men and women who now follow their example in places like Iraq and Afghanistan.

In paying respect, we must also follow through on our Nation’s commitment to them. We must help them receive the benefits they earned and deserve. Arkansas has a long and distinguished record of service, one that my State is proud of, and one that we will continue to honor. In addition to the honorable service by our active duty soldiers, marines, seamen and airmen, the Arkansas National Guard has mobilized more than 8,000 of its guardsmen since Sept. 11, 2001. In fact, this Veterans Day is an especially poignant one for families in Rogers, AR where 180 guardsmen have just been deployed to serve in Iraq.

Arkansas is not alone in its commitment to military service. Since the wars in Iraq and Afghanistan, there are 383,000 veterans to care for, including 105,000 who are currently seeking health care from VA hospitals.

We can never truly repay our veterans for their service to our Nation, but we can care for them just as they cared for those men and women. Senator NORM COLEMAN and I have introduced the Veterans Benefits Outreach Act to help ensure that all veterans collect the benefits they have earned but for whatever reason are not receiving.

Nearly 600,000 veterans nationwide are not receiving the benefits they are entitled to, often due to a simple lack of knowledge that they are eligible. Instead of veterans having to cut through bureaucracy to learn about and receive the various benefits they earn, our bill seeks to bring this information to them. It requires the VA to prepare a plan to identify veterans who are not enrolled in programs they are eligible for and an action plan to enroll them.

This measure represents an opportunity to help our current veterans and meet the challenges we foresee instead of waiting until benefit problems escalate for a new generation of veterans. I hope this Veterans Day will add the necessary momentum for the full Senate to consider and pass this measure. We owe this to veterans like Chaplain—Colonel—David McLemore—a soldier whose inspirational career to providing outreach to service men and women in the field.

Chaplain McLemore is a native Arkansan and has served as a chaplain in the Arkansas Army National Guard for 21 years. During that time he has served as the company, battery, battalion, and brigade level. He has personally answered the call to duty in two wars, Operation Desert Storm and Operation Iraqi Freedom II.

In both of these conflicts, Chaplain McLemore served on the front lines with combat units, where he ministered to soldiers conducting the day-to-day fight with the enemy. Chaplain McLemore always chose to be up front providing a “Ministry of Presence” to those in the greatest place of danger.

Those who served in combat with Chaplain McLemore knew that he would always be there with a listening ear, an open heart, and a guiding hand. He served with knowledge and inspiration to those who knew that they could lose their lives at any minute.

As any chaplain, Chaplain McLemore did not carry a weapon as he faced the perils of combat, but the soldiers he served with knew that he carried more firepower than any of them, the grace and word of God, and they always wanted Chaplain McLemore and that firepower with them.

They knew that he risked his life every day for one mission, to serve them. In the simple but strong bond of combat, it was clear that Chaplain McLemore loved his fellow soldiers and they loved him.

Two months after his return from Operation Iraqi Freedom II, Chaplain McLemore was involved in a motorcycle accident where he sustained severe injuries. Today, he fights to recover from those injuries in the Veterans Administration Hospital in North Little Rock, AR.

As he does, he has the prayers, respect, and encouragement from us and all of his fellow soldiers. We honor him today for his commitment and selfless service to God, his country, and his fellow soldiers. Thank you, Chaplain David McLemore. God Bless and Speed.

We owe all our veterans not only our gratitude, but also our freedoms and American way of life. Our military has kept us safe for a long time. We cannot thank them enough, but we can begin to repay their sacrifices by providing them with the resources they need in the field and the support they have earned when they return home.

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

The PRESIDING OFFICER. The clerks will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PRYOR. Mr. President, I ask unanimous consent that the order for the quorum call be dispensed with. The PRESIDING OFFICER. Without objection, it is so ordered.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006—CONFERENCE REPORT

Mr. McCONNELL. Under the previous order, I ask unanimous consent that the Senate proceed to the immediate consideration of conference report to accompany H.R. 3057, the Foreign Operations appropriations bill. I further ask that there now be 5 minutes of debate, and that following the next vote in the conference, all the Senate proceed to a vote on adoption of the conference report with no intervening action or debate.
pleased we were able to provide significant funding for Afghanistan, Pakistan, Israel and Sudan.

Given bipartisan support for several accounts, we were able to provide modest increases over last year’s enacted levels for the Global Fund to Fight AIDS, Tuberculosis and Malaria, the Child Survival and Health Programs Fund, Development Assistance, International Narcotics Control and Law Enforcement, Migration Assistance and Refugee Assistance, and Non-proliferation, Anti-Terrorism, Demining and Related Programs.

For HIV/AIDS, TB and malaria, we provided a total of $2.8 billion from all accounts in the bill, an increase of $268 million above the budget request. There is $450 million available for a U.S. contribution to the Global Fund. We also include a provision, for the first time in the bill, designating $100 million to combat malaria.

Finally, the bill includes a new appropriations account entitled “Democracy Fund” that will help ensure America’s activities to promote democracy, good governance, human rights and the rule of law abroad are conducted in a more efficient and effective manner.

Let me close with a brief word of thanks to my staff—but especially to their families. It takes a long time to produce a foreign aid bill, and I appreciate the dedication of Tom Hawkins, Harry Christy, Bob Lester, LaShawnda Smith and Paul Grove to this task. But to the families special thanks for their understanding and support as the midnight oil was burned and weekends were spent at the office. I hope we can move quickly to a vote on the conference report.

Mr. LEAHY. Mr. President, I support the Foreign Operations Conference Report for fiscal year 2006 and urge all Senators to vote its passage.

Like every appropriations bill, there are things in this conference report that I disagree with. There are programs which I, as do many here, believe need substantially more funding than we were able to provide. A good example is our migration and refugee programs. This conference report provides less than the President requested and far less than the Senate bill. The suffering of refugees and displaced people that we are able to relieve but will not because of the scant resources in this bill is shameful and inexcusable. We have helped industrialized nations could and should do far more to help them.

Another problem is HIV/AIDS, although we were able to provide $268 million more than the President requested. I am disappointed that the amount of our contribution to the Global Fund to Fight AIDS, TB and Malaria was $50 million less than in the Senate bill. There are few more compelling needs for those funds than fighting these insidious diseases. I had hoped we would have enough to fully fund the Non-Proliferation, Anti-Terrorism, Demining and Related Programs account. It is a mistake to cut funding for the Comprehensive Test Ban Treaty International Monitoring System, for which the President did not request sufficient funds. The amount in this conference report represents a cut of $4.9 billion below the President’s request and is at least $6 billion less than the amount of the U.S. share for this vitally important monitoring system.

The fact is, despite the help we got from Chairmen COCHRAN and Senator BYRD with our allocation, for which we are very grateful, the conference report does not provide nearly enough resources to respond adequately to the multitude of threats we face across the globe. We had to make the kind of peevish choices that the world’s wealthiest, most powerful country should not be making.

There are other funding problems in this conference report, but on the whole it strikes the right balance for the bipartisan support it needs, and for that I commend Chairmen MCCONNELL, Chairman KOLBE, and Congresswoman Lowey. We have worked very cooperatively as is our practice, and I think we did about the best we could with an allocation that was almost $2 billion below the President’s budget request. I want to mention a few other issues.

First, Colombia. I was pleased that the conferees agreed to my request to provide an additional $6 million for economic and social programs. Despite assurances by the administration that they would increase funding for these programs as the security situation in Colombia improves, they have done the opposite. Military programs have consistency received a larger share of the budget.

I was pleased that the conferees included report language I requested, directing that $500,000 of our military aid for Colombia be used to cover incidental costs relating to the treatment at U.S. hospitals of seriously injured Colombian soldiers. Due to the tireless work of the nonprofit organization “United for Colombia,” these hospitals have generously offered to perform this surgery—which requires sophisticated technology and expertise that is unavailable in Colombia—free of charge. But there are additional expenses such as transportation, lodging and medicines. The conferees also included my recommendation that additional assistance from the Leahy War Victims Fund be made available for civilians who have been injured by landmines and other causes relating to the conflict.

The conference report also includes language concerning the demobilization of Foreign Terrorist Organizations in Colombia. We would like to support this process, but it has been flawed from the beginning and the “Peace and Justice” law has been widely criticized by human rights experts in Colombia, the United States, Europe, the United Nations, and the Organization of American States. There is considerable
skepticism that the paramilitary leaders will in fact give up narco-trafficking, surrender their illegally acquired land and other assets, or be brought to justice. We want to be sure that the law is being implemented in a manner that upholds the principles of peace and justice, that these organizations are dismantled, and that their leaders receive the severe punishment they deserve.

We need to forge up to $20 million in fiscal year 2006 for the demobilization. These are mostly funds that were already requested by the Administration for other purposes. We require the Secretary of State to first certify that certain conditions have been met and to notify the Congress. This reflects the serious concerns that Members of Congress have with the demobilization process. Among those conditions is that the Government of Colombia is "providing for the dismantlement and eradication of narcotics and narcotics trafficking" that is directly related to reduce the army's role in the political process. He has also been a reluctant one. He has not be satisfied by the removal of the highest ranking soldiers and the failure to bring to justice those who order and commit murder get away with it. What is more fundamental to democracies or justice?

For many years, the Congress has put conditions on U.S. assistance to the Indonesian army. The conditions in our law require nothing more than that the army respect the law, yet both Secretary Rumsfeld and Secretary Rice asked Congress to eliminate the conditions. I understand there are competing interests here, but the Indonesian army and the United States have common security interests. I would have supported their request if there were any sign that the Indonesian army is prepared to be accountable to the law for any of these heinous crimes. So far, there is not.

The conference agreement also requires a report on the status of the FBI investigation of the August 2002 murders of two American civilians and one Indonesian civilian in Timika, West Papua. Soon after the first two murders, the Indonesian military tried to frame an innocent man. Then, when the police implicated the military in the attack, the investigation abruptly ended. Nothing happened for another year or so because the military actively impeded further efforts to investigate. Since then, the military has been more cooperative and one West Papuan individual has been indicted in the U.S. But he has yet to be indicted in Indonesia and responsibility for this heinous crime remains elusive. It is now more than three years since this tragedy and no one has been brought to justice.

Finally, the conference report requires a report on the humanitarian and human rights situation in West Papua. We have once again put conditions on our military aid because of the King's undemocratic and repressive actions on January 30, and the army's continuing involvement in human rights violations. We detest the tactics used against the Maoists, who forcibly recruit children, who engage in extortion, and brutalize civilians. But the King's actions have only made a political solution to the conflict in Nepal more elusive, and at great cost to democracy and the rule of law. The conference agreement provides $2.5 million for a U.S. contribution to the U.N. High Commissioner for Human Rights Office in Nepal, to monitor and report on human rights violations throughout the year 2006 for the demobilization. These are not ordinary criminals. Some of them make Pablo Escobar look like an amateur. They are responsible for creating and arming their own death squads, looting hundreds of millions of dollars worth of cocaine into the United States, and they have infiltrated many sectors of Colombian society including, we learned recently, the police intelligence service. We also know they have sway with some members of the Colombian Congress.

Impunity has been the norm throughout Colombia's history. Nothing would be worse for the cause of justice, or for democracy in Colombia, than for people who are among the most notorious criminals in this hemisphere to escape punishment that is proportional to their crimes. If that happens, you can be sure that their criminal enterprises will not be dismantled, the cocaine will keep flowing across our borders, the Colombian people will continue to be plagued by narcotics related violence and corruption, and peace and justice will remain out of reach.

Another item in this conference report deals with Indonesia. President Yudhoyono, who was democratically elected, has been advancing reformist policies that we support, including reducing the army's role in the political process. He has also been a reliable ally in fighting terrorism in the world's largest Muslim country.

The conference report provides assistance to the Indonesian Navy in the amount requested by the Administration, and it also provides IMET assistance for Indonesia without restriction. In addition, our largest counterterrorism training program is with Indonesia, and the Defense Department regularly conducts joint exercises and other activities with the Indonesian military.

But one area where there has been no discernible progress is accountability for crimes by the army. In 1992 the Indonesian army shot to death an estimated 200 unarmed protesters in a cemetery in Dili, East Timor. A few low-ranking soldiers were punished, but in a perversity of justice several of the civilians were sent to jail for far longer sentences. Then in 1999, the Indonesian army armed the militias who laid waste to East Timor after the independence referendum. The U.N. identified the top officers involved and accused them of war crimes, but the army-tabbed the government's halfhearted efforts to bring them to justice. Thousands of innocent people died, and no one has been punished.

Some have suggested that because these are "past" crimes, we should look forward, not backward. What crime isn't a past crime? Does that make it any less important that justice be done? How do you prevent future atrocities if you let those who order and commit murder get away with it? What is more fundamental to democracies or justice?

For many years, the Congress has put conditions on U.S. assistance to the Indonesian army. The conditions in our law require nothing more than that the army respect the law, yet both Secretary Rumsfeld and Secretary Rice asked Congress to eliminate the conditions. I understand there are competing interests here, but the Indonesian army and the United States have common security interests. I would have supported their request if there were any sign that the Indonesian army is prepared to be accountable to the law for any of these heinous crimes. So far, there is not.

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Finally, the conference report requires a report on the humanitarian and human rights situation in West Papua. Another item I want to mention is Nepal. We have once again put conditions on our military aid because of the King's undemocratic and repressive actions on February 1, and the army's continuing involvement in human rights violations. We detest the tactics used against the Maoists, who forcibly recruit children, who engage in extortion, and brutalize civilians. But the King's actions have only made a political solution to the conflict in Nepal more elusive, and at great cost to democracy and the rule of law. The conference agreement provides $2.5 million for a U.S. contribution to the U.N. High Commissioner for Human Rights Office in Nepal, to monitor and report on human rights violations throughout the year 2006 for the demobilization.
Mr. LEAHY. Mr. President, I want to mention one other item in the Foreign Operations conference report. It does not earmark Foreign Military Financing funds for Timor-Leste, formerly East Timor, the world’s newest democracy and a friend of the United States. However, we do not earmark funding for many of the countries for which FMF was requested, but we provide $241.7 million in FMF assistance to cover these needs, including for Timor-Leste. The administration’s budget request included $1.5 million in FMF for East Timor. The fact that we did not earmark these funds for Timor-Leste should not be misinterpreted as an indication of any diminished commitment on the part of the conferees with the administration’s request.

Mr. MCCONNELL. That is correct. We did not earmark FMF for Timor-Leste but we intend the administration to provide an amount similar to the request. We also provided $1.5 million in International Narcotics and Law Enforcement, INCLE assistance for Timor-Leste, for the ground police training, as well as $19 million in Economic Support. The cut in ESF from the fiscal year 2005 level of $22 million was due, in part, to the earmark in INCLE assistance which had not been requested by the administration.

Mr. MCCONNELL. Mr. President, do I have time under the consent agreement?

The PRESIDING OFFICER. The Senator does.

Mr. MCCONNELL. I yield back the remainder of my time.

The PRESIDING OFFICER. All time is yielded.

MORNING BUSINESS

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to speak for a period of time in as if in morning business.

The PRESIDING OFFICER. Is there objection? Without objection, it is so ordered.

Mr. KERRY. Mr. President, are we now in morning business?
The PRESIDING OFFICER. The Senator is correct.

Mr. KERRY. Mr. President, I send a bill to the desk for appropriate referral to the committee.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

(Reprinted with the permission of Mr. Kerry pertaining to the introduction of S. 933.)

As we enter a make-or-break 6-month period in Iraq, that long journey of 138,000 troops that have gone on for years with oppression—Sunni versus Shiites. It is a struggle for Iraqi security forces to become self-sufficient. I have said specifically that when this nation asked on the Memorial Day weekend for our large military presence, ''feeds the notion of occupation and extends the amount of time that it will take for Iraqi security forces to become self-sufficient.''

The starkness of the coffin in the center of that hold, and the silence—except for the din of the engines—bemused me. I left Iraq departing on a C-130, and a simple aluminum coffin with a small American flag draped over it. We were bringing another American soldier home to his family and to his resting place.

The administration must immediately call for an international leverage in order to convince the Shiites and the Kurds to support a political solution that gives Sunnis autonomy and oil revenues and to settle by a political solution. No political solution can be achieved when the antagonists can rely on indefinite large-scale presence of occupying American combat troops.

The PRESIDING OFFICER. The Senator is correct.

Mr. KERRY. Mr. President, sometime later today when we dispose of a few of the next amendments, Senator Levin, on behalf of leadership and a group of Senators on our side of the aisle—Senators and others may wish to join—in will be submitting an amendment with respect to the issue of Iraq. I am pleased to join in that with them. I look forward to participating in that debate at that time.

At a news conference a week ago I referred to this in a speech I gave recently. I left Iraq departing on a C-130 from Mosul, together with Senator Warner and Senator Stevens. The three Senators and the staff, all of us, were gathered in this cavernous C-130. In the middle of the cargo hold was a simple aluminum coffin with a small American flag draped over it. We were bringing another American soldier home to his family and to his resting place.

The starkness of the coffin in the center of that hold, and the silence—except for the din of the engines—bemused me. I left Iraq departing on a C-130, and a simple aluminum coffin with a small American flag draped over it. We were bringing another American soldier home to his family and to his resting place.

The administration must immediately call for an international leverage in order to convince the Shiites and the Kurds to support a political solution that gives Sunnis autonomy and oil revenues and to settle by a political solution. No political solution can be achieved when the antagonists can rely on indefinite large-scale presence of occupying American combat troops.

The reality is our military presence in vast and visible numbers has become part of the problem, not just the solution. Our own generals are telling us this in open hearings of the Senate.

Early today, my good friend, the Senator from Arizona, Mr. McCain, made a speech in which he mischaracterized my plan to bring our troops home within a reasonable timeframe from an Iraq that will bring our troops home within a reasonable timeframe. That figure is set by the administration itself. The fact is, that is a benchmark. It is a benchmark set by the administration itself. The fact is, most of last year, during which time the administration says we have adequate troops to do the job, we had about 138,000 troops in Iraq. The fact is, for the purposes of the constitutional referendum and for the purposes of the election, the administration upped the number of troops in order to guarantee security for the purpose of those two events.

I have said specifically that when those two events are completed successfully, and with the increased numbers of Iraqis trained, there is no excuse for not being in a position to go from the current 161,000 down to the 138,000, where we were before, where our generals told us we had enough troops to do the job. That figure is set not by an arbitrary standard but by the accomplishment of the specific benchmark.

It is also critical that we send this signal to the Iraqi people that we do not desire a permanent occupation and that Iraqis themselves must fight for Iraq. History shows again and again that guns alone do not end an insurgency, and guns alone, particularly, will not end this insurgency. The real struggle in Iraq is not what the President has described again and again as the war against al-Qaida. The real struggle in Iraq is Sunni versus Shiite. It is a struggle that has gone on for years with oppression and oppressed, and it will only be settled by a political solution. No political solution can be achieved when the antagonists can rely on indefinite large-scale presence of occupying American combat troops.
regional security structure. I have heard from countless numbers of members of government in the region that the old security arrangement that existed prior to the invasion of Iraq has, in fact, been altered by that invasion. And today there are great uncertainties in the Gulf States—Kuwait, Saudi Arabia, and obviously uncertainties with the saber rattling of Iran and the problems with Syria. We ought to be committing our efforts to create a new regional security structure and to provide improved security assistance programs, joint exercises, and provide a greater confidence to the region about long-term strategy.

To show Iraqi Sunnis the benefits of participating in the political process, we should press these countries to set up a reconstruction fund specifically for the majority Sunni areas. The absence of specific economic transformation remains the heart of one of the reasons for people to move toward insurgency rather than the governance process. We need to also jump-start our lagging reconstruction efforts by providing necessary civilian personnel to do the job, standing up civil-military reconstruction teams throughout the country, and the establishment of a mechanism unification of funds to the provinces, expanding job creation programs, and strengthening the capacity of government ministries.

Prime Minister Blair, a few weeks ago, suggested that different countries actually adopt a ministry. I know in the Ministry of Finance there are precious few U.S. personnel helping that finance ministry to be able to do the job of administering payrolls and managing the budget of the country. It is unbelievable that at a time when our troops are making such a valiant effort to provide for this transformation we are absent the kind of diplomatic and civilian personnel necessary to make those things happen.

On the military side, we must make it clear now that we do not want permanent military bases in Iraq. We still have not done that. In the absence of doing that, we lend credence to the notion of occupation and of long-term designs on oil, on land, or other designs. Those lend themselves to the recruitment process.

The administration must immediately give Congress and the American people a detailed plan for the transfer of military and police responsibilities to a sector-by-sector basis to Iraqs so the majority of our combat forces can be withdrawn—ideally as a target by the end of next year.

Since the President needs to put the training of Iraqi security forces on a 6-month wartime footing and ensure that the Iraqi government has the budget to deploy them. The administration should accept the long-standing efforts and offers of Egypt, Jordan, and Germany for more training. They should prod the new Iraqi government to ask for a multinational force to help protect Iraq's borders until a capable national Army is formed. And that force, if sanctioned by the United Nations, could attract participation by Iraq's neighbors and countries like India, and it would be a critical step in stemming the tide of insurgents and money into Iraq, especially funding.

Finally, we must alter the deployment of American troops themselves. I believe deeply that special operations obviously need to continue. They must continue in specific intelligence needs and in order to ferret out those jihadist and other hard-core insurgents that we have in Tehran. But the vast majority of our troops could easily move to a rear guard, garrison kind of status in order to provide security backup. You do not need to send the young Americans on search-and-destroy mission that invite alienation and deepen the risks they face.

If the President were to do this, then the Iraqis would need to move rapidly, according to our own generals, begin to assume the responsibilities which we are asking them to and which they need to and which, in the end, are the only way to succeed. If the President refuses to move in this course, ultimately it is our responsibility, the U.S. Congress, to debate and ultimately help to put this policy in the right direction. If we take these steps, there is, frankly, no reason that within 12 to 15 months we couldn't be able to take on a new role—a role as an ally, not an occupier. And only then will we have provided our troops with what they really deserve, which is leadership equal to our soldiers' sacrifice. I yield the floor.

Mr. WARNER. Mr. President, in consultation with the ranking member, we are anxious to move now to further debate on the Kerry amendment. For that purpose, if we could get an estimate of the amount of time that might be required and we could proceed to the second-degree amendment.

Could the Senator advise the managers how quickly we could proceed with the resolution of your amendment, first and second degree to be offered by Senators Roberts and Rockefeller, short debate on that, and such final debate as needed on the underlying amendment, and move to a vote?

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KERRY. Mr. President, I ask unanimous consent that the order for the amendment be rescinded.

Mr. LEVIN. That would be better. Mr. WARNER. Fine. In that event, I suggest the absence of a quorum.

Mr. LEVIN. That would be better. Mr. WARNER. Mr. President, that is correct. I say to my distinguished colleague. The proposal, eventually is that you will have some sort of a—

Mr. KERRY. My understanding is we are talking about a second-degree amendment; is that correct?

Mr. WARNER. That is correct. But then, as we have with others, if it is desired by the three principals here, to do it in a side-by-side fashion. There is a parliamentary means to do that.

Mr. KERRY. Mr. President, if I could have the chance to work with Senator ROCKEFELLER, we may just have one vote.

Mr. WARNER. Mr. President, that is correct.
Mr. BIDEN. Mr. President, I have no debate or disagreement about what the Senator said. I was wondering whether the chairman and the cochair, the Democratic chair, would object to—maybe this is not the appropriate place to do it—a second-degree amendment, on the grounds that whatever form it would take, that would require not the intelligence community but the State Department to report to the Foreign Relations Committee on the status of their judgment as to whether or not compliance with international treaties their view on that matter.

I don't want to be the skunk at the family picnic. I am not trying to cause any difficulty. But it seems to me that such an approach would not in any way fly in the face of the intelligence community reporting to the Intelligence Committee. The Senator is right—historically, the various committees, including the Foreign Relations Committee, have reported on the Intelligence Committee. I have no argument with that. I wonder whether any of my friends could respond to that concern I have raised.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. ROBERTS. Reclaiming my time, let me say to the Senator, he is welcome to the picnic any time he wants to come. I believe we have resolved this matter in response to the original amendment, regarding this subject. Senator KERRY and Senator ROCKEFELLER and Senator WARNER and I and I have crafted a second-degree amendment that will be accepted by Senator KERRY. I recognize the unique concern in regard to the Senator from Delaware. I would hope we could dispense with this first and then enter into a discussion as to the merits of the Senator's concern.

Mr. BIDEN. Parliamentary inquiry: If we dispense with the second-degree amendment, is there any ability to further amend this legislation? This is a substitute or a second degree?

Mr. ROBERTS. This is a second-degree amendment, I inform my colleague.

The PRESIDING OFFICER. The second-degree amendment now that we would modify the amendment, as amended. Would that be satisfactory?

Mr. WARNER. Mr. President, could we have an agreement now that we would modify the amendment as submitted so that it is a second degree, not a substitute, but simply a second degree?

Mr. WARNER. Mr. President, I would defer to the distinguished chairman of the Intelligence Committee.

Mr. ROBERTS. As I have indicated or as has been indicated by the distinguished chairman, the subject matter before us now pertains to the jurisdiction of the Intelligence Committee. That amendment, as a substitute or an additional amendment, whatever form it would take, that would require not the intelligence community but the State Department to report to the chairman and the cochair, the Democratic chair, would object to—

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Mr. KERRY. Mr. President, we can solve this if we do the following: First, the amendment of the Senator from Delaware, which is a good amendment, is outside of the jurisdiction of the Intelligence Committee. It is not something that involves the Intelligence Committee. It is outside of the jurisdiction of the Intelligence Committee. My suggestion would be, since we are trying to dispense with this fairly expeditiously, if we were to modify now the amendment simply to say that it is not a substitute but, rather, one second degree, separately, immediately upon disposition of that second degree, I could accept the second degree of the Senator from Delaware, at which point we could have a vote on the final amendment, as amended. Would that be satisfactory?

Mr. WARNER. Mr. President, we would need to examine the second-degree amendment by the distinguished Senator.

Mr. KERRY. Could we have an agreement now that we would modify the amendment as submitted so that it is a second degree, not a substitute, but simply a second degree?

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Mr. KERRY. Mr. President, could we have an agreement now that we would modify the amendment as submitted so that it is a second degree, not a substitute, but simply a second degree?
Mr. WARNER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. WARNER. The group that is working on the Kerry amendment, with the proposed Roberts-Rockefeller second degree, is working diligently, but it is important that we continue on the bill. At this time, I ask unanimous consent that the amendment by the Senator from Massachusetts be laid aside and that the Senator from South Carolina be recognized for the purpose of offering an amendment.

The PRESIDING OFFICER. Is there objection?

Mr. KERRY. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Is it my understanding that upon the disposition of the next amendment, this will be the pending business?

Mr. WARNER. That can easily be arranged.

Mr. KERRY. Can we have that?

Mr. WARNER. I so ask.

The PRESIDING OFFICER. That will be the order pending further action of the body.

Mr. WARNER. I yield the floor.

The PRESIDING OFFICER. The Senator from South Carolina is recognized.

Mr. GRAHAM. Mr. President, I call up amendment No. 2515 which is at the desk.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from South Carolina [Mr. GRAHAM], for himself, Mr. KYL, and Mr. CUMMINGS, proposes an amendment numbered 2515.

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

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

The amendment is as follows:

(Purpose: Relating to the review of the status of detainees of the United States Government)

At the end of subtitle G of title X, add the following:

SEC. ... REVIEW OF STATUS OF DETAINES.

(a) SUBMITTAL OF PROCEDURES FOR STATUS REVIEW OF DETAINES AT GUANTANAMO BAY, CUBA.—Notwithstanding the expiration of 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, and to the Committees on the Judiciary of the Senate and the House of Representatives, a report setting forth the procedures of the Combatant Status Review Tribunals and the noticed Administrative Review Panels in operation at Guantanamo Bay, Cuba, for determining the status of the detainees held at Guantanamo Bay.

(b) PROCEDURES.—The procedures submitted pursuant to subsection (a) shall, with respect to proceedings beginning after the date of the submittal of such procedures under that subsection, ensure that—

(1) in making a determination of status of any detainee under such procedures, a Combatant Status Review Tribunal or Administrative Review Board may not consider statements derived from persons that, as determined by such Tribunal or Board, by the preponderance of the evidence, were obtained with undue coercion; and

(2) the Designated Civilian Official shall be an officer of the United States Government whose appointment to office was made by the President, by and with the advice and consent of the Senate.

(c) REPORT ON MODIFICATION OF PROCEDURES.—The Secretary of Defense shall submit to the committees of Congress referred to in subsection (a) a report on any modification of the procedures submitted under subsection (a) that are made within 90 days after the date on which such modifications go into effect.

(d) JUDICIAL REVIEW OF DETENTION OF ENEMY COMBATANTS.—

(1) IN GENERAL.—Section 2241 of title 28, United States Code, is amended by adding at the end the following:

"(e) No court, justice, or judge shall have jurisdiction to hear or consider an application for a writ of habeas corpus filed by or on behalf of an alien outside the United States for the release of such alien from the custody of the President, by and with the advice and consent of the Senate, that is detained as an enemy combatant.

(2) CERTAIN DECISIONS.—

(A) IN GENERAL.—Subject to subparagraphs (B), (C), and (D), the United States Court of Appeals for the District of Columbia Circuit shall have exclusive jurisdiction to determine the validity of any decision of a Designated Civilian Official described in subsection (b)(2) that alien is properly detained as an enemy combatant.

(B) LIMITATION ON CLAIMS.—The jurisdiction of the United States Court of Appeals for the District of Columbia Circuit under this paragraph shall be limited to claims brought by or on behalf of an alien—

(1) who is, at the time a request for review by such court is filed, detained by the Department of Defense at Guantanamo Bay, Cuba; and

(2) for whom a Combatant Status Review Tribunal has been pursuant to applicable procedures specified by the Secretary of Defense.

(C) SCOPE OF REVIEW.—The jurisdiction of the United States Court of Appeals for the District of Columbia Circuit with respect to an alien under this paragraph shall be limited to the consideration of whether the alien is properly detained as an enemy combatant.

(D) TERMINATION ON RELEASE FROM CUSTODY.—The jurisdiction of the United States Court of Appeals for the District of Columbia Circuit with respect to the claims of an alien under this paragraph shall cease upon the release of such alien from the custody of the Department of Defense.

(3) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to any application or other action that is pending on or after the date of the enactment of this Act. Paragraph (2) shall apply with respect to any claim regarding a decision covered by that paragraph that is pending on or after such date.

Mr. GRAHAM. Mr. President, will you notify me when I have used 15 minutes of the time?

The PRESIDING OFFICER. The Chair will so notify the Senator.

Mr. GRAHAM. Mr. President, this whole debate we are having now with Senator KERRY, what we did with Senator McCAIN’s amendment earlier, and what I am trying to do, is a healthy debate about where we are going as a nation, how we prosecute the war on terrorism, and that kind of value set we are going to adopt.

One thing we need to understand as a nation and we need to understand in the Senate, in my opinion, is that the amendment of 9/11 was not a criminal enterprise. That is an important statement to make. Every Senator needs to understand in their own mind: Was 9/11 and were those who planned it and those who blew up the people in Jordan yesterday common criminals or are these people engaged in acts of terrorism and war? Let it be said clearly, in my opinion, that the United States is at war with al-Qaida and associate groups, and we have been since 9/11.

In a country such as the United States is at war, we have a rich tradition of following the law of armed conflict, of living up to the Geneva Conventions and all other international treaties that regulate the conduct of war. We have a moral obligation as a nation not to lose our way in fighting this war. Using tactics of one’s enemy is no excuse in defeating one’s enemy.

It is clear to me from Abu Ghraib, backward, forward, and other things we know about the way that we lost our way in fighting this war. What we are trying to do in a series of amendments is recapture the moral high ground and provide guidance to our troops. That is why Senator McCAIN’s amendment, which I cosponsored, is so important, and it passed by voice vote.

The McCAIN amendment requires standardization of interrogation techniques when it comes to people in our charge, not as criminal defendants but as our enemy combatants detained on the battlefield, POWs. It requires the Army Field Manual, not the United States Code, to be changed in a way to give our troops the guidance they need as to what is in bounds and out of bounds when it comes to interrogating prisoners. It is important that we get good information. It is equally important that we not lose our value set in obtaining that information.

Senator McCAIN has two things in his amendment that will make a big need. It standardizes interrogation techniques for the military, dealing with people who are part of this war, our enemies, and it also makes a statement to every other agency in the Government that you are going to treat people humanely if they are captured under your charge as part of fighting this war.

Guantanamo Bay is a place we have designated to take people off the battlefield and hold them, and the determinations that go on at Guantanamo Bay fall into two categories. Some can be prosecuted for violations of the law of war, not criminal violations in
terms of domestic criminal law but violations in terms of the law of war. Enemy combatants are being held at Guantanamo Bay like POWs were held in the past. What we have done at Guantanamo Bay is we have set up a procedure that will allow every suspected enemy combatant to be brought to Guantanamo Bay and given due process in terms of whether they should be classified as an enemy combatant.

The Geneva Conventions in article V state that if there is a doubt about one’s status, the host country, the person who is in charge of the person, the suspected enemy person, that host country will have a competent tribunal to determine the status.

What is going on at Guantanamo Bay is called the Combat Status Review Tribunal, which is the Geneva Conventions protections on steroids. It is a process of determining who an enemy combatant is that not only applies with respect to POWs but to any combatant and then some, it also is being modeled based on the O'Connor opinion in Hamdi, a Supreme Court case, where she suggested that Army regulation 190-8, sections 1 through 6, of 1997, would be the proper guide in detaining people as enemy prisoners, enemy combatants. That regulation is “Enzyme Prisoners of War, Retained Personnel, Civilian Internees, and other Detainees.” We have taken her guidance. We have the Army regulation 190-8, and we have created an enemy combat status review that goes well beyond the Geneva Conventions requirements to detain someone as an enemy combatant.

The McCain amendment says if you are an enemy combatant, we will treat you humanely, even though you may be part of the most inhuman group the world has ever known. Senator MCCAIN is right. How we treat detainees in our charge once they are captured is about us, our legal status is about them. Once they choose to become part of a terrorist organization in an irregular force that blows up people at a wedding, then their legal status is about them and their conduct.

I want to make sure we follow the law of armed conflict, that we comply with the spirit of the Geneva Conventions, that we do it right because we are a country that believes in doing it right. I believe the Congress needs to get involved. We have been AWOL with Senator LEVIN and my Democratic colleagues, Senator WARNER, Senator MCCAIN, and others to get the Congress involved. Here is what we have done. The Congress is now setting interrogation standards that have long been broken and neglected. The Congress is now setting a humane treatment standard that will serve us well in the international community. The Congress, through my amendment, is now getting involved in the enemy combatant detention process.

People worry about taking folks to Guantanamo Bay and never hearing from them again. I can assure you they can be heard from. They are being heard from. They are being inspected in terms of their treatment by the International Red Cross. I have been to Guantanamo Bay twice. If you worry about what is going on at Guantanamo Bay, the press does have access to Guantanamo Bay. The International Red Cross has access to Guantanamo Bay. My amendment gets Congress in the ball game.

My amendment requires that Combat Status Review Tribunals have to come to the Senate and the House for our review. Congress now is looking over the shoulder of what is going on there.

My amendment requires that the person sitting at the top of the pyramid who makes the decision to release or detain has to be confirmed by the Senate so they will be accountable to us.

My amendment prohibits the use of undue coerced statements to detain somebody as an enemy combatant. If you have a POW in a war, you are there until the war is over. An enemy combatant falls into that same category, and we are going to make sure they get due process accorded under international law, that they are given habeas rights until you act.

The Congress is going to be involved, and we are going to take a stand. We are going to help straighten out the legal mess we are in. But there is another problem. For those who want to treat people in our charge humanely, sign me up. For those who want to get Congress involved in making sure we have standardized interrogation techniques so our own troops won’t get into trouble, sign me up. For those who want to give enemy combatants due process in accordance with the Geneva Conventions, and then some, sign me up. For those who want to turn an enemy combatant into a criminal defendant in U.S. court and give that person the same rights as a U.S. citizen to go into Federal court, count me out. Never in the history of the law of armed conflict has an enemy combatant, irregular combatant, or POW been given access to civilian court systems to question military authority and control, except here.

What has happened at Guantanamo Bay that we need to fix? I know what we need to fix in terms of the way we have treated prisoners. We are doing it. I think we are making up for our past sins. My request to this body is, let’s not go too far and create problems that will come back to haunt us. We are at war; we are not fighting the Mafia. We are fighting an enemy desirous of taking us down as a nation.

The Supreme Court decided that the Guantanamo Bay activity was part of the United States, not in its territory so much as under its control. The Supreme Court has been勤务 to us in Congress.

Habeas corpus rights have been given to Guantánamo Bay detainees because the location is under control of the United States, and Congress has been silent on how to treat these people. The Supreme Court has looked at section 2241, the habeas statute, and they are saying to us: Since you haven’t spoken, we are going to confer habeas rights until you act.

The Congress has said that we will under habeas give due process to enemy combatants, but if you were smart, you would have a process like Army regulation 190-8, and that would be more than enough. Well, we are not smart.

Here is what has happened. If you want to give a Guantanamo Bay detainee habeas corpus rights as a U.S. citizen, not only have you changed the law of armed conflict like no one else in the history of the world, I think you are undermining our national security because the habeas petitions are flowing out of that place like crazy. There are 500-some people down there, and there are 160 habeas corpus petitions in Federal courts throughout the United States. Three hundred of them have lawyers in Federal court and more to follow. We cannot run the place.

They are not entitled to this status. They are not criminal defendants. And here is what they are doing in our courtrooms.

A Canadian detainee who threw a grenade that killed an army medic in a firefight and who came from a family of longstanding al-Qaida ties moved for preliminary injunction forbidding interrogation of him or engaging in cruel, inhumane, or degrading treatment of him. It was a motion to a Federal judge to regulate his interrogation in military prison.

Another example. A Kuwaiti detainee sought a court order that would provide dictionaries in contradiction of Gitmo’s force provision and to order that their counsel be given high-speed Internet access at their lodging on the base and be allowed to use classified DOD telecommunications facilities, all on the theory that otherwise their right to counsel is undermined.

This is one of my favorites. There was a motion by a high-level al-Qaida detainee complaining about base security procedures, speed of mail delivery, and he is seeking an order that he be transferred to the least onerous condition at Gitmo and asking the court to order that Gitmo allow him to keep any books and reading materials sent to him and to report to the court on his opportunities for exercise, communications, recreation, and worship.

Can you imagine Nazi prisoners suing us about their reading materials?

Two medical malpractice claims have come out of this.

Here is another great one. There was an emergency motion seeking a court order requiring Gitmo to set aside its national security policy of not allowing detainees DVDs that are purported to be family videos.

Where does this stop? It is never going to stop.
Let me tell you what it is doing. Here is a quote from one of the lawyers representing these detainees in Federal court:

We have over one hundred lawyers now from big and small firms working to represent these detainees. Every time an attorney goes down there, it makes it that much harder for the U.S. military to do what they're doing. You can't run an interrogation... with attorneys. What are they going to do now that we're getting court orders to get more lawyers down there?

Know what. The people at Gitmo are asking that same question: What are we going to do? It is impossible to interrogate people with this much court intervention. We are undermining the role Gitmo plays in helping our own national security. No POW enemy combatant in the history of the world has been given Federal court unlimited access as an American citizen.

Here is what I propose we do: that we take the procedures that are in place far beyond what the Geneva Conventions require, that we make the reforms my amendment suggests where Congress is now involved in oversight, and we do one other thing, we allow a detainee to go to Federal court, not anywhere and everywhere, but to one place, the Circuit Court of Appeals for the District of Columbia where they can challenge what the military has done to them in terms of their status.

That is a right beyond what any enemy combatant POW has ever had in history. It makes sure that two things happen: My amendment will make sure Congress will supervise what goes on and will be notified about what happens at Gitmo. They will be able to hold people off the battlefield as enemy combatants; they will have a process recognized by the Geneva Conventions and then some; and they will also have a right to go to Federal court to challenge their status to make sure we did it right.

If we do these things together, then we can be proud as a nation. They all need to be done together. We need to make sure standardized interrogation techniques exist for the benefit of our own troops in the Army Field Manual to create clarity out of chaos. We need to make a statement as a nation that no matter who you are or where you are, if you are in our charge, you are going to be treated humanely.

Shalik Mohammed, the mastermind of 9/11, is in our care. He is not a criminal defendant. He is a warrior, the planner of 9/11. It is not a decision we should have to make to try him or let him go. We keep him off the battlefield as we keep every other POW and enemy combatant off the battlefield. We get good intelligence from him and we treat him humanely. Let us not turn this war into a crime. It would be a crime to do so.

I think I have presented what I believe to be a balanced approach as I know we will be putting up our seats to defend ourselves. To the human rights activists out there, God bless you. You have helped us in many ways.

We are going to make the statements you want us to make about treating people humanely. We are going to have standardized interrogation techniques. Congress is going to provide oversight and we are going to let the courts provide oversight. But in the name of human rights we are going to let this jail run amok. We are not going to create a status in international military law that has never been granted before. Of all the people in the world who should enjoy the rights of an American enemy combatant, the people at Guantanamo Bay are the last we should confer that status on. We did not do it for the Nazis. We should not do it for these people.

I reserve the remainder of my time. The PRESIDING OFFICER (Mr. COLEMAN). Who yields time?

Mr. LEVIN. I yield 10 minutes to the Senator from New Mexico.

The PRESIDENT. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I thank my colleague from Michigan. I rise to speak in opposition to this amendment as currently drafted. After the Senate deals with this amendment, I will offer a second-degree amendment to remove the problematic language that I believe is included. First, I commend Senator GRAHAM for taking on the issue of treatment of these prisoners in Guantanamo. He did work with Senator Levin, myself, and others. It is not that we do not want to improve the procedures for processing prisoners at Guantanamo. We agreed upon some language. We included that language. He proposed it and it was included in the Defense appropriations bill. That was agreed to. Unfortunately, here he has taken that language and he has modified it. He has added to it. His additions are a terrible mistake.

His amendment now also contains a provision that strips aliens at Guantnamo of any right to seek habeas corpus. It is in times such as these that our Founding Fathers wanted to ensure that the Government could not simply imprison people at will and that there was judicial review that would be available as a check on that executive power.

Today, the executive branch orients or imprisons a person within the jurisdiction of the United States—and that is all we are talking about here, detaining someone within the jurisdiction of the United States—the Government, upon the issuance of a writ by a court, must show cause why that person is being detained. This right is enshrined in our own Constitution. It would be a terrible mistake for us to suspend that right as an amendment on a Thursday afternoon to the Defense authorization bill.

This is an extremely serious issue. There have been no hearings on this issue in the Judiciary Committee. I see the chairman of the Judicial Committee on the Senate floor this afternoon and I am growing seriously considering suspending the privilege of habeas corpus, of filing a petition for habeas corpus the Judiciary Committee should be the committee that considers that type of a proposal and has hearings on it.

There have been no hearings in the Armed Services Committee. It would be a terrible mistake for us to do this sort of as a by-the-way kind of amendment on a Thursday afternoon as we are preparing to leave for the weekend.

Through our history, Congress has suspended the "great writ," as it has been called in Anglo jurisprudence for centuries now, only on very few occasions. Abraham Lincoln suspended the writ during the Civil War in order to imprison suspected southern supporters. During the Second World War, President Roosevelt unilaterally suspended the writ in order to imprison more than 70,000 Japanese Americans in prison camps. This Congress has not done it for the Nazis. We should not do it for the Nazis. We should not do it for the Nazis. We should not do it for the Nazis.

It is in times such as these that our Founding Fathers envisioned that habeas corpus would be preserved. According to the Wall Street Journal article earlier this year, an estimated 57 percent of individuals held at Guantnamo were wrongfully imprisoned. BG Jay Hood was quoted as saying in that article: Sometimes we did not get the right folks.

This is not the time Congress should suspend the writ and grant the executive branch additional unchecked authority. The administration has gone to great lengths to avoid the legal restraints
that normally would apply under our legal system. They have argued that the laws of war are not applicable because we are fighting a new type of enemy. They have argued the criminal laws are not applicable because we are fighting a war. The administration position is that the prohibition on torture is an unnecessary barrier. They argue that the Geneva Conventions are outdated, that constitutional rights do not exist for this group of individuals. In essence, they argue that the rights of these prisoners, if any, are at the discretion of the President.

According to press reports, in deciding where they wanted to hold suspected terrorists, the administration has gone to enormous lengths to avoid putting them some place where they would be subject to the jurisdiction of our courts. They considered Soviet-era detention centers in Eastern Europe, secret facilities in Thailand, Egypt, Jordan, and Zambias. They finally settled on putting them at Guantanamo in Cuba because, as the Secretary of Defense said, it was the least worst place. It also had the advantage, they thought, of giving them a plausible argument that they were outside the reach of the U.S. courts on the theory that because this was Cuban territory, if these prisoners had objections or problems they could always seek redress from the Cuban Government. That was the argument our own Department of Justice made in our courts.

Of course, the Supreme Court disagreed in the Rasul case and held that Guantanamo prisoners do have the right to challenge the basis of their detention in U.S. Federal court. As I understand it, the number of prisoners held today is about 100. That is 10 out of the 500 prisoners who are being held there. The rest are being held without charges. There is no prospect for them being charged in the near future that I am aware of.

The President and the administration in this country have a credibility problem with regard to our detention policies. The administration says one thing regarding its position on torture. We appear to do something different. We are the President, not the Secretary of State or the Secretary of Defense. It is the policy of our government to engage in torture. We are on the defensive on an issue that should not be an issue in this country.

We can effectively combat terrorism without resorting to these types of techniques, and we can do so in a manner consistent with American values. Our nation's longstanding commitment to the respect of law, to the rule of law, to the protection of human rights, is founded on a set of values that distinguishes us from terrorists and it is important that we keep those principles and those values intact as we pursue this war on terrorism.

This is not the time to back away from the basic principles this country was founded on. Considering the ambiguity that exists with regard to the legal status of so-called enemy combatants and the realization that we have come out regarding secret prisoners, irregular rendition, torture and abuse, I believe it would be a tragic mistake to further limit the ability of our courts to provide the minimal judicial review that has been afforded thus far. The world has come to doubt our Government's commitment to the rule of law as a result of many of the actions I have recounted. Let us not provide an additional basis for those doubts by stripping our Federal courts of the right to consider petitions for habeas corpus.

I urge that this amendment be defeated. If appropriate, after consideration of this amendment, I have an alternative which I would enact the first three sections of Senator Graham's amendment as we passed them on the appropriations bill but would delete the portion that strips the Federal courts of jurisdiction.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. BINGAMAN. I yield the floor.

The PRESIDING OFFICER. Who yields the floor?

Mr. TERRIVIN. Mr. President, I yield 10 minutes to the Senator from Pennsylvania.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I thank the Senator from Michigan for yielding me 10 minutes.

The issues presented by the Graham amendment are very important, and I commend Senator Graham for taking the initiative in offering this amendment, which this Senator has been wrestling with for some time.

Shortly after 9/11, on February 13, Senator DURBIN and I introduced legislation which would have dealt with the military commission procedures. This is pursuant to the provisions of article I, section 8, clauses 10 and 11 of the Constitution, which confers upon the Congress the power "To define and punish . . . offenses against the Law of Nations; . . . make Rules concerning Captures on Land and Water."

Early this year, after becoming chairman of the Judiciary Committee, in collaboration with the distinguished ranking member, Senator LEAHY, we took up this issue.

We held a hearing on June 15 this year, which I had sought continually in 2002, 2003, and 2004. I believe this was the first hearing to deal with these issues. In line with that effort, I traveled to Guantanamo Bay in mid-August and the expectation was of having a hearing and making progress to really come to grips with the complex issues which are involved here.

These issues are very difficult. When you talk about detainees and their status as an enemy combatant, you first wrestle with the problem of what evidence is there. It is very hard to quantify any of the evidence. You talk about competent counsel which we are familiar with in a courtroom—here there is none. Hearsay is permitted, but it is impossible to put your hands on what the hearsay is. There are some suggestions that on the battlefield somebody who is connected to our forces would just identify: You, you, and you are enemy combatants; and it would stick. These detainees are then held for the duration.

There is no doubt that these detainees are the worst of the worst. That is the way they have been characterized. We are facing very difficult problems with these terrorists. Some of them have been released, and they have gone back to Afghanistan, to Pakistan, to other places. It is not the policy of our Government to make public who are being released, and we have not come up with an answer as to how the detainees ought to be handled. The detainees are reviewed only within the framework of the President's commitment to the rule of law as a result of many of the actions I have recounted. Let us not provide an additional basis for those doubts by stripping our Federal courts of the right to consider petitions for habeas corpus.

I urge that this amendment be defeated. If appropriate, after consideration of this amendment, I have an alternative which I would enact the first three sections of Senator Graham's amendment as we passed them on the appropriations bill but would delete the portion that strips the Federal courts of jurisdiction.

The question raised in the circuit court during this opinion was a lot of notoriety because Chief Justice Roberts, then Judge Roberts of the circuit court, was on the panel—dealt with the issue as to whether there had to be a tribunal. That is what the district court said. The circuit court overturned the district court's ruling that the President was not a tribunal. Although it is hard to fashion the President as a tribunal, I do realize that the President has to act to protect the country.

These are the kind of heavy problems which we have not sorted through, quite frankly. I have discussed this matter with the Senator from South Carolina. He is on the Judiciary Committee, and participated in the hearing which we held. He took a good bit of what we had found and worked with it in the Armed Services Committee. That is the way it should be. But when you undertake to remove habeas corpus, you have to know where you are, and you better have a comprehensive plan and a comprehensive way of dealing with the issue which deals with evidence and which deals with the right of counsel.

Detainees do not have the right to counsel. I can understand why the Department of Defense does not want to give detainees the right of counsel. But we have not come up with an answer as to how the detainees ought to be handled. The detainees are reviewed only once a year. We have submitted draft legislation to the Department of Defense, as we worked on this issue in
June, July, August, and through the fall. A number of the suggestions which we made were incorporated by the Department of Defense. I think they have been moving in the right direction. They have changed the commission so that the presiding judge is no longer a fact-finder but that judge now sits like a judge. Changes in the Classified Information Act have occurred.

But until we can sort through these issues and find a comprehensive approach which deals with them—and we should remember that—the Judiciary Committee will still be wrestling with these problems. But it is well known that we have been busy since we took up this issue with a June 15 hearing. In July we had the nomination of Roberts, and now we have the nomination of Miers, and now we have the nomination of Alito. We have had so many matters: class actions, bankruptcy and asbestos and judicial nominations, that we have not been able to come to grips with this threat.

Candidly, it is very hard to deal with the Department of Defense on these matters. When we were in Guantanamo on August 1, we took up an issue that the New York Times had publicized, on August 18, the Department of Defense had said that the trials were rigged by the military. We sought information from the Department of Defense on an inspector general’s report and on an internal investigation. There was delay after delay after delay, and we tried to find out what was going on. It was very difficult. This is sort of a pattern, where the Department of Defense wants to do it their way and is very resistant to congressional inquiries and to congressional oversight.

While it is a collateral matter, it bears on some of the work by the Judiciary Committee on Able Danger. There we have, notwithstanding commitments by the Department of Defense, not been able to get important information. I see the Presiding Officer edging forward. Is my time about to expire? The PRESIDING OFFICER. The Senator has 2 minutes remaining.

Mr. SPECTER. I thank the Chair. But I am not prepared, at this stage, to support legislation which calls for removal of habeas corpus. The issues on detainees and military commissions have been pending since 9/11 of 2001. Until this Committee held a hearing in June 15 of 2005, nothing had been done by Congress. The Supreme Court finally took the bull by the horns and came down with the three decisions in June of 2004 because the Congress had not acted. It didn’t know what to do. It didn’t know quite how to approach it. And perhaps it was too hot to handle. But the Congress frequently is inactive in the face of assertions by the executive of the need to defer to Presidential power. But I believe that the habeas corpus provisions which are now in effect need to be maintained.

While the three decisions by the Supreme Court in June of 2004 did not answer the problem, they did get us started. Their movement in the Hamdan case is again significant. My own thinking, as chairman of the Judiciary Committee, is to try to find answers to these complex issues.

When the Senate from South Carolina decided that numerous habeas corpus appeals, I know what that means. I was a district attorney of a big city, 30,000 cases a year, with a lot of convictions and a lot of habeas corpus matters. The Federal Government can handle this. It doesn’t need a new Pandora’s box. You have existing procedures under habeas corpus which we currently understand, but if you provide for a new jurisdiction for the circuit court of appeals for detainees’ appeals, you are creating a new mechanism. I think this probably requires a lot more analysis. We have an able Senator from South Carolina who sits on both Judiciary and Armed Services. We are going to continue to work on it, but I do not think this amendment is the answer.

I thank the Senator from Michigan for yielding me the time and I yield the floor.

The PRESIDING OFFICER. Who yields time?

Mr. GRAHAM. I yield 2 minutes to my colleague from Arizona.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. KYL. Mr. President, let’s go back to the fundamentals of what actually happened and what the amendment of the Senator from South Carolina would actually do. The Congress did not create laws to deal with terrorists, primarily to the beginning of the war on terrorism. Questions arose as to the executive branch’s treatment of these detainees. The Supreme Court was asked to do an interpretation of the statutory jurisdiction to consider habeas corpus petitions regarding the status of these detainees. That is all that the Court has held.

As Justice Scalia said in his dissent, “the petitioners do not argue that the Constitution requires jurisdiction here.” So let’s be plain, that the Great Writ does not apply to terrorists, and nothing in the Rasul case says otherwise.

So let’s be very clear about this. The Great Writ does not apply to terrorists, it does not apply to aliens, it does not apply to foreign terrorists. And nothing in the Rasul case says otherwise.

Another argument is that we should not suspend the writ of habeas corpus. If that is not suspended if habeas corpus. It does not apply. The only reason the Court in Rasul said the Court had jurisdiction to consider it is because the language in 2241 was not explicit enough to exclude the aliens, the terrorists who were detained at Guantanamo Bay from asserting that jurisdiction.

Third, our chairman, Senator SPECTER, has said we need a comprehensive way to deal with the prisoner claims. And he is absolutely correct about that. And this amendment provides such a mechanism.

What Senator SPECTER says is: I’m not sure that we should be granting a circuit court of appeals review right. That’s a pretty good right, I would say. That’s what this amendment does. Either we are arguing we are not giving these detainees enough rights or we are giving them too many rights, but let’s get one or the other here. I think this amendment works. It is a substantial right to appeal the issue of status when, first of all, it is determined by the CSRT procedures in the military tribunals at Guantanamo Bay and then there is an automatic right to appeal this, not just to a Federal court, but to the U.S. court of appeals on the record. That is a substantial right.

But what we have gotten rid of are these hundreds of habeas petitions that will be clogging the Federal courts. We have already seen them making medical appeals, the doctors, saying they want one kind of food as opposed to another kind of food and so on. It is going to get like it did

The bottom line is that the Congress has, on numerous occasions, statutorily limited the writ of habeas corpus to American citizens. In 1996, when the courts were plugged up with habeas petitions, Congress passed a substantial revision of the habeas corpus laws, reducing this backlog of habeas petitions in Federal court from U.S. citizens. We have the statutory jurisdiction to write whatever kinds of laws we want. We clearly have the statutory jurisdiction to write whatever kinds of laws we want. We have the statutory jurisdiction to write whatever kinds of laws we want. We clearly have the statutory jurisdiction to write whatever kinds of laws we want.

The bottom line is that the Congress has, on numerous occasions, statutorily limited the writ of habeas corpus to American citizens. In 1996, when the courts were plugged up with habeas petitions, Congress passed a substantial revision of the habeas corpus laws, reducing this backlog of habeas petitions in Federal court from U.S. citizens. We have the statutory jurisdiction to write whatever kinds of laws we want. We have the statutory jurisdiction to write whatever kinds of laws we want. We clearly have the statutory jurisdiction to write whatever kinds of laws we want. We clearly have the statutory jurisdiction to write whatever kinds of laws we want.
with prisoners. One of the real-life cases that came out of Arizona that we tried to take care of in 1996 law is a prisoner said: I want chunky peanut butter. I don’t want creamy peanut butter. And that was the habeas petition. You have a right to question food in a prison petition. By the way, it is reviewed every single year. When that status is first determined, there is an automatic right to appeal to the U.S. Court of Appeals for the District of Columbia. But the writ of habeas corpus, which has never been intended to apply to prisoners of war, much less terrorists, does not apply in this case.

We are not going to clog up the courts with habeas corpus petitions. You can have an automatic right to the courts on habeas.

It gets us back to the point that Senator Graham made in the beginning. Let us recognize that we are not dealing with criminal defendants. We are dealing with people who have committed violent acts against the United States. They certainly should not be accorded greater privileges than U.S. citizens or prisoners of war.

A final point: There has been a suggestion by some that this would somehow rewrite the McCain and other amendments. I think Senator Graham laid that to rest. But make it crystal clear. Under McCain, there is not a private right of action. They are enforced by the constitutional requirement that the President take care that the laws be executed. The Graham amendment does not take away the right of action to enforce McCain because there is no right of action to enforce McCain in the McCain amendments.

The Graham amendment. It gets us back to the basics of what kind of folks these terrorists are. It grants them substantial rights to contest their status but not the right to clog up Federal courts.

Mr. Levin. Mr. President, I yield 2 minutes to the Senator from Vermont.

Mr. Leahy. Mr. President, I am always concerned that when they speak of terrorism we are constantly adding new things to our laws to show how we are opposed to terrorists. Maybe it would be easier to just pass a resolution 100 to 0 saying we are all opposed to terrorists. Of course, we are.

I also remember when it was written and attributed to Benjamin Franklin at a time when he and other Founders of this great Nation faced the hangman’s noose. Had they failed in their efforts to create a democracy instead of trade, their liberties for security deserveneither.

We should go very slowly when we want to make changes on the great rift.

The distinguished chairman of the Judiciary Committee is absolutely right. We should oppose this amendment.

We made a major change in the habeas corpus laws a few years ago when we were looking at that to see how that works. This is not the time nor the place nor the bill to willy-nilly—that is really what it is—make this change in the habeas corpus law. There are just too many things going on—whether it is the reports in the press about us using secret prisons that had been abandoned by the old Soviet Union following criticism of every President, Republican or Democrat, in my lifetime, that we are now using that, to questions that are raised and appropriately raised about Guantanamo.

I have heard it said here that the Red Cross has available to them all prisoners, that the press has available to them all prisoners—we have found that isn’t so—what further, that spied out in the middle of the night to these secret prisons.

Let us stand as a country that believes in the rule of law.

I hope we stand with the senior Senator from Pennsylvania in opposing this amendment.

The Presiding Officer. Who yields time?

Mr. Warner. Mr. President, if the Senator from South Carolina would defer to the managers, I would like to address the Senate in connection with a unanimous consent request. My understanding is that it has been cleared on both sides.

I ask unanimous consent that it now be in order for Senator Graham to offer a perfecting second-degree amendment. I further ask unanimous consent that at 4:30 the Senate proceed to a vote in relation to the Graham second-degree amendment that follows. Following that vote Senator Bingaman be recognized and it be in order for him to offer a motion to strike; further, that the Senate proceed immediately to a vote on the motion to strike.

Mr. Warner. There are no objections.

Mr. President, I ask unanimous consent that the Court of Appeals for the District of Columbia shall have a limited scope of review. The jurisdiction of the U.S. Court of Appeals for the District of Columbia on an appeal to an alien under this paragraph shall be limited to consideration of whether the determination of the combatant status review tribunal regarding such alien was consistent with such procedures and standards as specified by the Secretary of Defense.

The very limited scope of review that he would provide to the court of appeals would just say you can look to see whether they, in fact, followed their own procedures set out by the Secretary of Defense—not whether the status, or whether the detention of that individual is legal. That is the question that the writ of habeas corpus gets to—a question of whether, in fact, a person is being legally held by the government.

To say that we are going to give the Court of Appeals for the District of Columbia authority to look at whether the Department of Defense followed their own procedures does not, in fact, solve that problem.

I think that is clearly a clarification that needs to be understood by everyone.

The other point that I would make is it does not matter, frankly, where people put in these petitions. I heard my colleagues—both the Senator from South Carolina and then the Senator from Arizona—say we have these outrageous requests being made that they didn’t like the peanut butter. They didn’t like the type of conditions they are having to watch. It doesn’t make any difference what they put in these petitions. The writ of habeas corpus which
the Senator from South Carolina would have us eliminate as to these individuals a procedure which says the court can determine whether you are legally being held, not whether you are given the right peanut butter, not whether you are allowed to see the right DVDs, and there is no obligation of the court to grant any of these petitions. There is no obligation of the court to hold hearings on any of these petitions.

I urge my colleagues to resist the amendment, as I did before. If the amendment is defeated, the second-degree amendment which I would offer contains the first three sections of the amendment that the Senator from South Carolina has offered. That is the portion of the amendment which we agreed to for the Defense appropriations bill and that is the part which is appropriate for us to enact again as part of this bill, if the Senate desires to do so.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I wanted to ask the Senator from South Carolina if he would object to a unanimous consent that we allow Senator Rockefeller and Senator Roberts to take 5 minutes to introduce a modification and then to stack the votes and have the vote on that amendment prior to his on the unanimous consent order.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Mr. President, reserving the right to object, it is essential that the amount of time between now and 4:30 be used on the debate on the Graham amendment. That would detract, I am afraid, from that amount of time.

Mr. WARNER. It would be difficult. I think it would take 5 minutes to handle what we have to do.

Mr. LEVIN. I would ask unanimous consent—and I ask everyone to pay attention—that we have any time taken to comply with that request be added on at 4:30 so that the vote would be at 4:35 or 4:40, depending upon whether this is a question whether this would take 5 or 10 minutes to that modification.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Is the Presiding Officer's question, is there objection?

The PRESIDING OFFICER. To the unanimous consent for 5 minutes, or such time as may be consumed.

Mr. KERRY. The order would be that Senator Rockefeller and Senator Roberts would introduce the modification; his amendment, at which point the debate would conclude with respect to the Kerry amendment. We would vote on the Kerry amendment prior to the Graham amendment, and then subsequently his unanimous consent request, as propounded, already would stand.

Mr. WARNER. Mr. President, I have to at this time object.

I suggest the absence of a quorum so we can hopefully resolve this.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. WARNER. Mr. President, I appreciate the patience of all of our colleagues, wherever they may be. We are continuing to make considerable progress. That progress will hopefully lead to final passage tonight.

Consistent with those objectives, I ask unanimous consent that the Roberts amendment now be modified with the changes that are at the desk; provided further that the amendment be agreed to. I further ask consent that no later than the hour of 4:45, the Senate proceed to vote in relation to the following amendments: the Kerry amendment, as amended; Lautenberg No. 2478, as modified with the changes at the desk; Graham amendment 2516; the Bingaman motion to strike is under the previous order; conference report to accompany the foreign operations bill; further, that no second degrees be in order to the Kerry or Lautenberg amendments prior to the vote; and that there be 2 minutes equally divided before the conference report vote on or facility.

Furthermore, that no second degrees be in order to the conference report vote on the Kerry amendment prior to the vote on the Kerry amendment.

Consistent with those objectives, I ask unanimous consent that the Roberts amendment now be modified with the changes that are at the desk; provided further that the amendment be agreed to. I further ask consent that no later than the hour of 4:45, the Senate proceed to vote in relation to the following amendments: the Kerry amendment, as amended; Lautenberg No. 2478, as modified with the changes at the desk; Graham amendment 2516; the Bingaman motion to strike is under the previous order; conference report to accompany the foreign operations bill; further, that no second degrees be in order to the Kerry or Lautenberg amendments prior to the vote; and that there be 2 minutes equally divided before the conference report vote on or facility. I further ask that after the first vote, all subsequent votes be 10 minutes.

Mr. LEVIN. Reserving the right to object—I don't intend to object—I ask a parliamentary inquiry as to whether there is anything in this unanimous consent agreement which would preclude the offering of additional second-degree amendments to the Graham amendment should the Graham amendment be defeated.

Mr. WARNER. Mr. President, I ask unanimous consent that the amendment be in order to the Kerry amendment.

Mr. LEVIN. I thank the President pro tempore.

Mr. WARNER. I hear no further comment or objection.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 2514), as modified, was agreed to as follows:

SEC. 1072. IMPROVEMENTS OF INTERNAL SECURITY ACT OF 1950.

(a) PROHIBITION ON HOLDING OF SECURITY CLEARANCE AFTER CERTAIN VIOLATIONS ON HANDLING OF CLASSIFIED INFORMATION.—

(b) DIRECTOR OF NATIONAL INTELLIGENCE REPORT.—

(1) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a detailed report setting forth the nature and cost of, and otherwise providing a full accounting on, any clandestine prison or detention facility currently operated by the United States Government, regardless of location, where detainees in the global war on terrorism are or were being held.

The amendment (No. 2478), as modified with the changes at the desk; the Bingaman amendment 2516; the Bingaman motion to strike is under the previous order; conference report to accompany the foreign operations bill; further, that no second degrees be in order to the Kerry or Lautenberg amendments prior to the vote; and that there be 2 minutes equally divided before the conference report vote on or facility. I further ask that after the first vote, all subsequent votes be 10 minutes.

The PRESIDING OFFICER. The amendment (No. 2478), as modified, is as follows:

On page 286, strike lines 1 through 3, and insert the following:

Sec. 1072. IMPROVEMENTS OF INTERNAL SECURITY ACT OF 1950.

(1) Section 2(b) of the Internal Security Act of 1950 (50 U.S.C. 783) shall be amended by adding at the end the following new subsection:

(2) No person, including individuals in the executive branch and Members of Congress and their staffs, who knowingly violates a law or regulation regarding the handling of classified information in a manner that could have a significant adverse impact on the national security of the United States, including the knowing disclosure of the identity of a covert agent, the Central Intelligence Agency or the existence of classified programs or operations, the disclosure
of which could have such an impact, to a person not authorized to receive such information, shall be permitted to hold a security clearance for, or obtain access to, classified information.".

(2) APPLICABILITY.—Subsection (f) of section 4 of the Internal Security Act of 1950, as added by paragraph (1), shall apply to any individual holding a security clearance on or after the date of the enactment of this Act with respect to any knowing violation of law or regulation described in such subsection, regardless of whether such violation occurs before, on, or after that date.

(b) CLARIFICATION OF AUTHORITY TO ISSUE SECURITY REGULATIONS AND ORDERS.—

Mr. ROBERTS. Mr. President, could I clarify, how long is this discussion going to take because I know this is set for 4:45.

Mr. WARNER. Mr. President, I see that the Senator from Kansas says 5 minutes, and the Senator from Massachusetts is indicating some time to help our colleague.

Mr. BINGAMAN. Mr. President, the concern is, we still need a few minutes to complete the debate on the Graham amendment and my second degree. I would hate to see that time all used up while they are discussing this other amendment.

The PRESIDING OFFICER. Consistent with the previous agreement, Senators Bingaman and Graham would each have 15 minutes, and they may yield that time to others.

The Senator from West Virginia.

Mr. ROCKEFELLER. Mr. President, it is my understanding, from the colloquy we had around the desk of the chairman of the Armed Services Committee, in order to expedite the whole process, we would lead with the Kerry amendment, and we would then proceed onward. I thought that was the agreement.

Mr. WARNER. Mr. President, I can only say to my colleague, having been a part of this, we seemed to reach a consensus. Staffs on both sides compiled the chart, which my understanding is it was cleared, subject to clarification by the Senator from Michigan, and it was a concluded matter.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I do not think we need to get hung up on this at all. I think the unanimous consent request was absolutely correct in the order it proceeded. We simply now have to address the Senators Rockefeller and Roberts would have a total of 5 minutes between them, and subsequently Senator Graham and Senator Bingaman would follow with their 15 minutes, approximately, and the votes would then immediately thereafter.

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

Mr. WARNER. Mr. President, do you understand now that the Presiding Officer has ruled that the UC is in place that I so stated?

The PRESIDING OFFICER. It is.

Mr. WARNER. I thank the Chair. I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. ROCKEFELLER. I thank the Presiding Officer.

Amendment No. 297

The President, I support the objective of the underlying amendment proposed by Senator Kerry and those others being the minority leader and Senator Biden.

The information required by the Kerry amendment is essential if we are to ensure that the U.S. intelligence community is carrying out its intelligence collection mission against a dangerous and nefarious terrorist enemy.

In fact, earlier this year, I took to the Senate floor during the consideration of the emergency supplemental appropriations bill and offered a sense-of-the-Senate amendment calling for such an investigation in the Intelligence Committee. The amendment was ruled out of order by the Chair.

The reason I raise this point is that the Intelligence Committee is the only committee in the Senate with the expertise and the jurisdictional responsibility for overseeing the Central Intelligence Agency and the other agencies comprising the U.S. intelligence community. The Kerry amendment, as amended, correctly points out that all members of the Intelligence Committee must have answers to key questions concerning alleged clandestine detention facilities. We need the information so we can ensure that the intelligence activities of this Nation are both effective and lawful. The Senate Intelligence Committee was established 30 years ago to carry out precisely this type of matter.

I wish to commend, once again, the Senator from Massachusetts, Mr. Kerry, and the cosponsors for offering this amendment. I am pleased that the second-degree amendment has been agreed to. I thank my colleagues. I hope we can adopt this amendment on the floor because I believe it is a good piece of legislation that John Kerry has put forward.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. KERRY. Mr. President, I will just take 1 minute.

I thank Senator Rockefeller and Senator Bingaman for their cooperation in this effort and Senator Warner and Senator Levin for helping to proceed down the road here. We are happy to accept the modification, a modification that I think appropriately keeps the jurisdiction within the Intelligence Committee, but at the same time it also appropriately makes certain that the Senate will have the information necessary to be able to provide accountability with respect to these activities.

So I thank my colleagues and look forward to the vote. I hope my colleagues will overwhelmingly embrace this amendment.

I thank Senator Bingaman and Senator Graham for their courtesy.

Mr. President, I yield back any time we have.

Amendment No. 215

The PRESIDING OFFICER. The Senator from New Mexico and the Senator from South Carolina have 12½ minutes under their control.

The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, I yield 5 minutes to the Senator from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, I thank the Senator from New Mexico.

I do not see the Senator from South Carolina on the floor, and I wanted to propound a question to him. So I will wait until he returns.

Mr. President, I wonder if the Senator from South Carolina might make himself available to answer an inquiry by the Senator from Michigan.

Mr. GRAHAM. I say to the Senator, I would be glad to, if I could just wrap up my thoughts. But do you want to do that now? What would you like to do?

Mr. LEVIN. Mr. President, I wonder if the Senator from New Mexico, then, would like to proceed with his time and then yield to me in a few minutes? And then I could propound that question at a later moment.

Mr. GRAHAM. Shall I go first?

Mr. BINGAMAN. Go right ahead.

The PRESIDING OFFICER. The Senator from South Carolina.

Mr. GRAHAM. Mr. President, how much time do I have?

The PRESIDING OFFICER. Twelve and a half minutes.

Mr. GRAHAM. Twelve and a half minutes.

Mr. President, one thing I have not done in this whole process is be willy-nilly about this amendment or about this issue. I am deeply concerned as a Senator that we have lost the moral high ground in the war, that we have compromised our own troops, that our interrogation techniques have been out of bounds. That is why I support Senator McCain and other Members of this body—90 to 9—to get it right, because we have to maintain the moral high ground.

We did not have hearings about that because we do not need hearings. We know that our interrogation techniques have been confusing and sometimes unacceptable. We know it is time for America to say to the world that no matter what agency is involved or where the person is, they are going to be treated humanely. We know that.

I have been dealing with this for a year. I have worked with Senator Frum—

Mr. ROCKEFELLER. South Carolina.

Mr. GRAHAM. I have worked with Senator Frum—

Mr. LEVIN. Senator Leahy mentioned something: Let's be a nation of the rule of
law. I applaud that. The question is: What is the law here? What is the rule of law when you are at war? The rule of law when you are at war is the law of armed conflict. When we were attacked on 9/11, we went to war, ladies and gentlemen, we were fighting a global enterprise. The rule of law in the law of armed conflict says that POWs and enemy combatants and irregular combatants will be detained within the guidelines of the Geneva Conventions. An enemy combatant is not entitled to Geneva Conventions protection because they do not wear a uniform, they do not fight for a nation. But an enemy combatant is entitled to certain things. We as Americans say you are entitled to be treated humanely, interrogated humanely, and you are entitled to due process to be kept off the battlefield. But you are what you are. You are someone who took up arms against our country. Never in the history of the rule of law of armed conflict has an enemy combatant—a POW, person who is trying to kill U.S. troops, been given the right to sue those same troops for their medical care, for their exercise programs, or for their reading materials.

Do you want to be the Senator who has changed 200 years of law? Do you want to be the Senator who is changing the law of armed conflict to say that an enemy combatant—someone caught on the battlefield, engaged in hostilities against our country—is not a person in a war but a criminal and given the same rights as every other American citizen? Do you want to be the Senator who changes 200 years of that? I do not want to be. This is not complicated. No POW in the history of this country has ever been allowed to sue our own troops in Federal court. Does it matter? The habeas corpus writ that is being exercised does not come from the Constitution. This is not a constitutional right that an enemy combatant has under our law. This is an interpretation of a statute we passed, 2241.

The question is, 4 years after 9/11, do we want to change our law and give a terrorist, an al-Qaida member, the ability to sue our own troops in Federal court, all over the country, for anything and everything? I do not. I want to treat them humanely. I want to get good results. I want to prosecute them within the rule of law. But I do not want to do something that is absurd and is going to hurt our national security; that is, allowing a terrorist the ability to go to Federal court and sue our own troops, who are fighting for our nation, as if they were an American citizen.

Do you know why the Nazis did not get to do that when we had them in our charge? Because that is not the law. It has not been the law. We caught German soldiers sneaking into this country, trying to blow up part of America. They were tried. Where? In a military commission, a military tri-bunal, not in a civilian court. We had German POWs who tried to come into Federal court, and our court said: As a member of an armed force, organized against the United States, you are not entitled to a constitutional right of habeas corpus.

Do you want to give these terrorists habeas corpus rights just like an average, everyday American citizen or a common criminal to sue our own troops? Well, if you do, vote against my amendment. If you want to get back to where we have been for 200 years, then you need to support me.

This is not complicated. We need to do more than one thing at a time. We need to have interrogation techniques we can be proud of. We need the McCain amendment. We need to standardize interrogation techniques so we do not lose the moral high ground. We need to make a statement that we are going to treat everybody humanely. Enemy combatant, POW—no matter who you are—we are going to treat you humanely.

The Congress does not need to give the executive branch a blanket check on how to run this war. My amendment requires the executive branch to report to us about what they are doing at Guantanamo Bay. It requires the Senate to confirm the person in charge of releasing or retaining these enemy combatants. My amendment gives them every right the Geneva Conventions afford them and then some. It gives them an adversarial proceeding at Guantanamo Bay, where they can challenge their status. We go further. It gives them a right to go to the District Court of Appeals of the District of Columbia—something never done in the history of warfare—because we want to let the world know we are going to go out of our way to get it right.

But, ladies and gentlemen, if we do not rein in enemy combatants, we are going to lose the war. But if we do not rein in legal abuse by prisoners, we are going to undermine our ability to protect ourselves.

I am making one simple request of this body: Do not give the terrorists, the enemy combatants, the people who blow up folks at weddings, who fly airplanes into the Twin Towers, the ability to sue our own troops all over the country for anything and everything. Give them due process. Treat them humanely. Try them under the rule of law. But let’s not change 200 years of the law of armed conflict.

Your vote today matters. Your vote today matters. We are going to make history one way or the other. Does the Senate, honestly to God, want to give terror suspects the same rights as American citizens based on a statute we pass? That is what is at stake here. Our troops are counting on us.

They are being taken all over the country, and here is what is going on according to some of the people involved in these habeas petitions:

We have over one hundred lawyers now from big and small firms working to represent these detainees. Every time an attorney goes down there, it makes it that much harder for the U.S. military to do what they’re doing. You can’t run an interrogation with attorneys. What are they going to do now that we’re getting court orders to get more lawyers down at Guantanamo and that is inconsistent with the decision of the Supreme Court in re Quirin?
Mr. GRAHAM. No, sir. That is not accurate. This says that no illegal, no foreign alien who is being detained as an enemy combatant can file a writ of habeas corpus. The reason for that being said is because that has been the law for a long time. We didn’t let those prisoners file writs. Under the Roosevelt administration, these six people were captured. They were tried. Four were executed. A writ of habeas corpus was not available to them. It should not be available to them. The reason we have a military system and we have a civilian system is because we understand the military is a unique body. We don’t try our own people in civilian court. We try them in military court. It has been the history of the law of armed conflict that when you have somebody tried for a violation of law of armed conflict, you don’t go to Federal court. You go to a military commission or a military court. That is what happened in World War II. That is what happens to these people, if they are tried.

Mr. LEVIN. Let me read from the opinion in the Hamdan case to see if the Senator would agree with it. Ex parte Quirin, in which captured German saboteurs challenged the constitutionality of the loss of habeas corpus in one of the Army’s wartime tribunals. The Supreme Court upheld the constitutionality of the status of enemy combatants established by the President. There is pending a decision at the Supreme Court which would be reversed if we adopted this language.

Mr. LEVIN. In the Hamdan case, the Supreme Court, a few days ago, agreed to determine the legality of the military commissions established by the President to try enemy combatants who have been detained at Guantanamo. That language of the amendment, by its terms, says: No court, judge shall have jurisdiction to entertain for habeas corpus rights as if they were American citizens, that they are not part of an outfit trying to wage war on us, fine, if you think that is absurd, vote against me. I don’t think it is absurd. I don’t think it is a war crime, is there any appeal under the Geneva Conventions. That case, which was decided by the Court of Appeals for the District of Columbia, allows them now to go to a district court and the Court of Appeals for the District of Columbia beyond what the Geneva Conventions ever envisioned. The military commissions are totally different. No one has been tried yet.

Here is the one thing I can tell you for sure as a military lawyer. A POW or an enemy combatant facing law of armed conflict charges has not been given the right of habeas corpus for 200 years because our own people in our own military facing court-martials, who could be sentenced to death, do not have the right of habeas corpus. It is about military law. I am not changing anything. I am getting us back to what we have done for 200 years.

If you want to give terrorists habeas corpus rights as if they were American citizens, that they are not part of an outfit trying to wage war on us, fine, if you think it is absurd, vote against me. I don’t think it is a war crime, is there any appeal under the Geneva Conventions. That case, which was decided by the Court of Appeals for the District of Columbia, allows them now to go to a district court and the Court of Appeals for the District of Columbia beyond what the Geneva Conventions ever envisioned. The military commissions are totally different. No one has been tried yet.

Mr. GRAHAM. To my good friend Senator Levin, we fundamentally disagree. There is a principle at stake here that is as old as war itself. Writs of habeas corpus have never been given to enemy combatants or POWs. They have never been allowed access to the Federal court to challenge their enemy combatant status tribunal which is new and different, beyond the Geneva Conventions. The German prisoners were tried by a military commission. Four of them were executed. They were not allowed to go into Federal court to challenge their enemy combatant status tribunal which is new and different, beyond the Geneva Conventions. The Constitution does not confer the right of a writ to a foreign alien involved in combat activities against the United States. The only reason we are talking about this is, the Court is inviting us: As the Senate, do you want to go back to the World War II, to have the writ of habeas corpus. The military commissions are set up to try these people. My amendment talks about the procedure of keeping them off the battlefield, allows them due process rights beyond Geneva Conventions article 5, allows them now to go to a district court and the Court of Appeals for the District of Columbia beyond what the Geneva Conventions ever envisioned.
Although the Senator makes a plea for due process for these same terrorists, he would eliminate the appeal of a conviction that led to a capital offense, the death penalty, for these same terrorists. I hope that is not his intent, but it would be the first time that we would give him what we did in the report, as the Senate, to strip the court of habeas corpus opportunity to review that kind of a conviction. Since ex parte Quirin, we have never done that. Mr. GRAHAM. May I answer that? I say yes, the Senator, with all due respect, that is dead wrong. Military commissions that will be trying the people designated by the President, subject to be tried at Guantanamo Bay for violation of the law of armed conflict, do get appeals. They get more appeals rights than the people who were tried as German saboteurs under military commissions. They get a lawyer, they get the right to confront witnesses against them, they get the right to call witnesses, the military commissions are different than the CSRTs. There is a process in the military commissions for people to have every right under the Geneva Conventions and then some, to have more rights than the German saboteurs. The German saboteurs did not have habeas corpus rights. They had an appeal right within the military commission system, as the al-Qaida members do. To say that you can be tried at Guantanamo Bay for a war crime and not have an appeal, is like saying with the saboteurs. To say that people at Guantanamo Bay should have habeas corpus rights is doing something no one has ever had in the law of armed conflict, Nazi or otherwise.

Mr. LEVIN. My final question, to what court would the conviction of a detainee at Guantanamo for a capital offense subject to death, to what court would that appeal lie, if this language of the Senator is adopted? It is a very specific question, to what court? Mr. GRAHAM. Under the military commission model, there is an appeal to a three-judge panel of civilians appointed to hear appeals. In the military commission model, under World War II, they didn't get that. There is an appeal process for civilian review of the trial of enemy combatants detained at Guantanamo Bay. My amendment doesn't affect that. It doesn't change that at all. My amendment prevents the use of habeas rights for POWs and enemy combatants, something we have never given in the history of the law of armed conflict to people in the military commission because we don't want them. This is not complicated, but it is very important.

The PRESIDING OFFICER. The time of the Senator from South Carolina has expired.

Mr. LEVIN. If we are getting back to where we have always been, we don't need this amendment. The Senator just answered my question by not answering it. I asked him what court would an appeal of a death sentence be appealed to? His answer was, a three-judge panel. That three-judge panel is appointed by the Secretary of Defense. I asked specifically to what court would a death sentence be appealed, if this language is adopted. I read the language as to how broad it is. It eliminates explicitly any appeal: No court, justice, or judge shall have jurisdiction to hear or consider an application for a writ of habeas corpus, and that is the way an appeal goes to a court from one of these people. It is eliminated. We strip courts of the right to hear a habeas corpus petition on a death sentence.

I agree with what the Senator started out to do with his amendment. He was on the right track. But this language goes way beyond it. That is why the chairman of the Judiciary Committee, Senator SPECTER, and the ranking member of the Judiciary Committee, Senator LEAHY, oppose this amendment.

Mr. GRAHAM. Mr. President, I want to end with this thought. Never in the history of military commissions where we have tried enemy combatants and spies have they appealed those convictions to Federal court. Never.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. BINGAMAN. Mr. President, how much time remains?

The PRESIDING OFFICER. The Senator has 1 minute remaining.

Mr. BINGAMAN. Mr. President, let me use the final minute of this debate to clarify for my colleagues what we are doing here. There are four parts to the amendment that the Senator from South Carolina has offered. There are parts A, B, C, and D. Parts A, B, and C are perfectly acceptable and provisions that I support and Senator LEVIN supports. They were worked out. They were added to the Defense appropriations bill.

The first deals with procedures for status review of detainees. The second sets out what those procedures would generally provide. The third is a report on modification of procedures that would be made to the Congress.

It is the last part, this section D, judicial review, that is such a terrible mistake, in my opinion. It has us, on a Thursday afternoon, as part of a debate on a Defense authorization bill, making a very major change that is within the jurisdiction of the Judiciary Committee. The Judiciary Committee should be considering any effort by the Congress to limit or prohibit or suspend the writ of habeas corpus. We should not be trying to do that sort of "oh, by the way, let's do this." The PRESIDING OFFICER. All time has expired.

Mr. BINGAMAN. I urge the defeat of the Graham amendment. Assuming it is defeated, I will not have to offer a second-degree amendment. If it is adopted, I will offer a second-degree amendment to retain the first three portions.

Mr. President, I yield the floor.

Mr. GRAHAM. I ask unanimous consent to add Senator CORNYN as a co-sponsor to the amendment.

AMENDMENT NO. 297, AS AMENDED

The PRESIDING OFFICER. Under the previous order, the question is on the Kerry amendment, as amended.

Mr. WARNER. Mr. President, have the yeas and nays been ordered?

The PRESIDING OFFICER. They have not.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the amendment. The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. The following Senators were necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from New Mexico (Mr. DOMENICI), the Senator from Wyoming (Mr. ENZI), the Senator from Nebraska (Mr. HAGEL), the Senator from Indiana (Mr. LUGAR), the Senator from Pennsylvania (Mr. SANTORUM), and the Senator from Wyoming (Mr. THOMAS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) and the Senator from Hawaii (Mr. INOUYE) are necessarily absent.

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

The result was announced—yeas 82, nays 9, as follows:

[Rollcall Vote No. 318 Leg.]
I want to be clear with my colleagues. This amendment has nothing to do with criminal behavior. That is taken care of in other statutes. It merely governs under what circumstances someone should lose their security clearance for improper behavior. Given recent developments, some of which we are all aware, this is a necessary amendment. We need to make sure those who are careless with national security information are denied continued access to top-secret information. Anyone who leaks classified information should not continue to have a security clearance. I am sure across the country people would agree with that. If you are giving out information you should not reveal in the first place, why should you have access to that same type information on a continuing basis?

I urge my colleagues to support this amendment.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, I worked on the amendment with the distinguished Senator from New Jersey. I have done so in consultation with my leadership and the leadership of the Intelligence Committee. I would like to make this offer to my good friend. We have a rapidly moving bill. We have a number of amendments yet to vote on tonight. The leadership may well be addressing the Senate, the majority leader and Democratic leader, about this bill.

Is it at all possible that we can voice vote this amendment? I urge my colleagues to do so.

Mr. LAUTENBERG. I want to be cooperative, but I do want to make sure it is clearly understood that we are all supporting—or those who are supporting this amendment. I would like it clearly on the record. Perhaps a 10-minute vote.

Mr. WARNER. Suppose we had a voice vote and you determined from the resounding ayes if it meets your specifications?

Mr. LAUTENBERG. If I were sitting in that chair, I would probably say yes, but I am not sitting in that chair. I ask that we have a rollcall vote.

Mr. STEVENS. I will be glad to have you occupy the Chair right now, as President pro tempore.

Mr. LAUTENBERG. If I were sitting in that chair, I would probably say yes, but I am not sitting in that chair. I ask that we have a rollcall vote.

Mr. STEVENS. Will the Senator take a division vote? A standing vote? A division of the Senate, a standing vote? All those in favor stand?

Mr. LAUTENBERG. No.

Mr. WARNER. Mr. President, I say to my good friend, we have worked with you in a most cooperative way. I would like to have the attention of my good friend. We have worked with you in a most cooperative way. What I am trying to do is convene a number of Members who have commitments tonight. I once more ask if you will not accept this on a voice vote.

Mr. LAUTENBERG. I don't want to be obstinate. If we could now declare that this session will end, perhaps we can then look at a standing vote. Other than that, if I agree to move my amendment along and find out that we still continue to drag on—will all the other amendments be subjected to voice votes?

Mr. WARNER. I will ask all.

Mr. STEVENS. Where there is no objection, yes.

Mr. WARNER. If there is no objection.

Mr. LAUTENBERG. I have the yeas and nays on this.

Mr. KENNEDY. What is the parliamentary situation? Will the Senator yield? Will the Senator yield for a brief question?

Mr. WARNER. I think the Senator is correct in his interpretation of the rules.

Mr. KENNEDY. So you can say you want a voice vote and if you are not satisfied, you can ask for the yeas and nays. Can you get a standing division if you are not satisfied? You can still get the yeas and nays, am I not correct?

Mr. WARNER. The Senator is correct. Can we have a standing division? Mr. LAUTENBERG. If that is the situation, I am going to cooperate.

Mr. WARNER. Will the Presiding Officer arrange for a division vote? May we have order in the Chamber.

Mr. LAUTENBERG. I don't want to voice vote this amendment? I urge my colleagues to do so.

Mr. STEVENS. I will be glad to have you occupy the Chair right now, as President pro tempore.

Mr. LAUTENBERG. If I were sitting in that chair, I would probably say yes, but I am not sitting in that chair. I ask that we have a rollcall vote.

Mr. STEVENS. Will the Senator take a division vote? A standing vote? A division of the Senate, a standing vote? All those in favor stand?

Mr. LAUTENBERG. No.

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Mr. STEVENS. Where there is no objection, yes.

Mr. WARNER. If there is no objection.

Mr. LAUTENBERG. I have the yeas and nays on this.

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Mr. WARNER. The Senator is correct. Can we have a standing division? Mr. LAUTENBERG. If that is the situation, I am going to cooperate.

Mr. WARNER. Will the Presiding Officer arrange for a division vote? May we have order in the Chamber.

The PRESIDING OFFICER. A division is requested.

All those in favor of the amendment, stand and remain standing until counted. The ayes will be seated and the nays will rise.

On a division, the amendment (No. 2478), as modified, was agreed to.

Mr. REID. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.
Mr. GRAHAM. Mr. President, I ask unanimous consent that reading of the amendment be dispensed with.

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

The amendment as follows:

(Purpose: Relating to the review of the status of detainees of the United States Government)

Strike all after the word SEC.

II. REVIEW OF STATUS OF DETAINES.

(a) SUBMITAL OF PROCEDURES FOR STATUS REVIEW OF DETAINES AT GUANTANAMO BAY, CUBA.—Not later than 180 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees, and to the Committees on the Judiciary of the Senate and the House of Representatives, a report setting forth the procedures of the Combatant Status Review Tribunals and the noticed Administrative Review Boards in operation at Guantanamo Bay, Cuba, for determining the status of the detainees held at Guantanamo Bay.

(b) PROCEDURES.—The procedures submitted to Congress pursuant to subsection (a) shall be limited to procedures beginning after the date of the submission of such procedures under that subsection, ensure that—

(1) in making a determination of status of any detainee under such procedures, a Combatant Status Review Tribunal or Administrative Review Board may not consider statements derived from persons that, as determined by such Tribunal or Board, by the preponderance of the evidence, were obtained with undue coercion; and

(2) the Designated Civilian Official shall be an officer of the United States Government whose appointment to office was made by the President, by and with the advice and consent of the Senate.

(c) REPORT ON MODIFICATION OF PROCEDURES.—The Secretary of Defense shall submit to the committees of Congress referred to in subsection (a) a report on any modification of the procedures submitted under subsection (a) not later than 30 days before the date on which such modifications go into effect.

(d) JUDICIAL REVIEW OF DETENTION OF ENEMY COMBATANTS.—

(1) IN GENERAL.—Section 1051(a)(38) of title 10, United States Code, is amended by adding at the end of the section the following:

"(2) CERTAIN DECISIONS.—(B), (C), and (D), the United States Court of Appeals for the District of Columbia Circuit with respect to the claims of an alien under this paragraph shall cease upon the re-lease of such alien from the custody of the Department of Defense.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply to any application or other action that is pending on or after the date of the enactment of this Act. Paragraph (2) shall apply with respect to any claim regarding a decision covered by that paragraph that is pending on or after such date.

This section shall become effective 1 day after the date of the enactment of this Act.

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

The PRESIDING OFFICER. The question is on agreeing to the amendment. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 49, nays 42, as follows:

[Rollcall Vote No. 319 Leg.]

YEAS—49

Allard
Allen
Bennett
Bond
Brownback
Brownning
Burns
Burr
Chambliss
Collins
Cochran
Coleman
Cloud
Conrad
Cornyn
Crapo

McCain
McConnell
Markowski
Ensign
Nelson (NE)
Roberts
Rice/Hatch
Thune
Talent
Thune
Vitter
Voinovich
Warner
Wyden

NAYS—42

Akaka
Baucus
Baucus
Biden
Bingaman
Boehner
Burr
Byrd
Cantwell
Chafee
Clintons
Dayton

Dodd
Durbin
Durbin
Feingold
Feinstein
Gingrich
Jeffords
Johnson
Kennedy
Kohl
Lautenberg
Leahy
Levin
Lincoln
Lincoln
Milwaukee
Murray
Obama
Obama
Phone
Prudhoe
Reed
Reid
Rockefeller
Salazar

The PRESIDING OFFICER. The PRESIDING OFFICER. The answer is the Senate from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) and the Senator from Hawaii (Mr. INOUYE) are necessarily absent.

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

The result was announced—yeas 49, nays 42, as follows:

[Rollcall Vote No. 319 Leg.]
FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS ACT, 2006—CONFERENCE REPORT—Continued

The PRESIDING OFFICER. We now move to the conference report to accompany the foreign operations bill, H.R. 3057.

Is there further debate? If not, the question is on agreeing to the conference report.

Mr. WARNER. I understand the leadership requests the yeas and nays. The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The yeas and nays were ordered.

The conference report was agreed to.

The conference report was moved to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LEAHY. Parliamentary inquiry: What is the order for debate entered into on this conference report?

The PRESIDING OFFICER. Two minutes of debate equally divided.

Mr. LEAHY. Mr. President, I see the senior Senator from Kentucky. I praise him and his staff.

Mr. McCONNELL. I yield back my time.

The PRESIDING OFFICER (Mr. CHAFEE). All time having been yielded back, the question is on agreeing to the conference report. The yeas and nays have been ordered.

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. McCONNELL. The following Senators were necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from New Mexico (Mr. DOMENICI), the Senator from Wyoming (Mr. ENZI), the Senator from Nebraska (Mr. HAGEL), the Senator from Indiana (Mr. LUGAR), the Senator from Pennsylvania (Mr. SANTORIUM), and the Senator from Wyoming (Mr. THOMAS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. CORZINE) and the Senator from Hawaii (Mr. INOUYE) are necessarily absent.

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

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

- [Rollcall Vote No. 320 Leg.]

Yeas—91

- Akaka, Daniel Inouye
- Allard, Ben Nighthorse
- Allen, Kay Hagan
- Baucus, Jon
- Baucus, Max
- Bennett, John
- Biden, Joe
- Bingaman, Jeff
- Bond, James
- Boxer, Barbara
- Brownback, Sam
- Burns, James Inhofe
- Byrd, Robert C.
- Cantwell, Maria Cantwell
- Chablis, Debbie Stabenow
- Clinton, Hillary Clinton
- Coburn, Tom
- Cochrane, Mark Udall
-Coleman, John
- Collins, Christopher
- Cornyn, John
- Craig, Larry Craig
- Cruz, Ted
- Dayton, Todd
- DeMint, Jim
- DeWine, Rob
- DSCC

Not Voting—9

- Alexander, Jim
- Corzine, Robert
- Domenici, Pete
- Sununu, John}

Mr. McCONNELL. I yield back my time.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the only remaining first-degree amendments to the Defense bill, other than any further management amendments that are cleared, be an amendment offered by the majority leader or his designee on Iraq, and an amendment offered by the Democratic leader or his designee on Iraq, and that they be laid down this evening with no second degrees in order. Further ask consent that there be 3 second degrees in order to the Graham amendment, two offered by Senator LEVIN or his designee, and one offered by Senator GRAHAM. I further ask consent that all amendments be offered and debated on Monday, under the previous limitations, and that on Tuesday, at a time determined by the majority leader, after consultation with the Democratic leader, the Senate proceed to a vote in relation to the majority amendment on Iraq, to be followed by a vote in relation to the Democratic amendment, to be followed by votes in relation to the second-degree amendments in order offered, to be followed by a vote on the underlying Graham amendment, as amended, and that following these votes the bill be read a third time and the Senate proceed to a vote on passage of the bill, with no intervening action or debate; finally, that there be 30 minutes equally divided between the two managers prior to the start of the votes.

The PRESIDING OFFICER. Is there objection?

Mr. LEVIN. Reserving the right to object, and I surely will not, is it my understanding that we had agreed that there would be some brief period of time determined by the majority leader or his designee on Monday, after the votes on the Defense bill, other than any further management amendments to the Defense bill, that on Tuesday, at a time determined by the majority leader or his designee on Iraq, the Senate proceed to a vote in relation to the majority amendment on Iraq, to be followed by a vote in relation to the Democratic amendment, to be followed by votes in relation to the second-degree amendments in order offered, to be followed by a vote on the underlying Graham amendment, as amended, and that following these votes the bill be read a third time and the Senate proceed to a vote on passage of the bill, with no intervening action or debate; finally, that there be 30 minutes equally divided between the two managers prior to the start of the votes.

Mr. LEVIN. With that clarification, I am very content.

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

The Senator from Virginia.

Mr. WARNER. I thank the distinguished majority leader and the Democratic leader and all others who made possible that we will now have a Defense authorization bill, a strong bill, a good bill. The UC just propounded by the distinguished majority leader requires that the Iraq amendments be laid down tonight.

AMENDMENT NO. 2518

On behalf of the distinguished majority leader and myself, I now send to the desk the Iraq amendment as required by the UC. My understanding is the amendment by the distinguished Senator from Michigan on Iraq is at the desk; is that correct?

Mr. LEVIN. I was going to send that up immediately after the Senator sends up his amendment.
The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Virginia (Mr. WARNEK), for himself, and Mr. FOSTR proposes an amendment numbered 2484.

The amendment is as follows:

>Purpose: To clarify and recommend changes to the policy of the United States on Iraq and to require reports on certain matters relating to Iraq.

At the end of title XII, add the following:

**SECTION 1234. UNITED STATES POLICY ON IRAQ.**

(a) **SHORT TITLE.**—This section may be cited as the "United States Policy on Iraq Act".

(b) **SENSE OF SENATE.**—It is the sense of the Senate that, in order to succeed in Iraq—

(1) the United States Armed Forces who are serving or have served in Iraq and their families deserve the utmost respect and the heartfelt gratitude of the American people for their unwavering devotion to duty, service to the Nation, and selfless sacrifice under the most difficult circumstances;

(2) it is important to recognize that the Iraqi people have made enormous sacrifices and that the overwhelming majority of those forces and the government of Iraq

(3) the Administration needs to explain to Congress and the American people its strategy for the successful completion of the mission in Iraq,

(4) United States military forces should not stay in Iraq any longer than required and the people of Iraq should be so advised;

(5) the Administration should tell the leaders of all groups and political parties in Iraq that the overwhelming majority of Americans want the forces and the government of Iraq.

(6) the Administration must explain to Congress and the American people its strategy for the successful completion of the mission in Iraq.

(7) the President shall submit to Congress an unclassified report on United States policy and military operations in Iraq. Each report shall include the following:

(A) Efforts to convince Iraq's main communities to make the compromises necessary for a broad-based and sustainable political settlement.

(B) Engaging the international community and the region in the effort to stabilize Iraq and to forge a broad-based and sustainable political settlement.

(C) Strengthening the capacity of Iraq's government ministries.

(D) Accelerating the delivery of basic services.

(E) Securing the delivery of pledged economic assistance from the international community and additional pledges of assistance.

(F) Training Iraqi security forces and transferring security responsibilities to those forces and the government of Iraq.

(8) Whether the Iraqis have made the compromises necessary to achieve the broad-based and sustainable political settlement that is essential for defeating the insurgency in Iraq.

(9) Any specific conditions included in the April 2005 Multi-National Forces-Iraq campaign action plan (referred to in United States Accountability Office October 2005 report on Rebuilding Iraq: DOD Reports Should Link Economic, Governance, and Security Indicators to Conditions for Stabilizing Iraq) that must be met in order to provide for the transition of security responsibility to Iraqi security forces.

(10) To the extent that these conditions are not covered under paragraph (3), the following should also be addressed:

(A) The number of battalions of the Iraqi Armed Forces that must be able to operate independently or to take the lead in counterinsurgency operations and the defense of Iraq's territory.

(B) The number of Iraqi special police units that must be able to operate independently or to take the lead in maintaining law and order and fighting the insurgency.

(C) The number of regular police that must be trained and equipped to maintain law and order.

(D) The ability of Iraq's Federal ministries and provincial and local governments to independently sustain, direct, and coordinate Iraq's security efforts.

(E) Securing the delivery of pledged economic assistance.

(F) Training Iraqi security forces and transferring security responsibilities to those forces and the government of Iraq.

(11) Whether the Iraqis have made the compromises necessary to achieve the broad-based and sustainable political settlement that is essential for defeating the insurgency in Iraq.

(12) Any specific conditions included in the April 2005 Multi-National Forces-Iraq campaign action plan (referred to in United States Government Accountability Office October 2005 report on Rebuilding Iraq: DOD Reports Should Link Economic, Governance, and Security Indicators to Conditions for Stabilizing Iraq) that must be met in order to provide for the transition of security responsibility to Iraqi security forces.

(13) To the extent that these conditions are not covered under paragraph (3), the following should also be addressed:

(A) The number of battalions of the Iraqi Armed Forces that must be able to operate independently or to take the lead in counterinsurgency operations and the defense of Iraq's territory.

(B) The number of Iraqi special police units that must be able to operate independently or to take the lead in maintaining law and order and fighting the insurgency.

(C) The number of regular police that must be trained and equipped to maintain law and order.

(D) The ability of Iraq's Federal ministries and provincial and local governments to independently sustain, direct, and coordinate Iraq's security efforts.

(E) Securing the delivery of pledged economic assistance.

(F) Training Iraqi security forces and transferring security responsibilities to those forces and the government of Iraq.
Mr. WARNER. Mr. President, by way of preliminary debate on the Iraq amendment, I would simply advise my distinguished colleague from Michigan and other Senators that we were given, in a timely manner, the amendment that has just been sent to the desk by the Senator from Michigan, known as the leadership Iraq amendment. Senator Feingold, I, and others have simply taken that amendment and amended it in several ways, and that then becomes the Warner-Frist amendment.

So I just inform colleagues, basically, we are dealing with the basic amendment as provided by the Senator from Michigan. My distinguished colleague from Virginia and others. We have modified our leadership amendment in a manner which we think is consistent with the strong needs of our country to achieve the objectives that we have in Iraq.

Having said that, I think we have pretty well concluded business for the day on this bill.

Mr. LEVIN. If the Senator will yield, Mr. President, I agree with the description which my dear friend from Virginia has provided, that I did provide him with our amendment. Even though our amendment has a later number, it was the amendment which was first provided. The Senator from Virginia, after working with his leader and others, has made some modifications in our amendment and that amendment, under the unanimous consent agreement which will be voted on first, is the amendment basically that we drafted over here with the modifications made by the Senator from Virginia and others. So that is the chronology, that is the history, and that is the order we will be voting on and will be debating these on Monday under the unanimous consent agreement.

There are some differences. I would not describe them as major differences but, nonetheless, there are some differences that now exist between the two versions, and we can debate which is the preferable version. But in any event, under either version, it strikes me that there is clearly a call here for some changes in course in policy in Iraq. But that again is something we can debate further on Monday.

Mr. WARNER. Mr. President, I thank my colleague. I do believe it is very wise for the Senate to have this debate. We are prepared for that debate.

I would simply advise colleagues—and the leadership later will in wrap-up give more specifics—my understanding is there will be a vote at 5:30, preceded by 1 hour of debate on that vote, which is on one of the appropriations bills. That is my understanding. Can the President pro tempore advise me as to what the vote is that is scheduled on Monday at 5:30?

I am advised it is the Energy and Water Conference Report. Am I reasonably correct in preliminarily informing the Senate that vote will take place at about 5:30, and the 1 hour prior to it will be filled with that? I interpret that to mean that from the time the Senate comes in on Monday up until 4:30, that would be available for the important debate on the respective Iraqi amendments.

Mr. LEVIN. If the Senator will yield, also I believe the debate on the second-degree amendments to the Graham amendment would occur on Monday since the only time on Tuesday prior to votes on the amendments would be 30 minutes, which would be needed, perhaps, for both second degrees to Graham and the Iraqi amendments, all wrapped into that 30 minutes.

There may be and I think there probably would be debate on Monday on the second-degree amendments, referred to in this unanimous consent agreement, to the Graham amendment.

Mr. WARNER. I wonder if the distinguished Senator from Michigan and I can visit here the Presiding Officer. The Presiding Officer. (Mr. ALLEN). The Senator from Virginia.

Mr. WARNER. The Senator from Michigan and I desire to accommodate colleagues. Again, the hour from 4:30 to 5:30 is on the appropriations bill. The time from whenever the Senate convenes on Monday up until 4:30 is subject to debate on the Iraqi amendments; indeed, if Senators want to comment on the bill and such amendments as may be filed in connection with the Graham issues.

I think we would urge our colleagues to try to contact our respective offices as to their needs for time to vote on these matters so the Senator from Michigan and I can try to accommodate them. But I also wish to remind colleagues that presumably the vote on the appropriations bill starts at 5:30, and by all measures should be completed sometime after 6. Then, subject to leadership, I think there would be time that evening, Monday evening, to continue votes for those Senators whose travel plans otherwise do not enable them to get here before 4:30. So the same framework for debate that can take place prior to 4:30 can take place after 6:30.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. LEVIN. Mr. President, if the Senator will yield, I agree with his comments and I reinforce the importance of our colleagues notifying our offices and our cloakrooms if they desire to have time to speak on Monday afternoon so we can schedule that time. It would be very helpful for us to be so informed as early as possible on Monday. I want to reiterate there are two groups of amendments we are talking about here that will need to be debated Monday. One is the Iraqi amendment. The other one is the second-degree amendments to the Graham amendment. We are going to have to fit all that in on Monday afternoon, and possibly, as the Senator from Virginia mentions, after the vote on Monday. So it is important that our colleagues let their offices and our cloakrooms know on Monday morning if they want time on either or both of those subjects. We will try to work the best we can and protect everybody’s opportunity to speak.

The PRESIDING OFFICER. The Senator from Virginia.

Mr. WARNER. Mr. President, may I pause momentarily.

Mr. President, I think our respective staffs can incorporate in the wrap-up document such that the Senator from Michigan and I will share equally the time before 4:30, after leadership, and in that way be able to work more effectively with our colleagues.

Mr. LEVIN. That is fine.

Mr. WARNER. Mr. President, I again thank all Senators. I thank our staff. I thank the professional staff of the Senate, who in many ways have made possible the completion of this bill. We are owing a debt of gratitude to many to get where we are.

Mr. LEVIN. We are almost there. We are going to be there on Monday. We thought we would be there tonight, but we will on Monday.

Mr. WARNER. In a way we are. We have charted the course.

Mr. LEVIN. Fixed stars.

AMENDMENT NO. 2485, AS MODIFIED

Mr. WARNER. Mr. President, I say to my colleagues, we have some cleared amendments we can do.

Mr. President, I ask unanimous consent that the previously agreed-to amendment 2485 be modified with a technical correction. I send that modification to the desk. I understand it has been cleared on both sides.

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

The amendment (No. 2485), as modified, is as follows:

On page 286, between lines 7 and 8, insert the following:

SEC. 1073. ESTABLISHMENT OF NATIONAL FOREIGN LANGUAGE COORDINATION COUNCIL.

(a) Establishment.—There is established the National Foreign Language Coordination Council (in this section referred to as the ‘‘Council’’), which shall be an independent establishment as defined under section 104 of title 5, United States Code.

(b) Membership.—The Council shall consist of the following members or their designees:

(1) The National Language Director, who shall serve as the chairperson of the Council.

(2) The Secretary of Education.

(3) The Secretary of Defense.

(4) The Secretary of State.


(6) The Attorney General.

(7) The Director of National Intelligence.
(8) The Secretary of Labor.
(9) The Director of the Office of Personnel Management.
(10) The Director of the Office of Management and Budget.
(11) The Secretary of Commerce.
(12) The Secretary of Health and Human Services.
(13) The Secretary of the Treasury.
(14) The Secretary of Housing and Urban Development.
(15) The Secretary of Agriculture.
(16) The Chairman and President of the Export-Import Bank of the United States.

(17) The heads of such other Federal agencies as the Council considers appropriate.

(c) RESPONSIBILITIES.—

(1) IN GENERAL.—The Council shall be charged with—

(A) developing a national foreign language strategy, within 18 months of the date of enactment of this section, in consultation with—

(i) State and local government agencies;
(ii) academic sector institutions;
(iii) foreign language related interest groups;
(iv) business associations;
(v) industry;
(vi) heritage associations; and
(vii) foreign language-related interest groups;

(B) conducting a survey of the status of Federal agency foreign language and area expertise and agency needs for such expertise; and

(C) monitoring the implementation of such strategy through—

(i) application of current and recently enacted laws;
(ii) the promulgation and enforcement of rules and regulations.

(2) STRATEGY CONTENT.—The strategy developed pursuant to paragraph (1) shall include—

(A) identification of crucial priorities across all sectors;

(B) identification and evaluation of Federal foreign language programs and activities, including—

(i) any duplicative or overlapping programs that may impede efficiency;
(ii) recommendations on coordination;
(iii) program enhancements; and
(iv) allocation of resources so as to maximize use of resources;

(C) needed national policies and corresponding legislative and regulatory actions in support of, and allocation of designated, promising programs and initiatives at all levels (Federal, State, and local), especially in the less commonly taught languages that are seen as critical for national security and global competitiveness during the next 20 to 50 years.

(D) effective ways to increase public awareness of the need for foreign language skills as part of a broader pipeline in all sectors that can employ those skills, with the objective of increasing support for foreign language study among—

(i) Federal, State, and local leaders;
(ii) students;
(iii) parents;
(iv) elementary, secondary, and postsecondary educational institutions; and
(v) employers;

(E) recommendations for incentives for related educational programs, including foreign language teacher training;

(F) coordination of cross-sector efforts, including public-private partnerships;

(G) coordination initiatives to develop a strategy for funding for research and recommendations for funding for applied foreign language research into issues of national concern;

(H) recommendations for assistance for—

(i) the development of foreign language achievement standards; and

(ii) corresponding assessments for the elementary, secondary, and postsecondary education levels, including the National Assessment of Educational Progress in foreign languages;

(I) recommendations for development of—

(i) language skill-level certification standards;
(ii) frameworks for pre-service and professional development study for those who teach foreign language;

(iii) suggested graduation criteria for foreign language majors and appropriate non-language studies, such as—

(I) international business;
(ii) national security;
(iii) public administration;
(iv) health care;
(v) engineering;

(vi) law;
(vii) journalism; and

(viii) sciences;

(J) identification of and means for replicating best practices at all levels and in all sectors, including best practices from the international community; and

(K) recommendations for overcoming barriers in foreign language proficiency.

(E) REQUIREMENTS.—

(A) I N GENERAL.—Subject to subparagraph (B), the appropriate Federal agencies or departments shall cooperate with the Council in expeditiously providing to the Council membership information in appropriate security clearances to the extent possible pursuant to existing procedures and requirements.

(B) EXCEPTION.—No person shall be provided with declassified information under this section without the appropriate required security clearance access.

(6) COMPENSATION.—The rate of pay for any employee of the Council (including the Director) may not exceed the rate payable for level V of the Executive Schedule under section 5316 of title 5, United States Code.

(7) POWERS.—

(1) DELEGATION.—Any member or employee of the Council may carry out any powers of the Council that are not inconsistent with the purposes for which the Council was established. The Council may authorize any member or employee of the Council to act on behalf of the Council.

(2) INFORMATION.—

(A) C OUNCIL AUTHORITY TO SECURE.—The Council may secure directly from any Federal agency such information, consistent with Federal privacy laws, including The Family Educational Rights and Privacy Act (20 U.S.C. 1232g) and Department of Education’s General Education Provisions Act (20 U.S.C. 1232h), the Council considers necessary to carry out its responsibilities.

(B) REQUIREMENT TO FURNISH REQUESTED INFORMATION.—Upon request of the Director, the head of such agency shall furnish such information to the Council.

(3) DONATIONS.—The Council may accept, use, and dispose of gifts or donations of services or property.

(4) MAIL.—The Council may use the United States mail in the same manner and under the same conditions as other Federal agencies.

(5) CONFERENCES, NEWSLETTER, AND WEBSITE.—In carrying out this section, the Council may arrange Federal, regional, State, and local conferences for the purpose of developing and coordinating effective programs and activities to improve foreign language education.

(6) PUBLICATION.—The Council shall publish a newsletter concerning Federal, State, and local programs that are effectively meeting the foreign language needs of Federal, State, and local government agencies, academia, industry, and heritage communities.

(7) CREATING WEBSITE.—The Council shall create and maintain a website containing information on the Council and its activities, best practices on language education, and other relevant information.

(8) REPORTS.—Not later than 90 days after the date of enactment of this section, and annually thereafter, the Council shall transmit to the President and the relevant committees of Congress a report that describes—

(1) the efforts of the Council; and

(2) the efforts of the Council to improve foreign language education and training; and

(3) impediments to the use of a National Foreign Language program, including any statutory and regulatory barriers.

(j) ESTABLISHMENT OF A NATIONAL LANGUAGE DIRECTOR.—

(1) IN GENERAL.—There is established a National Language Director who shall be appointed by the President. The National Language Director shall be a nationally recognized individual with credentials and abilities across the sectors to be involved with creating and implementing long-term solutions to achieving national foreign language and cultural competency.

(2) RESPONSIBILITIES.—The National Language Director shall—

(A) develop and monitor the implementation of a national foreign language strategy across all sectors; and

(B) establish formal relationships among the major stakeholders in meeting the needs of the Nation for improved capabilities in foreign languages and cultural understanding, including Federal, State, and local government agencies, academia, industry, labor, and heritage communities; and

(C) coordinate and lead a public information campaign that raises awareness of public and private sector careers requiring foreign language skills and cultural understanding, with the objective of increasing interest in and support for the study of foreign languages.
languages among national leaders, the business community, local officials, parents, and individuals.

(k) ENCOURAGEMENT OF STATE INVOLVEMENT.

(1) STATE CONTACT PERSONS.—The Council shall consult with each State to provide for the designation by each State of an individual to serve as a State contact person for the purpose of receiving and disseminating information and communications received from the Council.

(2) INTERAGENCY COUNCILS AND LEAD AGENCIES.—Each State is encouraged to establish a State interagency council on foreign language coordination or designate a lead agency for the purpose of assuming primary responsibility for coordinating and interacting with the Council and State and local government agencies as necessary.

(l) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as necessary to carry out this section.

Mr. WARNER. Mr. President, I ask the previously agreed-to amendment 1550 to be modified and I send the modification to the desk.

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

The amendment (No. 1550) as further modified, is as follows:

At the appropriate place, insert the following:

SEC. 2. PILOT PROJECT FOR CIVILIAN LIN- GUIST RESERVE CORPS.

(a) ESTABLISHMENT.—The Secretary of Defense (referred to in this section as the “Secretary”), through the National Security Education Program, shall conduct a 3-year pilot project to establish the Civilian Linguist Reserve Corps, which shall be composed of United States citizens with advanced levels of proficiency in foreign languages who would be available, upon request from the President, to perform any services or duties with respect to such languages for the United States Government as the President may require.

(b) IMPLEMENTATION.—In establishing the Civilian Linguist Reserve Corps, the Secretary shall, as part of the planning and findings and recommendations contained in the report required under section 325 of the Intelligence Authorization Act for Fiscal Year 2003 (Public Law 107–306; 116 Stat. 2938),—

(1) identify several foreign languages that are critical for the national security of the United States and the relative priority of each such language;

(2) identify United States citizens with advanced levels of proficiency in those foreign languages who would be available to perform the services and duties referred to in subsection (a);

(3) cooperate with other Federal agencies with national security responsibilities to implement a procedure for calling for the performance of the services and duties referred to in subsection (a);

(4) implement a call for the performance of such services and duties;

(c) CONTRACT AUTHORITY.—In establishing the Civilian Linguist Reserve Corps, the Secretary may enter into contracts with appropriate agencies or entities.

(d) FEASIBILITY STUDY.—During the course of the pilot project, the Secretary shall conduct a study of the best practices in implementing the Civilian Linguist Reserve Corps, including—

(1) administrative structure;

(2) languages to be offered;

(3) number of language specialists needed for each language;

(4) Federal agencies who may need language services;

(5) compensation and other operating costs;

(6) certification standards and procedures;

(7) security clearances;

(8) skill maintenance and training; and

(9) the use of private contractors to supply language specialists.

(e) REPORTS.—

(1) EVALUATION REPORTS.—

(A) IN GENERAL.—Not later than 1 year after the date of enactment of this Act, and annually thereafter until the expiration of the 3-year period beginning on such date of enactment, the Secretary shall submit to Congress an evaluation report summarizing the lessons learned, best practices, and recommendations for full implementation of the Civilian Linguist Reserve Corps.

(B) CONTENTS.—Each report required under subparagraph (A) shall contain information on the operation of the pilot project, the success of the pilot project in carrying out the objectives of the establishment of a Civilian Linguist Reserve Corps, and recommendations for the continuation or expansion of the pilot project.

(2) FINAL REPORT.—Not later than 6 months after the completion of the pilot project, the Secretary shall submit to Congress a final report summarizing the lessons learned, best practices, and recommendations for full implementation of the Civilian Linguist Reserve Corps.

(f) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $3,100,000 for fiscal year 2006 to carry out the pilot project under this section.

(g) OFFSET—The amounts authorized to be appropriated by section 301(4) are hereby reduced by $1,000,000 from the amount provided under section 301(4).

At the appropriate place, insert the following:

Mr. LEVIN. I understand this also is technical?

Mr. WARNER. That is correct. It was cleared on both sides. Has the vote been taken?

The PRESIDING OFFICER. Consent has been granted.

Mr. DURBIN. Mr. President, noting that tomorrow is Veterans Day, I rise to discuss an amendment which will make it clear that returning combat veterans of the Army and Reserve will receive the same consideration as other combat veterans when applying for a Federal job.

I am offering this bipartisan amendment along with Senators VITTER, CHAMBLISS, WYDEN, LANDREOU, SCHUER, CLINTON and DAYTON.

Since the time of the Civil War, veterans of the Armed Services have been given some degree of preference in the consideration process for employment with the Federal Government. This usually takes the form of an additional 5 points added to the score received by a veteran on the test they must take to qualify for the job. If the veteran is disabled, he or she receives an additional 10 points.

This program is known as “Veterans Preference.”

The way the law reads now, veterans applying for a Federal job can receive preferential consideration if they served on active duty during a war or campaign or expedition for which a campaign or service medal has been authorized and have been separated from the Armed Forces under honorable conditions.

Unfortunately, the term “separated” is not defined in the Veterans Preference law and this lack of clarity has had the practical effect of causing some veterans, who saw combat as mobilized members of the Guard or Reserve, to be denied the veterans preference they had earned.

That is exactly what happened to an Army reservist from my own State of Illinois.

Earlier this year, I was contacted by a young woman serving in the Army Reserve as a military police officer. Her name is Kylene Conlon. Since 9/11, Kylene has been mobilized twice. The first time she spent nearly a year in Guantanamo Bay, Cuba. The second time she spent a full year in Iraq.

Upon her return she learned that the United States Marshals Service was hiring. When she requested an application, she was informed that the hiring program was open only to those eligible for Veterans Preference. She provided copies of her two different Degrees of Discharge certifying her overseas service over two major mobilizations, yet she was told that that was not good enough for veterans preference. She was told that she had to have a discharge. But Kylene did not have a discharge certificate, which she would receive after ending military service because she had not quit the Army Reserve. She had come home from Iraq and gone back to attending weekend drills and annual training periods.

She had two Department of Defense Forms 214 which stated that her type of separation was a “release from active duty.” To be given a discharge certificate, Kylene would have to quit the Army Reserve.

She was stunned. She could not believe that the Federal Government would require her to quit the Army Reserve before being able to receive the veterans preference she had earned. So, she came to my office for help.

I sent a letter to the Marshals Service in the Department of Justice to ask that Kylene Conlon was being denied veterans preference.

They wrote back. Here is what their letter said:

The Office of Personnel Management (OPM) administers the veterans preference program for the Federal Government in accordance with statute and regulation. Unfortunately, service as a member of the Army Reserve does not qualify for veterans preference. The OPM VetGuide states “to receive preference, a veteran must have been separated from active duty in the Armed Forces with an honorable discharge.” Ms. Conlon had not been discharged from the Army.

Every word of that letter was 100 percent true. OPM administers the program according to the law. OPM’s guide requires a discharge. Reservists completing a mobilization and returning to part-time status don’t receive discharges. Therefore, reservists were being denied hiring for Veterans Preference.

I knew right then that the law had to be changed.
My staff checked into this and found that it was that vague word “separated” in the current Veterans Preference law that was the problem. Somebody could read that word and assume it means only “discharged” and so the loophole.

That was not Congress’s intent. Elsewhere in Federal law, rather than the term “separated,” one finds the phrase “discharged or released.” That’s a better phrase. It covers both those who end their active service completely with an honorable discharge as well as reservists who are released after a tour of active duty and go back to reserve duty. Troops leaving the military altogether are given a discharge. Reservists who are simply ending a period of active duty and reverting to their previous part-time reservist status are given a release from active duty.

The measure which I introduce today clarifies title 5 by replacing the vague term “separated” with the much clearer and more precise phrase “discharged or released.” While this may seem a small change in wording, it will have an important effect. It will make it absolutely clear that a member of the Nation’s Armed Forces who served honorably in a war, campaign or expedition for which a campaign medal has been authorized can receive full access to veterans preference in Federal hiring. We want these honorable veterans to be eligible to receive without any pressure or incentive whatsoever to terminate their valuable service in the reserve components of our Armed Forces.

This change in the law is merely a clarification to avoid future errors of interpretation as have occurred in the past. It will have no effect on previous grants of veterans preference and it will in no way limit or reduce future considerations for veterans preference eligibility.

The measure is endorsed by the Reserve Officers Association. I am very grateful to the managers of the Defense authorization bill for agreeing to accept this measure as an amendment. It is important and timely legislation as we approach Veterans Day and honor all those who serve our Nation in uniform.

Mr. KENNEDY. I support the extension of the Defense Department’s program to Federal defense contracting process in no way supports or subsidizes the discrimination that has long been a problem in the contracting business. The extension of the program through September 2009 is needed to help achieve that goal.

The Senate Armed Services Committee has learned a great deal about the effects of discrimination in denying contracting opportunities for minority-owned businesses. The ugly reality is that contracting has long been dominated by “old-boy” networks that make it very difficult for African Americans, Latinos, Asians, and Native Americans to participate fairly in these opportunities, or even obtain information about them.

Years of congressional hearings have shown that minorities historically have been excluded from both public and private construction contracts in general, and from Federal defense contracts in particular. Since its adoption, the Defense Department program, called the 1207 Program, has helped level the playing field for minority contractors. But there is still more to be done. In particular, we have not received since the program was last reauthorized makes clear.

Ever since the program was first adopted in 1986, racial and ethnic discrimination—both overt and subtle—have continued to exert significant barriers to minority participation in Federal contracting. In some cases, overt discrimination has prevented minority-owned businesses from obtaining needed loans and bonds. Prime contractors, unions, and trade associations have preferred to do business with White contractors rather than with minority firms.

We have seen repeated reports of bid-shopping and minority businesses being denied contracts despite submitting the lowest bid.

The Department’s decision to award a growing number of defense contracts noncompetitively has had the unfortunate effect of excluding minority-owned businesses from a significant number of contracting opportunities. No-bid contracts also hurt White-owned businesses, but they disadvantage minority-owned firms in particular.

These problems affect a wide variety of areas in which the Department offers contracts, and the problems are detailed in many recent disparity studies, including:


We are also mindful that the data contained in the Department of Commerce benchmark study supports the need for efforts to improve contracting opportunities for minority-owned businesses.

The 1207 Program helps to correct these problems of discrimination without imposing an undue burden on White-owned businesses. Small businesses owned by White contractors are not eligible to receive the benefits of the program if they are socially or economically disadvantaged.

All of us benefit when recipients of Federal opportunities reflect America’s diversity, and I am proud to support the reauthorization of the 1207 Program.

Mr. ROBERTS. Mr. President, I thank my friend and colleague Chairman CRAIG, for offering this amendment to correct current law, which permits capital offenders to be buried in a national cemetery with full military funeral honors. I am pleased to be an original cosponsor of this amendment, which would deny capital offenders a hero’s funeral.

I believe that the congressional intent was crystal clear on this issue when Congress passed two laws denying capital offenders eligibility for burial in a national cemetery or chain funeral benefits in 1997 and 2002. However, a loophole remains and is vulnerable to misapplication. It is unfortunate that it took the mistaken internment of double murderer Russell Wayne Wagner in Arlington National Cemetery earlier this summer to shed light on this egregious loophole.

I commend Chairman CRAIG’s immediate response to this oversight by promptly convening a hearing to study how big this loophole really is. According to a study of the law conducted by the Congressional Research Service, CRS, because Wagner’s double life sentences carried the possibility of parole, he was technically eligible for burial in a national cemetery. Upon further review it was determined that this same parole loophole also would apply to Dennis Rader, the serial killer who terrorized Kansans for over three decades.

In Kansas, we take honoring those who made the ultimate sacrifice very seriously. Entire towns make their way in the funeral procession of the hometown hero to pay their respects and say a quiet prayer as he or she is laid to rest. This respect was recently demonstrated in South Haven, KS, as the community gathered en mass to honor Sgt. Evan Parker, who died of wounds from a bomb attack during Operation Iraqi Freedom. Neighbors and fellow members of the community poured out to line the streets to watch the funeral procession and 150 members of the American Legion convened to erect a barrier to block protesters from interrupting the mourners. This is what small town America does to honor those who gave all.

It is unconscionable that Dennis Rader, BTK for short, as he referred to himself, who brutally bound, tortured, and killed 10 innocent victims would be granted a hero’s funeral. A criminal sentence lasting 10 life terms carried the possibility of parole. The BTK Killer is outrageous and simply wrong. If current law cannot prevent this brutal murderer from internment in a national cemetery or military funeral honors, then the law needs to be fixed. This amendment closes the parole loophole by tying eligibility for
burial in a national cemetery and military funeral honors to the underlying action of the capital offender rather than to the sentence, which can vary from State to State.

I understand that Chairman WARNER and Ranking Member LEVIN are including this amendment as a part of a broader manager’s amendment. I appreciate the inclusion of this important legislation that ultimately protects the honor and memory of our Nation’s heroes and the hallowed ground in which they rest.

Mrs. FEINSTEIN. Mr. President, I rise today to voice my concern over apparent discrepancies between the administration’s rhetoric with respect to our treatment of detainees, and the clear reality of the situation.

We all agree, I hope, that individuals in the custody of the United States must be treated humanely. We certainly agree that under no circumstances must American military and government personnel engage in torture. That is why we ratified the United Nations Convention Against Torture in 1994.

And that is why Senator MCCAIN’s provision prohibiting the use of “cruel, inhuman, or degrading treatment”, and adopting the Army Field Manual as the standard for interrogation procedures passed the Senate as part of the Defense appropriations bill by a 90 to 9 vote back in 2002. It was also unanimously adopted to be included in this Defense authorization bill.

Senator McCAIN’s amendment simply makes it clear that the Convention Against Torture applies without geographical limitation.

It states that conduct that is unacceptable on U.S. soil is also unacceptable in Guantanamo Bay, in Abu Ghraib, or anywhere else the United States government may be holding detainees.

President Bush has repeatedly stated that captives are to be treated humanely, and just this week he reiterated his policy that:

In this effort, any activity we conduct, is within the law. We don’t torture.

And yet, the administration, led by Vice President CHENEY, has been making a great effort to lobby Members of Congress to alter the McCain provision by exempting the CIA and members of the intelligence community from its prohibition of torture.

According to Human Rights Watch, the language he circulated on October 20th proposes that:

“Subsection (a)—that is, the prohibition against cruel, inhuman or degrading treatment or punishment—shall not apply with respect to clandestine counterterrorism operations conducted abroad, with respect to terrorists who are not citizens of the United States, that are carried out by and element of the United States Government other than the Department of Defense and are consistent with the Constitution and laws of the United States and treaties to which the United States is a party, if the President determines that such operations are vital to the protection of the United States or its citizens from terrorist attack.”

Why? The President has stated that it is not his policy to torture. We all know that catastrophic efforts that even the appearance of impropriety in this area has on the image of the United States abroad. We know the irrepairable harm that reports of abuse and secret detention centers do to our war effort. And, we know that torture does not produce and effective intelligence. So why fuel that fire by enacting a specific exemption to our long-standing policy of humane treatment?

Earlier this month, the Washington Post reported that the CIA has been “hiding and interrogating” its most valuable prisoners at so-called “black sites” at several locations in Eastern Europe and Asia.

If this is true, it would allow the intelligence community to engage in “unconventional” interrogation procedures at secret locations outside of Congressional oversight or military directives on the treatment of prisoners.

Earlier this week, I wrote a letter to the chairmen and vice chairman of the Senate Intelligence Committee requesting that the committee conduct hearings into these allegations that the CIA is holding prisoners in “black sites” around the world.

The Senate Intelligence Committee has jurisdiction over the entire intelligence community. And therefore, it is critical that it have access to all information and material related to these disturbing allegations.

Moreover, I believe that the committee must do a better job with its oversight responsibilities, particularly as they relate to detention, interrogation, and rendition activities by our intelligence agencies.

The fact that our policy to date with respect to detainees has been confused, and that that confusion has led to disturbing allegations of abuse and even torture.

The Senate has already acted to clarify the rules by passing the McCain amendment. I have heard it argued that this will somehow “tie the hands” of the President in his prosecution of the war, but I strongly disagree.

In the first place, the President himself insists that Americans should be treated humanely. We are simply acting to codify his policy.

Secondly, the Constitution is perfectly clear with regard to the authority for regulating the United States military: that authority lies with the Congress.

Some claim that the Founding Fathers intended the executive branch to have a free hand in prosecuting this Nation’s wars.

But the consideration and deliberation on this issue resulted in Article VII, Section 8 of the Constitution, which states that Congress shall have the power to “make Rules concerning
Dilawar, an innocent taxi driver who was beaten to death in Afghanistan.

We are talking about thousands of innocent Iraqis rounded up in sweeping neighborhood raids and systematically abused. And we are talking about their friends and families, and an entire generation of young people around the world who are watching and judging the actions of the United States. If we fail, in their eyes, to live up to our ideals, if the promise of America is reduced to self-serving hypocrisy, then I fear we will breed more terrorists than we can ever stop.

In the end, the essence of the problem is such that the narrowly-focused Pentagon reports do not provide us an adequate picture.

In conclusion, let me state this—it is essential that we answer these three fundamental questions:

- Is our current policy legal?
- Is it moral?
- And does it work?

Pressure to proceed on this issue in the Judiciary Committee and Intelligence Committee, I fear the answer to all three is “No.”

I believe that Congress did not intend to permit torture abroad when it ratified the Torture Convention. The overwhelming support enjoyed by Mr. McCain’s amendment is evidence of that.

Furthermore, I do not believe that violating fundamental human rights is ever justifiable.

There are some absolutes in this world, and some activities that the United States simply cannot condone. I am convinced that our detainee policy has been a costly failure. Far from making us safer, the aggressive interrogation of terror suspects has served to breed more terrorists, and to make us more vulnerable to attack.

Should Congress refuse to statutorily codify the legal and humane treatment of prisoners, we risk endangering those Americans who become prisoners themselves.

We must set an honorable example for the entire international community; to do otherwise would be a betrayal of the values we hold dear.

American values, such as the humane treatment of detainees, are truly at the very core of this debate.

We must not fail—America’s future will rest on it.

AMENDMENT NO. 239

Mr. President, I rise today in support of an amendment introduced by Senator Levin and several colleagues that formulates our military strategy and foreign policy in Iraq.

We need clear, defined benchmarks that lay out how and when we can begin a structured downsizing of the 160,000 Americans currently serving in Iraq.

Increasingly, Americans are demanding answers about how we intend to transition sovereign control of Iraq to the Iraqi led government.

If we do not heed the call of the American people, popular support for this war will continue to wane.

We must have a well-reasoned approach that will allow our Armed Forces to remove themselves from the constant crossfire between Sunnis and Shia.

As we look forward, I believe the parliament will act. 15 represents one such opportunity.

For the first time in history, the Iraqi people will have democratically elected their permanent leaders to serve a full 4-year term. Their constitution, problematic as it may be, has been adopted, and it is time for Iraq to take greater control.

A growing perception is that U.S. military forces buttress the Shites. As a result, we pay a high cost, in lives lost and casualties.

We need to change course to remove ourselves from being the literal and figurative target of Sunni enmity.

Frankly, this battle cannot be won militarily by American forces.

A structured downsizing of our presence and beginning to take our service men and women out of harm’s way, but it will also force Iraq’s religious and political leaders to confront the insurgency and find a balance of power acceptable to Shites, Sunnis, and Kurds.

The first and primary impetus for transitioning our forces will be a better trained Iraqi Security Force.

Ultimately, the Iraqis will have to defend themselves and confront the insurgency, militarily and politically. The question is when.

Training of the Iraqi Security Forces has been too slow, and the administration has been less than forthright about the capabilities of the Iraqi troops on the ground.

In the interim period ahead, U.S. forces may continue to have a significant role to play, especially in the areas of training and rebuilding infrastructure. But this requires a change of focus for American troops from leading combat missions to buttressing and backing Iraqis as they seek to quell the insurgency and growing violence.

For starters, we need to increase the number of U.S. military personnel providing initial training to the Iraqi forces from the current 1,200. This number is frankly inadequate, and raises questions about our military’s priorities in Iraq.

This does not necessarily mean that all Iraqi forces will be trained to the level of U.S. forces—that is unlikely—but the real benchmark is for Iraqi units to have a basic level of training and equipment to safeguard their towns, cities and communities.

The Pentagon recently estimated that an additional 125,000 Iraqi security personnel will be needed to bring total endstrength to 325,000.

If it is going to take a force of 325,000 Iraqis, then it is incumbent upon the U.S. military to prioritize this training and put emphasis on recruiting qualified individuals to serve.

It is only fair to our service men and women, and to their families, if we put every effort into properly training Iraqis so that American troops can come home as soon as possible.

America needs to change course, reassess its mission in light of this escalating insurgency, place more responsibility on Iraq for a negotiated settlement, and begin a structured drawdown of American forces.

This structured drawdown must come in the form of a consistent, planned strategy. This amendment uses the word “redeployment,” which I frankly believe is confusing.

Our military leaders must establish a framework for a careful, cautious removal of our troops from Iraq, in conjunction with the rising number of trained Iraqis.

This might mean the removal of 10,000 American troops for every 20,000 trained Iraqis, or a similar but concrete formula.

Certainly, we should prioritize what troops are most needed in the training process and begin to drawdown our endstrength in other areas.

This amendment rightly requires the President to report regularly on American policy in regards to Iraq and our military operations there.

The administration needs to define and lay out an endgame.

The Levin provision ensures that Congress will be receiving regular updates on the administration’s strategy in Iraq, and as it must be unclassified, will provide the American people the opportunity to see whether there truly is a plan for success.

Again, I believe it is time to reevaluate our policy and strategies in Iraq.

We have lost over 2,000 American troops, and tens of thousands of Iraqis have died.

Americans are tired of hearing daily about the chaos and violence that has beset Iraq. With American soldiers and scores of Iraqi civilians dying every day, there has to be a better course.

In my view, it is clear that now is the time to consider a comprehensive plan for the structured downsizing of our mission, while we greatly increase the emphasis on training Iraqis to protect themselves.

Mr. ROCKEFELLER. Mr. President, today, I want to commend my colleagues on the Armed Services Committee for taking a step forward to help our soldiers who are wounded, and removed from the combat zone for medical treatment.

Under current law, when soldiers are removed from a combat zone, even if it is for a severe wound, they lose all of their special duty pay, which for some enlisted soldiers can reduce their pay by half. It does not seem right to cut a soldier’s pay at the time of an injury when that soldier and his family will face personal and financial hardships.

For example, if a young soldier is sent to Walter Reed Hospital to recover, it is often important for him to work part-time or to go to work to help him and his family face the financial hardships that come with such injuries.

This amendment would ensure that soldiers can reduce their pay and put enhanced efforts into recruiting qualified individuals to serve.

It is only fair to our service men and women, and to their families, if we put the necessary work into properly training Iraqis so that American troops can come home as soon as possible.
wounded soldier. They may face new temporary housing costs or added expenses just to live nearby and support in the soldier’s recovery.

Thanks to action in our Armed Services Committee, there is a provision to continue some of the specialty pays for imminent danger for our wounded soldiers as long as they are in the hospital. The House Defense authorization includes a similar provision that creates a new pay provision specifically for reutilization from combat-related injuries.

I support such provisions, and in fact, I introduced S. 461, the Crosby-Puller Combat Wounds Compensation Act, to maintain full pay for soldiers during recovery. I was proud to have Senators Kennedy, Clinton, and Salazar as co-sponsors.

My commitment to this legislation was based on hearing the plight of wounded soldiers. My West Virginia caseworkers have heard from many soldiers and families who are struggling. While everyone is tragically aware of the more than 2,000 soldiers, including 15 West Virginians, who have lost their lives doing their duty, do we do enough as a country to pay as much as we could for our wounded soldiers.

Current estimates are that 16,220 soldiers have been wounded in Iraq and Afghanistan, and 104 are West Virginians. Thanks to better medical care and better equipment, when it is available, our soldiers are surviving devastating attacks, but too often at high costs including the loss of limbs. Such soldiers face long recoveries, and they need their families nearby to support them. But there are extra costs for families at this time, and we should not be substantially reducing the pay of our wounded heroes.

As the conference committee is appointed and we begin the hard work of resolving differences between these two bills, I hope that we will keep in mind the struggles and financial hardships of our wounded soldiers and their families. We need to provide them with adequate pay in honor of their distinguished service.

MORNING BUSINESS

TRIBUTE TO MR. HENRY OSCAR WHITLOW

Mr. MCCONNELL. Mr. President, I today honor the life of a prominent Kentuckian, Henry Oscar Whitlow, and to pay tribute to the numerous contributions he made to his community and to the Commonwealth of Kentucky.

A native of Ballard County, KY, Mr. Whitlow spent his professional life practicing law in Paducah. In addition to being a respected attorney, he was also an active member of the Broadway United Methodist Church, and served as President of the Paducah Area Chamber of Commerce, the Paducah Jaycees, and the Paducah Rotary Club. People like Henry Whitlow are what make Kentucky such a special place. I extend my condolences to his wife of 55 years, Elizabeth Ann Clement Whitlow, his son Mark Whitlow, his daughter Rebecca Gutherie, and all those that mourn the passing of this great man.

Earlier this week the Paducah Sun newspaper ran a community icon in a piece titled, “Whitlow remembered for community contributions.” I ask that the full article be printed in the Record and that the entire Senate join me in paying our respect to this beloved Kentuckian.

There being none, the material was ordered to be printed in the Record, as follows:

[From the Paducah Sun, Nov. 8, 2005]

WHITLOW REMEMBERED FOR COMMUNITY CONTRIBUTIONS

By Bill Bartleman

Henry Oscar Whitlow was remembered Monday as soft-spoken and unassuming, but strong and powerful in his contribution to the community and the legal profession.

Mark Whitlow, 91, Monday at Lourdes hospital. His son, Mark Whitlow, said he had suffered from Alzheimer’s and had been in a nursing home since last year.

He was the Milner and Orr Funeral Home of Paducah from 4 to 7 p.m. Thursday. Services will be at Broadway United Methodist Church in Paducah at 1:30 p.m. Friday preceded by burial in Mount Kenton Cemetery.

Whitlow, a native of Monkey’s Eyebrow in Ballard County, began practicing law in Paducah in 1937 with the Waller and Threlkeld law firm. He eventually became a partner and the firm is now known as Whitlow Roberts Houston and Straub. It is one of Paducah’s largest and most prestigious firms.

He was a member of Broadway United Methodist Church for almost 70 years and held every leadership position in the church. He also was a lay speaker and a Sunday School teacher.

He also was active in civic affairs and served as president of what is now the Paducah Area Chamber of Commerce, the Paducah Rotary Club, the Paducah Jaycees and many other organizations.

Senior U.S. District Judge Edward H. Johnstone described Whitlow as a leader with humility, a litigator with compassion and a scholar with a true gift for communication.

“He was a great man,” Johnstone said. “The thing that distinguished him from present-day lawyers is that he built his reputation by what he did, not how much he advertised or blew his own horn. His work is what sold him to the public. He never sought glory or credit. He was unselfish and always a perfect gentleman.”

U.S. District Judge Thomas Russell said Whitlow had a profound effect on those around him. Russell was associated with Whitlow’s office for 33 years.

Without Whitlow as a mentor, Russell said he would have never risen to the federal bench. “You can learn the practice of law from a lot of people, but he taught me what it takes to represent people—to feel their sorrow, their joys and their concerns.”

Whitlow served as the attorney for the Paducah Board of Education for more than 40 years. Bill Black Jr., a long-time board member, said Whitlow viewed his work with the board as “essentially a hand shake with him, you knew that. He was a very rugged individual and very, very strong,” Paxton said. “If you exchange a hand shake with him, you knew that. He was a very rugged individual and very strong.”

In 1993 Whitlow was honored as the Kentucky Bar Association’s ‘Lawyer of the Year.”

He was humbled by the honor. “It was like a bolt out of the blue,” he told the Paducah Sun. “I still don’t know how the lightning happened to strike me. I am just an old country boy who came up in the Depression.”

In addition to his son, Whitlow is survived by his wife of 55 years, Elizabeth Ann Clement Whitlow; a daughter, Rebecca Gutherie of Maryland; a sister, Mildred Hughes of Tuc- son, Ariz., and two grandchildren.

RECORD, as follows:

TRIBUTE TO MR. EVERETT RAINS

Mr. MCCONNELL. Mr. President, I pay tribute to a great Kentuckian in public service, Mr. Everett Rains. Everett served as county clerk in Whitley County, KY, for 24 years. I first met him when I started my political career in Kentucky, more than two decades ago. Everett was known for his numerous acts of kindness and generosity. He inspired others to serve, including his own nephew Tom Rains, who succeeded him as Whitley County clerk.

Last month, Everett passed away at the age of 86. He spent his career serving the people of Whitley County, and will be missed by all who knew and loved him.

On October 26, 2005, The Williamsburg News Journal published an article highlighting Everett’s contributions, caring nature, and strong character. I ask that the full article be printed in the Record and that the entire Senate join me in paying our respect to this beloved Kentuckian.

There being no objection, the material was ordered to be printed in the Record, as follows:
Tom Rains noted. Still, the couple had a sheriff’s counter. While he was working we shook their hand, and he helped them. It always tried to help them,” Schwartz said. “Even if he knew somebody was against him, he would leave and go home without any socks on, I’ve never seen anybody do that before in my life; that was how generous he was.”

Everett Rains, who served as Whitley County Clerk for 24 years, passed away Saturday at the Oak Tree Hospital in Corbin at the age of 88.

“He was a tremendous gentleman. They called him the best politician in Whitley County, but it all came from his heart. Everything came from Everett’s heart. He did things for people out of his heart, not because he was county clerk. He was just that type of person,” said Tom Rains, who worked for Everett Rains for 11 years before succeeding him as county clerk. “He treasured this office. He was a good county clerk.”

Everett Rains began his career in politics serving one term as Whitley County sheriff from 1954 through 1957. At the time, sheriffs could not succeed themselves, and Rains made a failed bid for county clerk in 1957 against incumbent Emmett Hickey. Rains again ran for county clerk in 1961, and was elected to the first of his six terms in office. Rains was unopposed in his bid for re-election during three of his six terms, and left office in 1965. Kay Schwartz, who has worked in the county clerk’s office for nearly 31 years and who worked for Everett Rains for 11 years until he left office, described her former boss as an easygoing person, who never raised his voice to any workers.

“He would always tell us in a kind way how things needed to be done, or what he needed done. He never did anything to humiliate you. He always wanted to help you,” she noted.

“He was a very good man. He was always kind to people. It didn’t matter if they came in mad, they never left mad. He always calmed them down, and took care of their needs. It didn’t matter what they needed, he always tried to help them,” Schwartz said. “Even if he knew somebody was against him, he was kind to them when they came in. He shook hands with everybody he helped them. It didn’t matter to him. He was a man that would turn the other cheek. He was always good to people.”

Tom Rains said some of his fondest memories as a child were of he and his twin brother riding around with Everett as he traveled the county selling cattle.

“We used to come down and sit on the sheriff’s counter. While he was working we used to get to stay a few hours at the courthouse. It was the biggest treat ever. He was a special person, who made you feel so good,” Tom Rains said.

Everett Rains and his wife of 46 years, Delois, had four children. The couple didn’t marry until they were 42 years old. Tom Rains noted. Still, the couple had a large family, including seven nephews and five nieces.

Everett and Delois attended 73 birthday parties for their great-nephews and nieces in Tom Rains’ family, only missing one birthday party due to illness.

Tom Rains noted that Everett had a great love for children, period. “There is probably not anyone in the county that knows Everett Rains didn’t buy a bottle of soda pop for when he was young. Young boys would run to the county store when they saw Everett coming down the street. All they knew Everett would buy them a pop. Every child everywhere he went, he would give them a quarter and in later years he would give a dollar to every child because he was really so generous,” Tom Rains said.

In addition to being a politician, Rains was also an active farmer, who raised crops and cattle on his farm near Dal Road until last year.

“He had a real closeness to all the farmers in Whitley County,” Tom Rains noted Monday. “Back in the ’40s, ’50s and ’60s, everyone had a milk cow; in Whitley County that was the most valuable thing on your place. Everett would loan people milk cows. So many people came to me today, and said, ‘I remember when your uncle brought us a milk cow.’ He didn’t ask nothing.”

Rains said about a year ago, Everett suffered a bump on his head that required surgery in Lexington for removing tissue in his brain. After the stent in the hospital, he developed lung problems, and had suffered from pneumonia for the past month until he passed away Saturday.

Funeral services were scheduled for 2 p.m. today at the Ellison Funeral Home Chapel with the Rev. Bill Mitchell officiating. He will be buried at the Highland Park Cemetery in the Davis Addition.

The Whitley County Courthouse closed at noon Wednesday for the funeral, and remained closed for the remainder of the day.

Valarie Young—2005 Milken Family Foundation National Educator Award Winner

Mr. REID. Mr. President, I rise today to congratulate Valarie Young, a high school algebra teacher at the Advanced Technologies Academy in Las Vegas, who was selected as one of two winners from Nevada of the Milken Family Foundation National Educator Award for 2005.

The Milken Family Foundation National Educator Awards program, which began in the early 1980s, provides public recognition and financial rewards to elementary and secondary school teachers, principals, and other education professionals who strive for excellence in education. By honoring outstanding educators from across the United States, this program is designed to attract, develop, motivate, and retain talented educators.

Strong mathematics instruction is an integral part of preparing students for the global economy. Her dedication to this goal is what makes Mrs. Fallon’s recognition all the more significant.

Carson Middle School is all in the family for the Fallons: Mrs. Fallon is an alumna, her husband is a sixth grade English teacher, and her daughter is a seventh grade student at the school.

I trust that her example will influence others to pursue teaching excellence and applaud the Milken Family Foundation for recognizing her leadership, salute Ellen Fallon for her service and dedication to the students of Carson Middle School, and extend my best wishes for a successful future.

Mrs. BOXER. Mr. President, today I rise to pay tribute to 20 young Americans who have been killed in Iraq since October 7. This brings to 477 the number of soldiers who were either from California or based in California who have been killed while serving our country in Iraq. This represents 23 percent of all U.S. deaths in Iraq.

LANCE CORPORAL SERGIO H. ESCOBAR

At age 18, Lance Corporal Escobar died October 9 from an improvised explosive device while conducting combat operations against enemy forces in Ar Ramadi.

He was assigned to the 3rd Battalion, 7th Marine Regiment, 1st Marine Division, Twenty-nine Palms, CA. During Operation Iraqi Freedom, his unit was attached to the 2nd Marine Division. He was from Pacifica, CA.

STAFF SERGEANT JERRY L. BONIFACIO

At age 28, Staff Sergeant Bonifacio died in Baghdad on October 10 when a vehicle-borne improvised explosive device detonated near his checkpoint. His unit was assigned to the Army National Guard’s 1st Battalion, 184th Infantry Regiment, Dublin, CA.

He was from Vacaville, CA.

SPECIALIST TIMOTHY D. WATKINS

At age 24, Specialist Watkins died in Ar Ramadi on October 15 when an improvised explosive device detonated near their Bradley Fighting Vehicle during combat operations.
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He was assigned to the 2nd Battalion, 69th Armor Regiment, 3rd Brigade, 3rd Infantry Division, Fort Benning, GA.

He was from San Bernardino, CA.

LANCE CORPORAL CHRISTOPHER M. POSTON

At age 20, Lance Corporal Poston died October 17 from small-arms fire while conducting combat operations against enemy forces in Al Rutbah.

He was assigned to 1st Light Armored Reconnaissance Battalion, 1st Marine Division, Camp Pendleton, CA. During Operation Iraqi Freedom, his unit was attached to the 2nd Marine Division.

LANCE CORPORAL CHAD R. HILDEBRANDT

At age 22, Lance Corporal Hildebrandt died October 17 from a nonhostile vehicle accident in Hit.

He was assigned to Battalion Landing Team 2nd Battalion, 1st Marine Regiment, 15th Marine Expeditionary Unit, Camp Pendleton, CA.

LANCE CORPORAL SCOTT R. BUBB

At age 19, Lance Corporal Bubb died October 17 from small-arms fire while conducting combat operations against enemy forces in Al Rutbah.

He was assigned to the 1st Light Armored Reconnaissance Battalion, 1st Marine Division, Camp Pendleton, CA. During Operation Iraqi Freedom, his unit was attached to the 2nd Marine Division.

LANCE CORPORAL DANIEL, SCOTT R. BUBB

At age 21, Sergeant Dones died in Hit on October 20 when his Humvee was struck by enemy indirect fire during patrol operations.

He was assigned to the 2nd Squadron, 7th Cavalry Regiment, 1st Brigade Combat Team, 3rd Infantry Division, Fort Stewart, GA.

He was from Pico Rivera, California.

SERGEANT JACOB D. DONES

At age 21, Sergeant Dones died in Hit on October 20 when his forward operating base was attacked by enemy forces using indirect fire.

He was assigned to the 2nd Squadron, 11th Armored Cavalry Regiment, Fort Irwin, CA.

LANCE CORPORAL JONATHAN R. SPEARS

At age 21, Lance Corporal Spears died October 20 from an improvised explosive device detonated near his Humvee during convoy operations.

He was assigned to 3rd Battalion, 7th Marine Regiment, 1st Marine Division, Twenty Ninth Palms, CA. During Operation Iraqi Freedom, his unit was attached to the 2nd Marine Division.

SERGEANT JAMES WITKOWSKI

At age 32, Sergeant Witkowski died on October 26 near Ashraf of injuries sustained there earlier that day when an improvised explosive device detonated near his Humvee during convoy operations.

He was assigned to the Army Reserve’s 72nd Transportation Company, Fresno, CA.

CAPTAIN MICHAEL J. MACKINNON

At age 30, Captain Mackinnon died on October 27 in Baghdad when an improvised explosive device detonated near his Humvee during convoy operations.

He was a Regular Army soldier assigned to the Army National Guard’s 1st Battalion, 184th Infantry Regiment, Modesto, CA.

CAPTAIN WILLIAM W. WOOD

At age 44, Colonel Wood died in Baghdad on October 27 when he was directing security in response to the detonation of an improvised explosive device. During this response, a second improvised explosive device detonated near his position.

He was a Army National Guard soldier assigned to the Army National Guard’s 1st Battalion, 184th Infantry Regiment, Modesto, CA.

He was assigned to Battalion Landing Team 2nd Battalion, 1st Marine Regiment, 15th Marine Expeditionary Unit, Camp Pendleton, CA.

LANCE CORPORAL R. HILDEBRANDT

At age 21, Lance Corporal Hildebrandt died October 17 from a nonhostile vehicle accident in Hit.

He was assigned to Battalion Landing Team 2nd Battalion, 1st Marine Regiment, 15th Marine Expeditionary Unit, Camp Pendleton, CA.

LANCE CORPORAL SCOTT R. BUBB

At age 19, Lance Corporal Bubb died October 17 from small-arms fire while conducting combat operations against enemy forces in Al Rutbah.

He was assigned to the 1st Light Armored Reconnaissance Battalion, 1st Marine Division, Camp Pendleton, CA. During Operation Iraqi Freedom, his unit was attached to the 2nd Marine Division.

LANCE CORPORAL DANIEL, SCOTT R. BUBB

At age 21, Sergeant Dones died in Hit on October 20 when his Humvee was struck by enemy indirect fire during patrol operations.

He was assigned to the 2nd Squadron, 7th Cavalry Regiment, 1st Brigade Combat Team, 3rd Infantry Division, Fort Stewart, GA.

He was from Pico Rivera, California.

SERGEANT JACOB D. DONES

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He was assigned to the 2nd Squadron, 11th Armored Cavalry Regiment, Fort Irwin, CA.

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the group of men were shouting derogatory terms regarding their sexual orientation before and during the beating. I believe that our Government’s first duty is to defend its citizens, in all circumstances, from threats to them at home. The Local Law Enforcement Enhancement Act is a major step in achieving that goal. I believe that by passing this legislation and changing current law, we can change hearts and minds as well.

THE 10TH ANNIVERSARY OF THE DEATH OF KEN SARO-WIWA

Mr. OBAMA. Mr. President, I rise today in support of a resolution submitted by Mr. LEAHY, Mr. KENNEDY, Mr. FEINGOLD, and myself on the 10th anniversary of Ken Saro-Wiwa’s death. On November 10, 1995, a terrible injustice occurred when Mr. Saro-Wiwa and eight of his countrymen were hanged by Sani Abacha’s regime in Nigeria. While we cannot undo that tragedy, we must never forget it.

Mr. Saro-Wiwa led the Movement for the Survival of the Ogoni People, dedicated to defending the rights of his fellow Ogoni in the Niger Delta through nonviolent means. Over the course of his life, he had dozens of opportunities to take a different path, to stop speaking out, to let someone else intervene. Instead, he risked everything, over and over again, to call the world’s attention to suffering and injustice, to demand action. In May 1994, Abacha rejected Mr. Saro-Wiwa’s call to stop violence and to hold elections and efforts to resolve the oil conflict. That same month, the Ogoni Nine were arrested and cleared, and they remain convicted of the crime for which they were unfairly cleared, and they remain convicted of.

Sadly, the struggle has indeed continued for the Ogoni people, whose standard of living is among the lowest in the world, and whose oil rich land remains severely polluted. The names of these men have yet to be cleared, and they remain convicted of the crime for which they were unfairly tried and hanged.

This resolution acknowledges not only the tremendous legacy left by Ken Saro-Wiwa, but also the battles that remain to be fought in the Niger Delta and beyond. I urge my colleagues to join me in this effort to honor his memory, his vision, and his struggle which continues today.

LABOR-HHS APPROPRIATIONS

ENHANCED STUDY AND EXCHANGE ACTIVITIES

Mr. COLEMAN. Mr. President, I want to bring the attention of my colleagues from Kentucky to a provision Senator BINGAMAN and I offered to the Labor-HHS appropriations bill regarding a strategy to enhance access of legitimate foreign students, scholars, scientists, and exchange visitors in the United States for study and exchange activities. Since September 11, restrictive visa policies and negative perceptions of the United States have led to a drastic decline in the number of foreign students studying in the United States, a development which has a negative consequence for both American foreign policy and economic competitiveness. A strategy is needed to proactively counter negative perceptions about America as unwelcoming to foreign students, and to enable us to successfully compete with places like the EU, the UK, and Australia, which have developed strategies to recruit the world’s best and brightest. In my amendment to the Labor-HHS bill, I initially requested the Secretary of Education, in consultation with the Secretaries of State, Commerce, Homeland Security and Energy and others, to prepare this plan.

Mr. MCCONNELL. I am aware of this provision and have been alerted by the State Department that they would prefer we not take any action that would interfere with the lead in coordinating this strategic plan, given Secretary Rice’s jurisdiction over this matter. Had this provision been offered to the fiscal year 2006 Foreign Operations Appropriations Act, I can assure my friend that it would have been included as a requirement for the State Department to fulfill.

Mr. COLEMAN. I, too, have been informed of the State Department’s jurisdictional concern. Given that this issue is more appropriate to the Foreign Operations bill, I wonder if my friend from Kentucky will work with me and the State Department to ensure that this provision is fulfilled, specifically that within 180 days of enactment of the foreign aid bill the Department provide the relevant congressional committees with a report detailing this strategic plan, in consultation with the Departments of Education, Commerce, Homeland Security, and Energy’s national laboratories and organizations involved in international education. The strategy should seek to use innovative media like the Internet to develop a marketing strategy. It should also include policy recommendations for streamlining the procedures related to international student access.

Mr. McCONNELL. My staff has already discussed this matter with the State Department and they have committed to providing such a plan within that timeframe.

Mr. COLEMAN. I thank the chairman of the State, Foreign Operations, and Related Programs Subcommittee.

DECEPTIVE PRACTICES AND VOTER INTIMIDATION PREVENTION

Mr. KERRY. Mr. President, I proudly join as cosponsors of Senator OBAMA’s Deceptive Practices and Voter Intimidation Prevention Act of 2005. This important legislation will protect voters from the deceptive practices that aimed to keep them from the polls on election day.

Free and fair elections are the foundation of our democracy—a democracy built on the unassailable principle that every single American should have an equal say in their government. No American should ever worry that they will somehow be penalized for exercising their fundamental right to vote. No American should ever be tricked into thinking they do not have the right to vote.

The Deceptive Practices and Voter Intimidation Prevention Act takes great strides towards ensuring that no American will ever be denied the right to vote. It both criminalizes deceptive practices and provides affected individuals with a private right of action.

It prevents the negative effects of deceptive practices by ensuring voters get accurate election information. It also requires the Attorney General to refer all allegations of deceptive practices to the Justice Department, to let someone else intervene.

We have worked hard to bring fair and free elections to people around the world—including the people of Iraq and Afghanistan. We must ensure that by acting in our power to ensure that our own elections are at least as fair and as free.

ADDITIONAL STATEMENTS

TRIBUTE TO CAROLYN HARRIS

Mr. JEFFORDS. Mr. President, I am proud today to welcome Carolyn Harris, who has spent the last four decades improving the management and implementation of long-term health care.

A nurse by training, Carolyn Harris has dedicated her life to improving the management, administration, and certification of long-term care systems, as well as acting as a care provider. Additionally, through her work with the Vermont association of the American Health Care Association, AHCa, a national health organization representing more than 10,000 long-term care facilities and providers, Ms. Harris has trained fellow physicians, nurses, and other health care professionals to provide appropriate and effective long-term care to patients.

Along with the Vermont Health Care Association, VHCa, Ms. Harris has worked for more than 30 years to promote affordable, accessible quality care in Vermont nursing and assisted-living facilities. Her efforts have gone a long way to assure the privacy, rights, dignity, comfort, and well-being of Vermont nursing home residents and to foster a spirit of cooperation and excellence in long-term care. Most remarkably, Ms. Harris continues to provide personal attention and care to her patients while sharing her wisdom, energy, and compassion with her colleagues. Carolyn Harris has met the
challenges of providing long-term health care to patients and employees throughout Vermont.

Today, at the Helen Porter Nursing Home in Middlebury, VT, Carolyn Harris is being honored by the VHCA and the AHCA for her service to all long-term care recipients and Vermonters.

Ms. Harris is a valuable member of the long-term health care community, and I am proud to be able to honor her before the Senate.

TRIBUTE TO PAULA YEAGER

- Mr. LUGAR. Mr. President, I rise today to honor the memory of Paula Yeager, a distinguished Hoosier and executive director of the Indiana Wildlife Federation, who passed away yesterday following a 7-year battle with cancer.

Over the years, I have valued Paula's counsel and advocacy on behalf of conservation in Indiana.

After studying business at the University of Nebraska, Paula began a career as a travel agent. Eventually, this career brought her into close contact with John Denver, a singer who shared Paula's respect for the importance of nature and dedication to wildlife conservation. The two became close friends and their friendship inspired Paula to use her remarkable talents to make a difference in conservation.

This dedication led Paula to pursue an opportunity as executive director of the Indiana Wildlife Federation. In that role, she reinvigorated the organization as she worked with like-minded groups to advance initiatives and become effectively engaged in the political process at both the State and Federal level.

Paula's efforts have been recognized across Indiana. She has twice been recognized with the President Award from the Indiana Wildlife Federation, and was named Conservationist of the Year across Indiana. She has twice been recognized as a Volunteer of the Year by the Indiana Wildlife Federation.

While I know that this is a difficult time for Paula's family and many friends, my thoughts are with her husband John and their two children Stephanie and Corey as they remember her life of leadership.

MESSAGES FROM THE HOUSE

ENROLLED BILLS SIGNED

At 9:32 a.m., a message from the House of Representatives, delivered by Ms. Nuland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

H.R. 2490. An act to designate the facility of the United States Postal Service located at 442 West Hamilton Street, Allentown, Pennsylvania, as the "Mayor Joseph S. Daddona Memorial Post Office".

H.R. 3339. An act to designate the facility of the United States Postal Service located at 2061 South Park Avenue in Buffalo, New York, as the "James T. Molloy Post Office Building".

The enrolled bill was signed subsequently by the President pro tempore (Mr. STEVENS). At 1:58 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 bill, in which it requests the concurrence of the Senate:

H.R. 1751. An act to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes.

The message also announced that the House has passed the following bill, without amendment:

S. 1894. An act to amend part E of title IV of the Social Security Act to provide for the making of foster care maintenance payments to private for-profit agencies.

At 5:03 p.m., a message from the House of Representatives, delivered by Ms. Nuland, 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. 1571. An act to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes.

H.R. 3655. An act to provide adaptive housing assistance to disabled veterans residing temporarily in housing owned by a family member, to improve improvements in veterans employment assistance programs, and for other purposes.

ENROLLED BILL SIGNED

At 7:30 p.m., a message from the House of Representatives, delivered by one of its clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3057. An act making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes.

Under authority of the order of the Senate on November 10, 2005, the enrolled bill was signed subsequently on today, November 10, 2005, by the Majority Leader (Mr. FRIST).

MESSAGES REFERRED

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

- H.R. 1751. An act to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes; to the Committee on the Judiciary.

- H.R. 1571. An act to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco, otherwise known as the "Granite Lady", and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

- H.R. 3655. An act to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide adaptive housing assistance to disabled veterans residing temporarily in housing owned by a family member, and to make direct loans to Native American veterans, and for other purposes; to the Committee on Veterans' Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with the accompanying papers and documents, and were referred as indicated:

EC-4604. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Exclusion of Vendor Purchases Made Under the Competitive Acquisition Program for Outpatient Drugs and Biologicals Under Part B for the Purpose of Calculating the Average Sales Price" (RIN0938–AN58) received on November 4, 2005; to the Committee on Finance.

EC-4605. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; E-Prescribing and the Prescription Drug Program" (RIN0938–AN49) received on November 4, 2005; to the Committee on Finance.

EC-4606. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Home Health Prospective Payment System Rate Update for Calendar Year 2006" (RIN0938–AN44) received on November 4, 2005; to the Committee on Finance.

EC-4607. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Changes to the Hospital Outpatient Prospective Payment System and Calendar Year 2006 Payment Rates" (RIN0938–AN46) received on November 4, 2005; to the Committee on Finance.

EC-4608. A communication from the Regulations Coordinator, Centers for Medicare and Medicaid Services, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "Medicare Program; Revisions to Payment Policies Under the Physician Fee Schedule for Calendar Year 2006 and Certain Provisions Related to the Competitive Acquisition Program of Outpatient Drugs and Biologicals Under Part B" (RIN0938–AN58) received on November 4, 2005; to the Committee on Finance.

EC-4609. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, a report entitled "Review and Report on Current Standards of

EC–4611. A communication from the Secretary, Judicial Conference of the United States, transmitting, the report of a draft bill received pursuant to the Internal Revenue Code of 1986 to make certain rules regarding sales of property to comply with conflict-of-interest requirements applicable to the Judicial Conference, and for other purposes, received on November 7, 2005; to the Committee on the Judiciary.

EC–4612. A communication from the Director, Regulations and Rulings Division, Alcohol and Tobacco Tax and Trade Bureau, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Suspension of Special (Occupational) Tax” (RIN1513–A804) received on November 7, 2005; to the Committee on the Judiciary.

EC–4613. A communication from the General Counsel of Housing and Urban Development, transmitting, pursuant to law, the report of nomination confirmations for the following Presidentially-appointed and Senate-confirmed positions: Assistant Secretary for Administration; Assistant Secretary for Policy Development and Research; and General Counsel, received on November 7, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–4614. A communication from the Chairman and President (Acting), Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Qatar (Qatar Liquefied Gas Company Limited); to the Committee on Banking, Housing, and Urban Affairs.

EC–4615. A communication from the Chairman and President (Acting), Export-Import Bank of the United States, transmitting, pursuant to law, a report relative to transactions involving U.S. exports to Mexico (credit guarantee facility); to the Committee on Banking, Housing, and Urban Affairs.

EC–4616. A communication from the Counsel for Legislation and Regulations, Office of Public and Indian Housing, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Project-Based Voucher Program” ((RIN2377–AC25)/(FR–4636–F–02)) received on November 7, 2005; to the Committee on Banking, Housing, and Urban Affairs.

EC–4617. A communication from the Executive Director, United States Access Board, transmitting, pursuant to law, the Board’s report under the Inspector General Act and the Federal Managers’ Financial Integrity Act for fiscal year 2005; to the Committee on Governmental Affairs.

EC–4618. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties, (List 05–260–05–276); to the Committee on Foreign Relations.

EC–4619. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska: Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area” (I.D. No. 100605B) received on November 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4620. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska: Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area” (I.D. No. 100605A) received on November 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4621. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska: Atka Mackeral in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area” (I.D. No. 100605C) received on November 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4622. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska: Trawl Gear in the Gulf of Alaska” (I.D. No. 092805B) received on November 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4623. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska: Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area” (I.D. No. 100705B) received on November 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4624. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska: Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area” (I.D. No. 100705C) received on November 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4625. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska: Pacific Ocean Perch in the Western Aleutian District of the Bering Sea and Aleutian Islands Management Area” (I.D. No. 100505B) received on November 7, 2005; to the Committee on Commerce, Science, and Transportation.

EC–4626. A communication from the Secretary of Health and Human Services, transmitting, pursuant to law, the Fiscal Year 2003 Biennial Report on the Child Support Enforcement Program; to the Committee on Finance.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. COCHRAN, from the Committee on Appropriations:


By Mr. CRAIG, from the Committee on Veterans’ Affairs, with an amendment in the nature of a substitute, S. 1182. A bill to amend title 38, United States Code, to improve health care for veterans, and for other purposes (Rept. No. 109–177).

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. REED (for himself and Mr. CRAFJE):

S. 1869. A bill to designate the facility of the United States Postal Service located at 57 Rolfe Square in Cranston, Rhode Island, shall be known and designated as the “Holly A. Charette Post Office”; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BURR:

S. 1990. A bill to amend title 38, United States Code, to improve the outreach activities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans’ Affairs.

By Mr. LEVIN:

S. 1992. A bill for the relief of Marcos Antonio Sanchez-Diaz; to the Committee on the Judiciary.

By Mr. KERRY:

S. 1993. A bill to provide for a comprehensive, new strategy for success in Iraq that includes a sustainable political endgame and the redeployment of United States forces tied to specific political and military benchmarks; to the Committee on Foreign Relations.

By Mr. HARKIN (for himself, Mr. LUGAR, and Mr. OBAMA):

S. 1994. A bill to require that an increasing proportion of new automobiles be dual fueled automobiles, to revise the method for calculating corporate average fuel economy for such vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. JEFFORDS (for himself, Mr. LAUTENBERG, Mrs. BOXER, and Mr. OBAMA):

S. 1995. A bill to amend the Federal Water Pollution Control Act to enhance the security of wastewater treatment works; to the Committee on Environment and Public Works.

By Mr. KOHL:

S. 1996. A bill to authorize the Secretary of Energy to temporarily prohibit the exportation of a finished petroleum product or liquefied petroleum gas from the United States if the Secretary determines that the supply of the product or gas in any Petroleum Allocation Defense District has fallen or will fall below expected demand; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HARKIN, Mrs. BOXER, Mr. SCHUMER, Mrs. CLINTON, Mr. BINGAMAN, and Mr. REED):
S. 197. A bill to authorize the Secretary of Energy to establish a program of energy assistance grants to local educational agencies; to the Committee on Energy and Natural Resources.

By Mr. CONRAD (for himself, Mr. Vitter, Mr. Salazar, Mr. Nelson of Nebraska, Mr. Johnson, Mr. Chambliss, Mr. Hagel, Mr. Isakson, Mr. Lautenberg, and Mrs. Dole).

S. 198. A bill to amend title 18, United States Code, to enhance protections relating to the reputations and meanings of the Medal of Honor and other military decorations and awards, and for other purposes; to the Committee on the Judiciary.

By Mr. KERRY.

S. 199. A bill to amend the Workforce Investment Act of 1998 to transfer the YouthBuild program from the Department of Housing and Urban Development to the Department of Labor, to enhance the program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. MURKOWSKI (for herself and Mr. Stevens):

S. 200. A bill to amend the Alaska Native Claims Settlement Act to provide for equitable treatment of Alaska Native Corporations under the Alaska Native Claims Settlement Act to provide for equitable treatment of Alaska Native Corporations under the Alaska Native Claims Settlement Act; to improve the management of rural assistance grants to local educational agencies; to the Committee on Energy and Natural Resources.

By Mr. TIELE.

S. 201. A bill to amend title 38, United States Code, to improve the management of information technology within the Department of Veterans Affairs by providing for the appointment and tenure of the Chief Information Officer of that Department of Veterans Affairs by providing for the appointment and tenure of the Chief Information Officer of that Department; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were re-read, and referred (or acted upon), as indicated:

By Mr. BINGAMAN (for himself, Mr. Rockefeller, Mr. Reed, Mrs. Clinton, Mr. accuray, Mr. Baucus, Ms. Mikulski, Mr. Corzine, Mr. Lautenberg, Mr. Dodd, and Mr. Salazar):

S. Res. 302. A resolution to express the sense of the Senate regarding the important contribution to the outcome of World War II veterans for their defense of democratic ideals and their important contribution to the outcome of World War II; considered and agreed to.

By Mr. AKAKA (for himself and Mr. Bond):

S. Res. 306. A resolution recognizing that Veterans Day is a day to honor all veterans of the Army and to support the Army Freedom Team Salute’s mission to recognize the heroes who have served this country; considered and agreed to.

By Mr. ALLEN (for himself, Mr. Inouye, Ms. Mikulski, Mrs. Boxer, Mr. Warner, and Mr. Akaka):

S. Res. 307. A resolution to recognize and honor the Filipinos who died in the World War II for their defense of democracy and their important contribution to the outcome of World War II; considered and agreed to.

By Mr. DURBIN (for himself, Mr. Alexander, Mr. Feingold, Mr. Craig, Mr. Akaka, Mr. Coleman, and Mr. Cochin):

S. Res. 308. A resolution designating 2006 as the "Year of Study Abroad"; considered and agreed to.

By Mr. FRIST (for himself, Mr. Reid, Mr. Lugar, Mr. Biden, Mr. Brownback, Mr. Brown, and Mr. Akaka):

S. Res. 309. A resolution expressing sympathy for the people of Jordan in the aftermath of the deadly terrorist attacks in Amman on November 9, 2003; considered and agreed to.

By Mr. LAUTENBERG (for himself, Mr. Voinovich, Mr. Biden, Mr. Lugar, Mr. Chafee, and Mr. Brownback):

S. Res. 310. A resolution honoring the life, legacy, and example of Israeli Prime Minister Yitzhak Rabin on the tenth anniversary of his death; considered and agreed to.

ADDITIONAL COSPONSORS

S. 146

At the request of Mr. Inouye, the name of the Senator from Alaska (Mr. Akaka) was added as a cosponsor of S. 146, a bill to amend title 38, United States Code, to deem certain service in the organized military forces of the Philippines and the Philippine Security Forces to have been active service for purposes of benefits under programs administered by the Secretary of Veterans Affairs.

S. 484

At the request of Mr. Warner, the name of the Senator from Kansas (Mr. Brownback) was added as a cosponsor of S. 484, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pre-tax basis and to allow a deduction for TRICARE supplemental premiums.

S. 625

At the request of Mr. Schumer, the name of the Senator from Louisiana (Mr. Vitter) was added as a cosponsor of S. 625, a bill to amend the Internal Revenue Code of 1986 to allow a $1,000 refundable credit for individuals who are bona fide volunteer members of volunteer firefighting and emergency medical service organizations.

S. 633

At the request of Mr. Johnson, the name of the Senator from Wyoming (Mr. Thomas) was added as a cosponsor of S. 633, a bill to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States.

S. 835

At the request of Ms. Snowe, the name of the Senator from South Dakota (Mr. Thune) was added as a cosponsor of S. 855, a bill to improve the security of the Nation’s ports by providing Federal grants to support Area Maritime Transportation Security Plans and to address vulnerabilities in port areas identified in approved vulnerability assessments or by the Secretary of Homeland Security.

S. 1014

At the request of Mr. Inouye, the name of the Senator from South Dakota (Mr. Thune) was added as a cosponsor of S. 1014, a bill to provide additional relief for small business owners ordered to active duty as members of reserve components of the Armed Forces, and for other purposes.

S. 1173

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

S. 1299

At the request of Mr. Thomas, the name of the Senator from Mississippi (Mr. Cochran) was added as a cosponsor of S. 1399, a bill to improve the results the executive branch achieves on behalf of the American people.

S. 1496

At the request of Mr. Craig, the name of the Senator from Alaska (Mr. Stevens) and the Senator from Montana (Mr. Baucus) were added as cosponsors of S. 1496, a bill to direct the Secretary of the Interior to conduct a pilot program under which up to 15 States may issue electronic Federal migratory bird hunting stamps.

S. 1504

At the request of Mr. Ensign, the name of the Senator from Georgia (Mr.
Mr. S. ARBANES, the Senator from Maryland (Mr. S. ARBANES), the name of the Senator from Louisiana (Ms. LANDRIEU) was added as a cosponsor of S. 1508, a bill to require Senate candidates to file designations, statements, and reports in electronic form.

At the request of Mr. SMITH, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 1735, a bill to improve the Federal Trade Commission's ability to protect consumers from price-gouging during energy emergencies, and for other purposes.

At the request of Mr. INHOFE, the name of the Senator from Oklahoma (Mr. COBURN) was added as a cosponsor of S. 1926, a bill to provide the Department of Justice the necessary authority to apprehend, prosecute, and convict individuals committing animal enterprise terror.

At the request of Mr. REID, the names of the Senator from Connecticut (Mr. COHEN), the Senator from California (Ms. FEINSTEIN), the Senator from Maryland (Mr. SARRANES), the Senator from New Jersey (Mr. LAUTENBERG) and the Senator from Louisiana (Ms. LANDRIEU) were added as cosponsors of S. 1939, a bill to expand the research and awareness activities of the National Institute of Diabetics and Digestive and Kidney Diseases and the Centers for Disease Control and Prevention with respect to inflammatory bowel disease.

At the request of Mr. KERRY, the names of the Senator from Wisconsin (Mr. FEINGOLD), the Senator from Minnesota (Mr. DAYTON) and the Senator from Connecticut (Mr. DODD) were added as cosponsors of S. 1939, a bill to direct the Architect of the Capitol to obtain a statue of Rosa Parks and to place the statue in the United States Capitol in National Statuary Hall.

At the request of Mr. OBAMA, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1975, a bill to prohibit deceptive practices in Federal elections.

At the request of Mr. SALAZAR, his name was added as a cosponsor of S. 1866, a bill to provide for the coordination and use of the National Domestic Preparedness Consortium by the Department of Homeland Security, and for other purposes.

At the request of Mr. MCCONNELL, the name of the Senator from Nevada (Mr. REID), the Senator from Michigan (Mr. LEVIN), the Senator from Massachusetts (Mr. KENNEDY), the Senator from Washington (Ms. CANTWELL), the Senator from Maryland (Ms. MIKULSKI), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Wisconsin (Mr. KOHL), the Senator from Minnesota (Mr. DAYTON), the Senator from Vermont (Mr. LEAHY), the Senator from Tennessee (Mr. FRIST), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Texas (Mrs. HUTCHISON), the Senator from Arizona (Mr. KYL), the Senator from North Carolina (Mrs. DOLLE), the Senator from Utah (Mr. BENNETT), the Senator from Tennessee (Mr. ALEXANDER), the Senator from Virginia (Mr. ALLEN), the Senator from Kansas (Mr. BROWNBACK), the Senator from Rhode Island (Mr. CHAFEE), the Senator from Georgia (Mr. CHAMBILISS), the Senator from Texas (Mr. CORKY), the Senator from South Carolina (Mr. DE MINT), the Senator from Ohio (Mr. DEWINE), the Senator from Utah (Mr. HATCH), the Senator from Georgia (Mr. ISAKSON), the Senator from Alabama (Mr. SESSIONS), the Senator from Alabama (Mr. SHELBY), the Senator from Oregon (Mr. SMITH) and the Senator from Missouri (Mr. TALENT) were added as cosponsors of S. CON. RES. 62, a concurrent resolution directing the Joint Committee on the Library to procure a statue of Rosa Parks for placement in the Capitol.

At the request of Mr. SALAZAR, his name was added as a cosponsor of S. Res. 9, a resolution expressing the sense of the Senate regarding designation of the month of November as "National Military Family Month".

At the request of Mrs. FEINSTEIN, the names of the Senator from Connecticut (Mr. DODD) and the Senator from Maryland (Mr. SARRANES) were added as cosponsors of S. Res. 219, a resolution designating March 8, 2006, as 'Endangered Species Day'.

At the request of Mr. ALLEN, his name was added as a cosponsor of S. Res. 232, a resolution celebrating the 40th anniversary of the enactment of the Voting Rights Act of 1965 and reaffirming the commitment of the Senate to ensuring the continued effectiveness of the Act in protecting the voting rights of all citizens of the United States.

At the request of Mr. MCGUIRE, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of amendment No. 2304 intended to be proposed to H.R. 3010, a bill making appropriations for the Department of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, and for other purposes.

At the request of Mr. MARTIN, the names of the Senator from Maryland (Mr. NELSON), the Senator from Arizona (Mr. KYL) and the Senator from Ohio (Mr. DEWINE) were added as cosponsors of amendment No. 2474 intended to be proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of 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.

At the request of Mr. DORGAN, the names of the Senator from Minnesota (Mr. DAYTON) and the Senator from West Virginia (Mr. BYRD) were added as cosponsors of amendment No. 2476 proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of 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.

At the request of Mr. TALENT, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of amendment No. 2477 proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of 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.

At the request of Mr. SALAZAR, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of amendment No. 2481 intended to be proposed to S. 1042, an original bill to authorize appropriations for fiscal year 2006 for military activities of 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.

At the request of Mr. AKAKA, the names of the Senator from Mississippi (Mr. COCHRAN), the Senator from Connecticut (Mr. DODD), the Senator from Illinois (Mr. DURBIN) and the Senator from Wisconsin (Mr. FEINGOLD) were
added as cosponsors of amendment No. 2485 proposed to S. 1942, an original bill to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to describe personnel strengths for such fiscal year for the Armed Forces, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself and Mr. CHAFFEE):

S. 1989. A bill to designate the facility of the United States Postal Service located at 57 Rolfe Square in Cranston, Rhode Island, shall be known and designated as the "Holly A. Charette Post Office"; to the Committee on Homeland Security and Governmental Affairs.

Mr. REED. Mr. President, I rise today to pay tribute to one of Rhode Island's brave soldiers, Lance Corporal Holly A. Charette, who was killed in Iraq on June 23, 2005. In honor of her sacrifice, I am introducing a bill, along with Senator CHAFEE, to name the post office in Cranston after Lance Corporal Charette by supporting this bill.

I ask unanimous consent that the text of this legislation to name the post office in Cranston after Lance Corporal Charette be printed in the Record.

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

S. 1989

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

SECTION 1. HOLLY A. CHARETTE POST OFFICE.

(a) DESIGNATION.—The facility of the United States Postal Service located at 57 Rolfe Square in Cranston, Rhode Island, shall be known and designated as the "Holly A. Charette Post Office".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Holly A. Charette Post Office".

By Mr. BURR:

S. 1990. A bill to amend title 38, United States Code, to improve the outreach activities of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BURR:

S. 1991. A bill to amend title 38, United States Code, to establish a financial assistance program to facilitate the provision of supportive services for very low-income veteran families in permanent housing, and for other purposes; to the Committee on Veterans' Affairs.

Mr. BURR. Mr. President, I rise today to honor our Nation's veterans for their service and their sacrifice. We will celebrate Veterans Day tomorrow, and I am proud of the improvements we have made in providing benefits and care to our country's heroes.

In the past 10 years, since I first came to Congress, the veterans budget has increased by 77 percent, an annual average increase of over 7 percent. The VA's health care budget has increased over 85 percent during this time. We have also enacted a fix to the current receipt problem and made groundbreaking progress with computerized health records at the Veterans Department. I am proud of these efforts, but I certainly understand the need to do more to stay ahead of the curve.

I also want to detail the recent growth in the veterans population in North Carolina. Our State's veteran population has increased by over 100,000, to 780,000 veterans since 1980.

This growth rate comes at a time when the number of veterans in the United States is decreasing. Veterans are moving to the State because many of them were stationed there while on active duty, and they have moved back because of the quality of life in North Carolina.

I have two bills I have introduced today that I believe will improve the quality of life for our veteran community. The first is the Services to Prevent Veterans Homelessness Act which makes grants to nonprofit and faith-based organizations to provide services to extremely low-income veterans who are in permanent housing. The goal is to keep them from becoming homeless. The services provided for in this bill—from vocational counseling and personal finance planning to health and rehabilitation—were designed to address the root causes of homelessness.

The VA estimates on any given night as many as 200,000 veterans are homeless and as many as 400,000 are homeless at some point during the year. We also know that 45 percent of the homeless veterans have a mental illness, and 56 percent have some sort of addiction.

The cost of this bill is $25 million annually, a small sum to help the poorest of our veterans. In North Carolina alone, over 43,000 veterans live below the poverty line. This bill would allow the VA to partner with nonprofits in order to help poor veterans escape the root causes of homelessness. I urge the Senate to consider whether we are doing enough on this issue. More importantly, I invite my colleagues to study this bill and to become a cosponsor.

Next, I introduced the Veterans Outreach Improvement Act which authorizes the Secretary of Veterans Affairs to partner with State and local governments for outreach to veterans. This bill provides grants to State veterans agencies and county veterans service offices to help them with outreach and claims development and to provide education and training of officers. The bill would also authorize $25 million annually for this outreach program.

County veterans service officers are charged with assisting veterans and their dependents in seeking benefits as a supplement to the work being performed by the Department of Veterans Affairs. They are overseen by the Division of Veterans Affairs in North Carolina and receive accreditation from organizations approved by the Secretary of Veterans Affairs. Many veterans need assistance in filing claims in order to make sure that the claim is accurate and complete. County veterans service officers and officials from State veterans agencies are often the officials who can actually sit down face to face with a veteran to develop a claim and to send it to the VA. This bill makes the VA a partner in that outreach process.

On the eve of Veterans Day this year, I join my colleagues in honoring veterans across this country for their heroic service to our Nation.
By Mr. HARKIN (for himself, Mr. LUGAR, and Mr. OBAMA):

S. 944. A bill to require that an increasing percentage of new automobiles be dual fueled automobiles, to revise the method for calculating corporate average fuel economy for such vehicles, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mr. HARKIN. Mr. President, when we talk about moving toward energy independence, we are not only speaking to the issue of reducing America’s dangerous dependence on imported oil. Our addiction to oil is most acute in the U.S. transportation sector where a stunning ninety-seven percent of our fuel comes from petroleum—97 percent. In the electricity sector we have largely turned away from oil but not so in transportation.

Fortunately a growing percentage of transportation energy is now coming from clean, domestically-produced renewable fuels like ethanol and biodiesel. With the nearly 8-billion-gallon Renewable Fuels Standard now the law of the land, renewable fuels will supply 5 percent of the energy for our passenger vehicles by 2012, perhaps more. These domestically-produced environmentally-friendly alternatives made from corn, soybeans and other sources of biomass are helping to improve air quality, reduce greenhouse gas emissions and enhance the rural economy while substantially reducing dependence on foreign oil.

The best part of this trend is that the health, community, and domestic security benefits of renewable fuels come with the bonus of price savings at the pump. Ethanol prices in this country can be as much as 70 cents a gallon less than regular gasoline. Drivers in my State of Iowa are saving as much as 10 cents a gallon on E10—a blend of just 10 percent ethanol and 90 percent gasoline. It is saving things of about $100 a year for a typical family.

A report earlier this year by the Consumer Federation of America found that consumers throughout our country would experience similar savings if all refiners offered E10. That is a significant savings in all regions of the country. Now, consider the savings if ethanol and other renewable fuels were blended not at 10 percent, but at 85 percent or more. That $100 a year savings turns into hundreds of dollars each year for a typical family.

Unfortunately, right now only about two percent of vehicles on the road in the United States can use ethanol blends of 85 percent—what we call E85. It turns out standard gasoline engines aren’t designed for the different fuel to oxygen ratio.

The good news is, manufacturing a new vehicle to run on E85 or other clean alternative fuel blends is simple—the manufacturer adds a fuel sensor and modifies the engine calibration and fuel line to allow the vehicle to run on gasoline or a combination of gas and alternative fuels.

Right now, these ‘flex-fuel’ vehicles cost at most an additional $100 or so to produce. Some cost estimates are as low as $50. Many auto manufacturers offer them to customers at no additional cost. But few Americans are even aware of the option.

At a time of high gas prices and continued instability in the Middle East and other oil-producing countries of the world, I believe that all Americans deserve the option to choose the fuel they put in their car.

In Brazil, new vehicles on the road are expected to be flex-fuel-ready by 2008—meaning every new vehicle owner will have the choice to fill up with gasoline, ethanol, or a combination of the two. If the Brazilians can do it, why can’t we?

That’s why today Mr. LUGAR, Mr. OBAMA and I are introducing the Fuel Security and Consumer Choice Act to require that automobile manufacturers equip a growing percentage of new vehicles sold in the United States with flex-fuel operation. Mr. LUGAR is a leader in promoting research and development into the conversion of celluloseous biomass into useable fuels. Mr. OBAMA is a leader in promoting renewable fuels and in pursuing policies that will form an energy security umbrella to enhance the rural economy while substantially reducing dependence on foreign oil.

Starting eighteen months after the bill’s enactment, manufacturers will be required to equip 10 percent of their cars and light trucks with flex-fuel vehicle, FFV, capability. This is a modest proposal, one that we believe manufacturers are close to meeting or beating this requirement already.

Each model year thereafter, the requirement increases 10 percentage points, so in the second year the manufacturers would have to make at least 20 percent of their vehicles FFVs, and so on, until in about ten years’ time 100 percent of new vehicles sold in the United States are flex fuel. I recognize that we could be more aggressive in our timetable, but I believe we’ve struck the right balance here in pushing and prodding.

In addition, the bill allows auto manufacturers to bank and trade FFV credits toward meeting the requirements. In other words, if one company produced more than its required percentage of FFV vehicles in a given year, it could trade or sell extra credits earned to another company that would then use them to meet the bill’s requirements. Credit could have a three-year window if banked or traded. This banking and trading provision is similar to others in law, in the RFS for example, making it that much easier for companies to meet statutory obligations at the lowest possible cost.

Finally, the bill would leave intact the corporate average fuel economy (CAFE) credits for FFV production. However, the bill would change the way the credits are calculated for vehicles produced above the required percentage. Rather than keeping the assumption that the vehicle runs 50 percent of the time on fuel like E85, which isn’t an appropriate figure since most don’t run yet on E85, we phase-down the assumed use from 50 percent in the first model year the requirement applies to 30 percent in the second year, 10 percent the third year, and 0 percent thereafter. This should still spur interest among automakers in the early years of the requirement to go beyond the minimum FFV production levels outlined in the bill to get the extra credits. And in the meantime the FFV requirement is kicking in and the ramp up of FFVs won’t dilute or weaken CAFE.

This bill will give American consumers true choice in fuel selection for the first time. Drivers will have the option to choose low-price, high-performance E85, or another fuel. My firm belief is that consumers will choose to buy home-grown renewable fuels that directly reduce oil dependence rather than buy traditional fossil fuels often derived from unstable regimes around the globe.

I don’t doubt some automobile manufacturers will complain that this requirement is unduly onerous, that it will hurt the industry somehow. Well, I heard the same thing back in 1989 when I proposed another revolutionary idea: closed captioning for television was in an uproar when I suggested that the hearing impaired should have access to television programming on the public airwaves. The industry said closed captioning would bankrupt it and drive the price of televisions through the roof.

But then, an amazing thing happened. Electronics manufacturers realized that they could reach a broad range of new audiences, including not just the hearing impaired, but also the learning disabled, and immigrants for whom English is a second language. Sales for several companies reached an all-time high, and with implementation across the electronics industry, the price of the closed captioning chip dropped dramatically to less than a dollar a set.

I have no doubt that vehicle manufacturers will discover similar unexpected efficiencies and benefits with flex fuel vehicles. As more Americans discover the savings from flexible fuels, the more they will seek them out. What better way to boost car sales than to market the fuel cost savings that flexible fuel vehicles offer? Any very small additional cost of the flex-fuel capability will be offset by the price benefits drivers will achieve from a flexible fuel supply over time, not to mention the tremendous energy security benefits for our Nation.

The country will benefit from cleaner air, reduced greenhouse gas emissions, reduced dependence on foreign oil, and an enhanced rural economy. Simply, put, this is a low-cost measure with a tremendous payoff.

It is already well-established that federal performance standards for the benefit of our Nation are an appropriate policy option. It’s also important to note that auto manufacturers already comply
with literally dozens of other requirements having to do with the make-up, design, and performance of their vehicles. Making an FFV is a lot cheaper than putting in air bags, or many other components.

Automobile manufacturers have the technology to do it. Given the country’s great energy and security challenges, all sectors must do their part to chart a path toward energy independence. Government, individual citizens, energy companies, and yes, auto manufacturers.

I am grateful that this legislation has been endorsed by a wide array of organizations, including the Renewable Fuels Association, American Coalition for Ethanol, Alliance to Save Energy, Set America Free, and National Corn Growers Association.

In closing I want to recognize Mr. LUGAR and Mr. OBAMA for sponsoring this legislation with me today. Mr. LUGAR and I have teamed up many times over the years, most recently to enact the national Renewable Fuels Standard into law as part of the comprehensive energy bill. This bill builds upon the RFS, to guarantee that renewable fuels which are being produced in ever greater abundance can find a home in just about any vehicle on the market in a few short years from now. I am thankful for his leadership on this and so many other important energy security issues. I am also grateful to Mr. OBAMA for his leadership.

I hope we can rapidly enact this legislation.

Mr. OBAMA. Mr. President, oil companies recently announced record profits. Those of us who drive cars and trucks could feel our wallets shrink at the news. Throughout most of this year, oil company shareholders have paid the highest gas prices of all time—more so in the wake of refinery disruptions caused by Hurricane Katrina. While petroleum company shareholders enjoy healthy stock dividends, the rest of us hemorrhage the cash. Industry analysts explain it away as “business is business.”

Sound familiar? In the 1970s, political conflicts compelled Middle East oil sheiks to tighten their reins on oil production. Oil price shocks devastated our economy and created long lines at the gas pump. Congress responded with laws promoting energy conservation and fuel efficiency that we thought would reduce our dependence on foreign oil.

Unfortunately, 30 years later, here we are again. The Middle East remains in turmoil, and the engines of America remain firmly fueled on foreign oil. Exacerbating the problem is that the economies of China and India—two nations totaling 1.2 billion citizens—are quickly expanding, and they are competing with the U.S. for the same pool of oil. Quite simply, worldwide production capacity cannot keep pace. And that means U.S. gas prices likely will remain high for the foreseeable future.

More so than at any other time in a generation, our economy is exposed. In the year 2005, will the American market be shackled still to foreign oil? Will we question whether bolder past policies could have prevented future crises?

The response to these questions can be “no” if we begin now.

For those who believe that the growth of hoses and sensors, we can make our cars run on ethanol made from homegrown corn. Automakers made 1 million of these cars this year. We have the technology, and it is proven. With 200 million cars on the road, and 17 million more each year, why can’t more cars run on ethanol?

The answer is they can, and that is why I am pleased to join my colleagues from Iowa and Indiana, Senators Harkin and Lugar, in calling upon the Energy Department to require all cars made in the United States to be ethanol-capable vehicles within 10 years.

Making ethanol cars is not expensive. It is less than the cost of airbags. It is less than the cost of a sunroof. It is less than the cost of foglights. It is less than the cost of a CD player. It is less than the cost of heated seats. Making ethanol cars is not restrictive. These cars are known as flexible fuel vehicles. Where ethanol is not yet available, you simply fill up with regular gas.

And making ethanol cars is good for American automakers, because American automakers have a head start. Already, 5 percent to 7 percent of their fleet can run on ethanol. We are only asking for an increase over a decade.

I remind my colleagues that the renewable fuels standard enacted in the Energy bill of 2005 will incorporate enough ethanol into our fuel supply to reduce the use of foreign oil. The Harkin-Lugar-Obama bill, if enacted, would accelerate that reduction. And we can do it without hardship, without requiring drivers to purchase matching box cars, without proposing futuristic technologies that only our great-great-grandchildren’s children will see.

The Harkin-Lugar-Obama bill transforms existing, inexpensive, and simple technology into a genuine movement towards energy independence for the United States, within a time period that we all can witness. I urge my colleagues’ swift approval of this legislation.

By Mr. JEFFORDS (for himself, Mr. LUTENBERG, Mrs. BOXER, and Mr. OBAMA):

S. 95. A bill to amend the Federal Water Pollution Control Act to enhance the security of wastewater treatment works; to the Committee on Environment and Public Works:

Mr. JEFFORDS. Mr. President, today I rise to introduce the Wastewater Treatment Works Security Act of 2005. This legislation is designed to improve the safety and security of our Nation’s wastewater treatment systems.

There are 16,000 wastewater treatment facilities across the United States serving almost 190 million people. Approximately 70% of these facilities are located near large metropolitan areas. These industrial facilities use large quantities of toxic chemicals in their treatment and disinfection processes, and their collection systems run beneath every city and town across America.

A recent Department of Homeland Security planning scenario estimates that a chlorine tank explosion could result in 17,500 deaths, 10,000 severe injuries, and 100,000 hospitalizations. In February 2006, the Government Accountability Office (GAO) released a report on wastewater security which ranks the release of chlorine as the number two security risk after damage to critical collection systems.

In the past few years alone, fatal accidents involving large quantities of chlorine have reminded us of the highly volatile nature of this popular wastewater disinfection agent. In January 2005, 9 people were South Carolina when a train carrying chlorine gas was involved in a crash. In June 2004, 3 people died when two freight trains collided in Texas and caused a chlorine tank to rupture.

The very last thing wastewater facilities that use chlorine should evaluate how the chemical is stored on site and how to respond in the event of a fatal intentional act. The GAO report on water security mandates vulnerability assessments and emergency response plans as an immediate step towards addressing the security concerns.

The Wastewater Treatment Works Security Act takes the essential first step in closing the security gaps that make our wastewater treatment systems vulnerable to terrorist attack. The provisions contained in this bill are the product of four years worth of lessons learned since the 9/11 attacks. Similar legislative efforts to secure critical infrastructure and minimize potential terrorist targets.

This legislation requires all wastewater facilities to conduct vulnerability assessments and to develop or modify site security and emergency response plans to incorporate the results of the vulnerability assessments. Treatment works must certify that all wastewater treatment works approved using smaller quantities or replacing substances of concern, were considered in their site security plans. It requires that these documents be submitted to EPA for review, and it includes significant security measures to protect against unauthorized disclosure.

Additionally, the legislation authorizes $250 million for assistance in completing vulnerability assessments, for immediate security improvements, and for assistance to small treatment works. Finally, it authorizes $15 million for research to identify threats,
CEO of ConocoPhillips argued that one could expect to pay significantly more for heating oil than they earned last quarter. The major oil companies were called to testify at a hearing on the economy, the heaviest toll will befall those in areas that are most vulnerable. The average price increase of about $23 per barrel could be expected in some areas. I would like to address an issue that I know my constituents would be shocked to hear that while the oil companies are blaming high prices on low supplies, they are also reaping the benefits of high heating oil prices.

I believe my constituents would have been shocked to hear that while the oil companies are blaming high prices on low supplies, they are also reaping the benefits of high heating oil prices.

Our homeland security strategy begins with protecting critical infrastructure, and wastewater treatment facilities can no longer remain the exception. I urge my colleagues to support this legislation.

By Mr. KOHL:

S. 1996. A bill to authorize the Secretary of Energy to temporarily prohibit the exportation of a finished petroleum product or liquefied petroleum gas from the United States if the Secretary determines that the supply of the product or gas in any Petroleum Allocation Defense District has fallen or will fall below expected demand; to the Committee on Banking, Housing, and Urban Affairs.

Mr. KOHL. Mr. President, I would like to introduce an issue that I know my constituents in Wisconsin are worried about; indeed, something that all Americans should be concerned about. On Tuesday, the Energy Information Administration announced the most recent outlook for home heating costs. For the average family, the cost of heating oil will increase approximately $325. And for families relying on propane, they can expect to pay an increase of about $230. I would like to stress that this is the average; in some areas, the prices could be much higher. And while these increased costs will place an undue burden on all sectors of the economy, the heaviest toll will clearly be on middle and low-income families.

Yesterday, executives from several major oil companies were called to Capitol Hill, to defend the nearly $3 billion they earned last quarter. The answers they gave, for how Americans could expect to pay significantly more for heating their homes this winter, often were clouded at the economics of supply and demand. The Chairman and CEO of ConocoPhillips argued that prices are "a function of longer-term supply-and-demand trends, and lost energy production during the recent hurricane." John Hofmeister, the President of Shell Oil Company, told Senators that the industry is doing everything in its power to "supply shortfalls."

Given the testimony of Mr. Hofmeister, I find it surprising to note that currently, American companies are actually exporting products that could be used for home heating. According to the EIA, between January and August 2005, more than 48 million barrels of refined product were exported out of the U.S. This amount is 24 times the size of what is stored in the Northeast Heating Oil Reserve. While some of this went to both Canada and Mexico, large quantities were also sent to Argentina, Chile, France and Peru.

I believe that the oil companies have it in their power to prevent such a crisis—if they fail to use it, I believe it is the responsibility of the Federal Government to protect American families. I ask unanimous consent that the text of our legislation be printed in the RECORD.

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

S. 1996

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

SECTION 1. SHORT TITLE.

This Act may be cited as the "Stop Heating Oil Exports Act of 2005."

SEC. 2. FINDINGS.

Congress finds that—

(1) according to the Energy Information Administration, households heated primarily with heating oil can expect to pay an average increase of $378, or 32 percent more than last year, to heat their homes;

(2) households relying on propane can expect to pay, on average, $325 more this winter;

(3) the National Oceanic and Atmospheric Administration projects a 3.2-percent colder winter than last year, and if colder weather prevails, home heating expenditures will be significantly higher;

(4) high home heating prices will disproportionately impact moderate- and low-income families; and

(5) in October 2000, the Secretary of Energy, Bill Richardson, successfully worked with major refineries to temporarily halt heating oil exports, to ensure adequate supplies of home heating oil for New Mexico.

SEC. 3. AUTHORITY TO TEMPORARILY PROHIBIT EXPORT OF CERTAIN PETROLEUM PRODUCTS.

If the Secretary of Energy determines that the supply of a finished petroleum product or liquefied petroleum gas in any of the 5 Petroleum Allocation Defense Districts has fallen or will fall below expected demand for the product or gas, the Secretary may temporarily prohibit the exportation of the product or gas from the United States.

By Mr. HARKIN (for himself, Mr. SCHUMER, Mrs. CLINTON, Mr. BINGAMAN, and Mr. REED):

S. 937. A bill to authorize the Secretary of Energy to establish a program of energy assistance grants to local educational agencies; to the Committee on Energy and Natural Resources.

November 10, 2005

CONGRESSIONAL RECORD — SENATE
Mr. HARKIN. Mr. President, today, I am introducing the School Energy Crisis Relief Act. This bill would authorize the Secretary of Energy to award School Energy Grants to the poorest school districts in each State. I am pleased that Senators Schumer, Clinton, and Bingaman have joined me in sponsoring this bill.

With cold weather setting in, people all across the country are worried about the sky-high cost of energy. Americans are feeling pain at the pump and feeling even more pain at home, with home-heating costs expected to rise as much as 70 percent above last year’s levels.

At the same time, many public school districts across the country are struggling to cope with a dramatic, unexpected surge in their energy costs. Schools are facing a double hit: they operate large fleets of buses, and they must heat large, sprawling buildings. This problem is especially acute in the West, where many school districts cover large geographic areas, and in urban areas, which are burdened with some of the nation’s oldest and often least energy-efficient buildings.

For affluent suburban districts, these unexpected costs are a challenge. But for poor school districts, they are a full-blown crisis. Many school boards face a choice between paying their higher energy bills or cutting instructional staff and programs.

My legislation would allow the Secretary of Energy to award grants to schools districts with the highest percentage and highest number of students eligible for Title I assistance. The grant amounts would be awarded based on the population of school-age children in the district, as well as the regional costs of transportation and heating fuel.

This is a nationwide crisis, and it calls for an urgent Federal response. School districts across the country are already implementing drastic measures in response to higher energy costs. In Kentucky, for instance, several school districts have cut back to four days of classes per week. In September, most of Georgia’s schools cancelled classes for two days in an effort to conserve energy and cut costs.

In my State, the Iowa Association of School Boards estimates that, this winter, there will be $300 million shortfall in funding to cover school heating costs. These costs for school buses could worsen the shortfall by another $8 million. And because that will come out of the fixed general fund for public education, every additional dollar spent on energy costs will come at the expense of classroom and instructional quality. For example, Charles City, IA, expects to spend $140,000 more on fuel this winter. That’s enough to pay the salaries of four teachers.

According to the Iowa Association of School Boards, school districts are responding to the energy crisis by reducing staff, increasing class sizes, reducing course offerings, postponing technology purchases, or cutting Headstart transportation programs. Many school districts are lowering their thermostats to unhealthful levels. In fact, just yesterday, I heard that the school district in Ottumwa, IA, has asked parents to start sending kids to school with coats to ward off the cold indoors. This is just not acceptable.

In addition, I remind my colleagues that school districts—especially high-poverty school districts—are struggling to meet the requirements of the No Child Left Behind Act. It is penny wise and pound foolish to force these districts to cut instructional staff and classroom resources in order to pay their higher energy bills. And none of us can stand with the prospect of children sitting at their school desks in coats and scarves to fight off the chill. As I said, this is just not acceptable.

The poorest school districts all across America are in desperate need of assistance with their energy costs. Low-income children deserve the opportunity to learn and achieve in classrooms that are properly heated. And in order to meet the requirements of the No Child Left Behind Act, we need to act. I urge my colleagues to support the School Energy Crisis Relief Act so we can respond to this emergency as expeditiously as possible.

According to the Iowa Association of School Boards, this has led to some schools deciding to scale back after-school activities because of heating costs and to cut non-varsity sports because they lack funding necessary to take them to games. It is very troubling to me that schools have been forced to make cuts that have directly affected the educational experience of the children in their schools, in the name of rising fuel costs. For instance, some schools have had to cut back on field trips, put off buying new text books and school supplies, while reducing course offerings in fine arts and academics.

In addition, the Iowa Association of School Boards has reported that schools have cut back on staff and increased class sizes while also turning down the thermostat in the classroom. I ask, Mr. President, are we supposed to expect students to learn at a high-level when rising energy costs have put them in overcrowded, cold classrooms? But this problem is not specific to my home State of Iowa. As the sponsor of companion legislation in the House of Representatives, Congressman Joe Baca, pointed out that some schools in Kentucky have cut back to four-day school weeks to keep their energy costs down. Recently, Georgia schools cancelled classes in an attempt to keep their costs down. In Colton Joint Unified District in Congresswoman Baca’s congressional district, the price of a gallon of diesel fuel has risen from under a dollar at one point to $2.72 a gallon, increasing annual fuel costs by over $300,000.

So I have come to the floor today to introduce the School Energy Crisis Relief Act. This legislation meets the needs of struggling school districts by authorizing the Secretary of Energy to award grants to poor school districts struggling to balance skyrocketing energy costs with providing a quality education. Grants would be awarded to the poorest urban and rural school districts in each state. In Iowa alone, this means both poor rural and urban districts would be eligible to receive grants.

I seek for my colleagues support for the School Energy Crisis Relief Act and urge the Senate to work quickly to pass this crucial legislation and provide relief to those school districts in need.

By Mr. CONRAD (for himself, Mr. VITTER, Mr. SALAZAR, Mr. NELSON of Nebraska, Mr. JOHNSON, Mr. CHAMIULIS, Mr. TRUVE, Mr. HAGEL, Mr. LAUTenberg, and Mrs. DOLE):

S. 1998. A bill to amend title 18, United States Code, to enhance protections relating to the reputation and other military decorations and awards, and for other purposes: to the Committee on the Judiciary.

Mr. CONRAD. Mr. President, it is an honor for me to introduce the Stolen Valor Act of 2005. This legislation will honor the brave veterans of our Nation who have been awarded valorous medals for their service to our Nation. It is only appropriate that this bill be introduced today, the day before our country remembers all servicemen and women—past and present—who have served America in uniform.

Recipients of the Medal of Honor, Distinguished Service Awards, Silver Star, or Purple Heart have made incredible sacrifices for our country. They deserve our thanks and respect.

Unfortunately, however, there are some individuals who diminish the accomplishments of award recipients by using medals they have earned. These imposters use fake medals—or claim to have medals that they have not earned—to gain credibility in their communities. These fraudulent acts can often lead to the perpetration of very serious crimes.

Currently, Federal law enforcement officials are only able to prosecute those who wear counterfeit medals. The statute does not apply to individuals who claim to be award recipients or to those who display fake medals in their offices or homes. My legislation will allow law enforcement officials to prosecute those who falsely claim, either verbally or in writing, to be award recipients or to those who display fake medals in their offices or homes.

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The Military Order of the Purple Heart, the VFW, and the FBI Agents...
Association have endorsed this legislation because of the capabilities it will provide law enforcement officials to prosecute these fraudulent acts.

It is my hope that this legislation will serve to honor the courageous heroes who have rightfully earned their awards. We never allow our service and sacrifice to be cheapened by those who wish to exploit these honors for personal gain.

By Mr. KERRY:

S. 1999. A bill to amend the Workforce Investment Act of 1998 to transfer the YouthBuild program from the Department of Housing and Urban Development to the Department of Labor, to enhance the program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. KERRY. Mr. President, today I am introducing legislation that would transfer the YouthBuild program from its current home in the Department of Housing and Urban Development to the Department of Labor. Transferring departmental jurisdiction over this program will help ensure that Youthbuild continues to receive the funds it needs to help unemployed and undereducated young people ages 16–24 work toward their GED or high school diploma while learning job skills by building affordable housing for homeless and low-income people. It is supported by the YouthBuild Coalition.

Poverty, neglect, abuse, and deprivation of all kinds can prevent people from reaching their true potential. Many of those who have fallen off track, suffered losses, and made mistakes can recover. If given the opportunity, they can learn to cope with obstacles and care effectively about themselves, their families and their communities. YouthBuild helps young people who have lost their way to turn their lives around.

YouthBuild is a uniquely comprehensive program that offers at-risk youth an immediate productive role rebuilding their communities. While attending basic education classes for 50 percent of program time, students also receive job skills training in the construction field, personal counseling from respected mentors, a supportive peer group with positive values, and experience in civic engagement. They build houses for homeless and low-income families, earning their own GED or high school diploma.

YouthBuild is built on success. The first YouthBuild program was created in 1978. At that time, YouthBuild’s future founder, Dorothy Stoneman, formed the Youth Action Program to rebuild homes in New York City. The successful renovation of an East Harlem tenement led to a city-wide coalition and in 1990, led to YouthBuild USA, an organization created to replicate this program around the Nation. In 1992, I introduced legislation which was enacted into law as part of the Cranston-Gonzalez National Affordable Housing Act, authorizing federal funding for YouthBuild through the Department of Housing and Urban Development.

In its first 10 years of federal funding, YouthBuild has demonstrated the ability to bring the most disadvantaged and unemployed youth into employment, higher education, and civic engagement. Since 1994, more than 40,000 YouthBuild students have helped rebuild their communities, creating more than 12,000 units of affordable housing, while transforming their lives at the same time.

YouthBuild has earned majority bipartisan support for Federal funding in the Senate due to its great success in local communities. Today there are 226 YouthBuild programs in 44 States engaging 7,000 young adults. The number of programs could easily be expanded. Last year alone, 260 communities were denied YouthBuild funding. The programs that exist could easily grow. In 2004, local programs turned away 10,000 applicants solely for lack of funds.

The expansion of YouthBuild would help address critical national problems: the construction industry is undergoing a major labor shortage and 100,000 youth are dropping out of high school every year with no prospects of becoming gainfully employed; states are spending huge amounts on prisons, housing 365,000 16 to 24 year olds, 65 percent of whom have dropped out of high school. Consider this story of success: Manny Negron grew up in New Britain, CT. He left school during his Sophomore year after having some personal problems. He started selling drugs and getting into trouble. Then he joined YouthBuild, obtained a GED and learned more about the construction industry. ‘Before YouthBuild, I didn’t know what I wanted to do with my life.’ Manny said. ‘I had no goals, no plans—I had nothing. If it was a week-end and I was hanging out on the street, I had no plans. Now it’s completely different and YouthBuild did that for me. Now that I’m away from all that, I actually see a future for myself and see what I’m capable of and what I can do with my life.’

Research on 900 YouthBuild graduates several years after program completion showed that 75 percent were employed at an average wage of $10/hour or in college. They were voting and paying taxes. Of those who had committed felonies, the recidivism rate was a strikingly low, 15 percent.

The legislation I am introducing today responds to the Bush administration’s attempt to move YouthBuild from HUD to DoL in its FY 2006 budget request. I did not agree with the Administration attempt to transfer YouthBuild in the budget; it was simply the wrong approach. However, my staff has met with Administration officials, the YouthBuild and with YouthBuild’s state legislators. And I believe that we can find a way to do this, and I appreciate that the Administration has shown a willingness to work with us so far. If done properly, I transferring YouthBuild from HUD to DoL could increase YouthBuild’s scope, helping it to reach the communities and young people that are currently denied access due to a lack of funds. This legislation not only authorizes the transfer of YouthBuild from HUD to DoL, but also allows unlimited future federal funding, continues centralized management at DoL and continues the historic role of YouthBuild USA as the partner and contractor for quality assurance.

This legislation is an attempt to help move the process of transferring the YouthBuild program forward. I look forward to working with Senators Enzi and Kennedy, the Chairman and Ranking Member of the Senate Committee on Health, Education, Labor and Pensions to develop compromise legislation that will ensure that YouthBuild continues to assist young people around the nation. I ask that all my colleagues support this legislation and continue to support the YouthBuild.

S. Res. 302

Whereas the Medicaid program provides health insurance for more than 1/4 of children in the United States and pays for more than 1/3 of the births and health care costs for newborns in the United States each year;

Whereas the Medicaid program provides critical access to health care for children with disabilities, covering more than 70 percent of poor children with disabilities and children with special needs in low-income working families, including 1 in 9 military children with special health care needs;

Whereas low-income children who depend on the Medicaid program experience a rate of health conditions and health risks much greater than those found among children who have low-income care, and

Whereas the Medicaid program is the largest source of payment for health care provided to children with special health care needs in the Nation, and is also a critical source of funding for health care provided to children in foster care and for health care services provided in schools to children eligible for coverage under the Medicaid program; and

Whereas the Medicaid program is the single largest source of revenue for the Nation’s safety net hospitals, including children’s hospitals and community health centers, and is critical to the ability of these providers to adequately serve all children;

Whereas the Medicaid program, in combination with the State Children’s Health Insurance Program, has helped to dramatically
reduce the number of uninsured children, cutting the rate by more than \( \frac{1}{3} \) between 1997 and 2003.

Whereas without the Medicaid program, the number of uninsured children without health insurance—8,300,000 in 2004—would be substantially higher.

Whereas the Medicaid program’s guarantee of adequate and accessible essential health care is essential to the ability of the Medicaid program to adequately serve children whose families have low-incomes and whose health care expenses often exceed the norm;

Whereas for nearly 40 years, the Medicaid program has provided comprehensive benefits for infants, young children, school-age children, and adolescents, in recognition of the unique growth and development of children and the importance of strong and healthy young adults to the safety and welfare of the Nation;

Whereas the Medicaid program’s special benefits, added in 1967, were a direct response to findings of the Department of Defense regarding pervasive physical, dental, and developmental conditions among low-income military children and the implications of these findings for national preparedness;

Whereas the Medicaid program’s benefits for children are comprehensive, in order to ensure all low-income infants, even those born too soon and too small, have the chance to survive and thrive into a healthy child;

Whereas the Medicaid program’s benefits for children help ensure that young children grow and develop properly, arrive at school ready to learn, and have the opportunity to achieve their full educational potential;

Whereas the Medicaid program ensures that children have the benefits, health services, and support they need to be fully immunized, and that children can secure eyeglasses, dental care, and hearing aids when necessary, and have access to comprehensive, regularly scheduled, and as-needed health examinations, as well as preventive interventions, to correct physical and mental conditions that threaten to delay proper growth and development;

Whereas the Medicaid program ensures that the sickest and highest risk infants, toddlers, and children have access to the specialized treatment care that become essential when serious illness strikes;

Whereas title III of the budget reconciliation bill of the House of Representatives, as reported out by the Committee on Energy and Commerce, would eliminate Medicaid Early and Periodic Screening Diagnosis and Treatment (EPSDT) benefit rules outright for approximately 6,000,000 low-income children, whose family incomes are only slightly above the Federal poverty level and who are therefore without the resources to secure basic health care or essential medical care;

Whereas title III of the budget reconciliation bill of the House of Representatives permits States to eliminate the following benefits for children: comprehensive developmental assessments, assessment and treatment for elevated blood lead levels, eyeglasses, dental care, hearing aids, wheelchairs and crutches, and respiratory treatment, comprehensive mental health services, prescription drugs, and speech and physical therapy services;

Whereas title III of the budget reconciliation bill of the House of Representatives would impose premiums, deductibles, and copayments on children whose families have incomes only slightly above the Federal poverty level and who therefore bear the cost of any necessary care and millions of children, especially infants, young children, and school-age children with serious disabilities and high health care needs, would potentially be affected;

Whereas although title III of the budget reconciliation bill of the House of Representatives purports to exempt poor children, it permits States to redefine the meaning of poverty virtually without limitation, in effect denying payors the ability to impose cost-sharing safeguards for poor children currently available under the law;

Whereas title III of the budget reconciliation bill of the House of Representatives would permit States to reduce the number of uninsured children, and half of those who will lose Medicaid benefits would be children.

By CBO’s estimates, half of the beneficiaries affected by the increased cost sharing prov-isions in the House package are children, and half of those who will lose Medicaid benefits would be children.

Mr. BINGAMAN. Mr. President, I am submitting a Senate resolution today with Senators ROCKEFELLER, RIEDEL, CLINTON, MINTUM, AKaka, MIKULSKI, CORZINE, LAUTENBERG, and DODD that does three things: 1. Ex- emplifies the importance of Medicaid to children; 2. Exposes the consequences of the various provisions in the House budget reconciliation bill that will negatively impact the health and well-being of children’s health; and 3. Expresses the Sense of the Senate that the conferees for the budget reconciliation bill shall not report back language that has negative consequences for the health and well-being of children.

This resolution highlights the many ways in which the House of Representa- tives’ budget reconciliation package affects the health of low-income children across this Nation. According to the Congressional Budget Office (CBO), the House budget reconciliation package increases cost-sharing placed on low-income Medicaid beneficiaries, even while reducing health services by $6.5 billion over 5 years and an astounding $30.1 billion over 10 years.

In sharp contrast, the Senate budget reconciliation bill includes only one provision—the tax-manage- ment reduction of $750 million over 5 years—that could negatively affect young Medicaid beneficiaries.

For children, the impact would be devastating. Medicaid covers more than one medical care need in four—American children. Medicaid also covers more than one-third of all the births and health care costs of newborns in the United States each year.

In spite of the importance of Med- icaid, the House budget package increases cost-sharing for all children who rely on it for prescription drugs and emergency room services. The bill also allows States to impose premiums for the first time under Medicaid for children’s coverage and deny children coverage even if their family cannot afford to pay the premium or other cost-sharing.

The House budget bill also allows States to eliminate the Early and Perio- dic Screening Diagnosis and Treatment (EPSDT) benefit rules that are so critical to the health of children with special health care needs or disabili- ties. Benefits that could be lost in- clude: comprehensive developmental assessments, assessment and treatment for elevated blood lead levels, eyeglasses, dental care, hearing aids, wheelchairs and crutches, respiratory treatment, comprehensive mental health services, prescription drugs, and speech and physical therapy services.

In short, the vast majority or three-fourths of the savings in the House bill come at the expense of low-income Medicaid beneficiaries. By CBO’s esti- mate, half of the beneficiaries affected by the increased cost sharing prov- isions in the House package are children, and half of those who will lose Medicaid benefits would be children.

Without the Medicaid program, the number of children without health in- surance—8.3 million in 2004—would be substantially higher. In fact, the num- ber of uninsured children has dropped
by over one-third of a million children over the past 4 years due in large part to Medicaid and the State Children's Health Insurance Program, or SCHIP. As Representative FRANK PALLONE noted, "Once again, Medicaid has proven to be part of the solution, not the problem." The cost-sharing requirements and reduced benefits included in the reconciliation package would undoubtedly weaken Medicaid's ability to ensure all of America's children have access to the health care they need.

Representative LOIS CAPPs of California adds, "...this reconciliation package would allow states to deny critical medical screening, treatment, and follow up care for these children. And it would allow excessive out of pocket costs and premiums which—experience shows—causes families to lose coverage or fail to get even needed services for children."

I urge Senators to closely monitor what the House said to Representatives is doing with respect to the health and well-being of children in their budget reconciliation bill. Low-income children should not be asked to bear the burden of billions of dollars in budget cuts. Burdening the child cuts even further, if nothing else, it does not contain the types of cuts to children's health that are included in the House bill.

Senator's need to know that the House budget package is terrible for the health and well-being of the children in our country.

With that in mind, I offer today's Senate resolution on children's health.

I ask for unanimous consent that a copy of the resolution be printed in the Record.

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

CONGRESSIONAL BUDGET OFFICE—ADDITIONAL INFORMATION ON CBO'S ESTIMATE FOR THE MEDICAID PROVISIONS IN H.R. 4241, THE DEFICIT REDUCTION ACT OF 2005

The Congressional Budget Office (CBO) estimates that the provisions of subtitle A of Title III of H.R. 4241 would reduce federal Medicaid spending by $12 billion over the 2006-2015 period and $25 billion over the 2006-2025 period (see CBO's cost estimate of the reconciliation recommendations of the House Committee on Energy and Commerce, issued on October 31, 2005). About 75 percent of those savings are due to provisions that would increase penalties on individuals who transfer assets, such as a house, in order to qualify for nursing home benefits.

The Office projects that states would reduce Medicaid spending by $14 billion over the 2006-2015 period and $30 billion over the 2006-2025 period because of increased penalties, but CBO anticipates that states would raise premiums on the remaining 25 percent to reflect lower payments to providers.

CBO estimates that about 80 percent of the savings from increased premiums would be due to increased premiums on the remaining 20 percent would reflect lower payments to recipients and the remaining 25 percent would stem from individuals leaving the Medicaid program.

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ALTERNATIVE BENEFIT PACKAGES

CBO’s estimate assumes that states with about 20 percent of Medicaid enrollees would provide reduced benefit packages to at least some of their enrollees. CBO projects that those reductions would affect an estimated 2.5 million Medicaid enrollees in 2010 and about 5 million enrollees by fiscal year 2015. CBO expects that only a few states would offer reduced benefit packages to at least some of their enrollees. CBO estimates that about 70,000 enrollees would lose coverage in fiscal year 2010 and that 110,000 would lose coverage in fiscal year 2015 because of the imposition of premiums.

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PREMIUMS

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targeted and the generosity of the state's program under current law. Most of the reductions would be for services such as dental, vision, mental health, and certain therapies, and would include restrictions on the amount, duration, and scope of coverage for other services.

UNCERTAINTY OF ESTIMATES

CBO's estimates are particularly uncertain in two ways. First, they have limited information about people's asset holdings prior to their admission to nursing homes and about the number of people engaging in asset transfers that would be included by the law. States would react to this legislation is also very uncertain. We anticipate wide variation in the extent to which different states would reshape their Medicaid programs by increasing cost sharing or premiums or by restricting benefits. Some states might make limited changes, such as increasing cost sharing for a few specific services or certain enrollments, while others would make far-reaching changes. Our estimates, therefore, account for a range of possible responses by states to the bill.

SENATE RESOLUTION 303—CALLING FOR THE GOVERNMENT OF NIGERIA TO CONDUCT A THOROUGH JUDICIAL REVIEW OF THE KEN SARO-WIWA CASE, AND FOR OTHER PURPOSES

Mr. LEAHY (for himself, Mr. KENNEDY, Mr. OBAMA, Mr. FEINGOLD, Mr. DODD, Mr. DURBIN, Mr. DODD, Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. Res. 303

 Whereas on November 10, 1995, Ken Saro-Wiwa, Nigerian writer, environmental activist, and nominee for the Nobel Peace Prize, along with 8 colleagues, together known as the “Ogoni 9”, were hanged by the military government of Nigeria, based on charges widely regarded as false;
 Whereas the Ogoni 9 had been nonviolently campaigning for improved living standards and a solution for the Ogoni People, whose Niger Delta land, air, and water was, and remains, severely polluted from oil extraction, and whose standard of living, despite the wealth from natural resources, is lowest in the world;
 Whereas the international condemnation of that day, and the executions that followed, also included criticisms including the suspension of Nigeria from the British Commonwealth of Nations;
 Whereas in 1996 a United Nations mission to Nigeria found the military tribunal in contravention of international and domestic law, and recommended financial relief for the survivors of the Ogoni 9 and improvements in the social and economic conditions of the Ogoni and other minorities in the Delta;
 Whereas 10 years later, none of the United Nations recommendations have been implemented, the environmental and social situations have deteriorated for the Ogoni and other Delta communities;
 Whereas the Ogoni 9 remain convicted of a crime of which they were unfairly tried;
 Whereas Ogoniland remains severely polluted and gas flaring continues unabated;
 Whereas the security and stability in the Niger Delta has been marred by a proliferation of small arms, armed gangs, and black market oil bunkering;
 Whereas despite these pressures, Ogoniland remains widely regarded as a model for the Nigerian government, stands today as it did a decade ago as a baradic miscarriage of justice, Ken Saro-Wiwa and eight of his Ogoni colleagues from the delta region of Nigeria were hanged after being convicted by a biased military tribunal.

Resolved,

1. urges the Government of Nigeria to conduct a thorough judicial review of the trial of the Ogoni 9 and to provide just compensation to the survivors of the Ogoni 9 if a miscarriage of justice is found;
2. urges the Government of Nigeria, international donors, and international oil companies operating in the Niger Delta to increase assistance significantly to improve the lives of the Ogoni and other affected communities and for pollution abatement and cleanup in the Niger Delta region, in close consultation with local communities;
3. urges the Government of Nigeria to ensure that all members of the security forces receive training in international standards on the use of force and firearms, particularly the 1970 United Nations Code of Conduct for Law Enforcement Officials and the 1990 United Nations Basic Principles on the Use of Force and Fire Arms by Law Enforcement Officials;
4. calls upon the Department of State to seek urgently to ensure that American oil companies operating in the Niger Delta comply, at a minimum, with the Voluntary Principles for Security and Human Rights; and
5. urges the Secretary-General of the United Nations to institute a 10-year follow-up mission to Ogoniland.

Mr. LEAHY. Mr. President, ten years ago today, it was by all accounts, a baradic miscarriage of justice, Ken Saro-Wiwa and eight of his Ogoni colleagues from the delta region of Nigeria were hanged after being convicted by a biased military tribunal.

Those of us who knew Mr. Saro-Wiwa remember him as a thoughtful, passionate, nonviolent advocate for the rights of the Ogoni people. His arrest, conviction and hanging by the corrupt and brutal Abacha government outraged the world and resulted in Nigeria’s suspension from the Commonwealth, and a United Nations investigation which concluded that Saro-Wiwa and his colleagues had been denied due process in violation of international and Nigerian law. The UN recommended financial relief for their families and improvements in the living conditions of the Ogoni people and the other minorities in the delta region.

Unfortunately, none of the UN’s recommendations have been carried out, the environmental, economic and social conditions there have gotten worse, and ten year’s later the Ogoni Nine remain convicted of a crime for which they were unfairly tried.

Today, I want to submit, on behalf of myself and Senators KENNEDY, OBAMA, FEINGOLD, DURBIN, and DODD a resolution calling on the Government of Nigeria to conduct a thorough judicial review of this travesty.

By this resolution we remember Ken Saro-Wiwa and the others who were executed, and we honor their courage and their nonviolent commitment to social justice. In addition to calling for a judicial review and just compensation to the survivors if a miscarriage of justice is found, we urge the Nigerian government, international donors, and international oil companies operating in the Niger delta to increase assistance significantly to improve the lives of the Ogoni and other Delta communities.

We call on the Nigerian Government to ensure that its security forces receive the necessary training and discipline to prevent the violations of human rights that the Ogoni have suffered for so many years.

The volatile situation in the Niger delta has been ignored for far too long. It cannot be resolved by force. It cannot be resolved by lip service. There are robust international agreements and commitments, to protect the environment and social needs. Ken Saro-Wiwa’s example of nonviolence stands today as it did a decade ago as a model for the Nigerian government, the people of the Niger Delta, and the international community to join together to finally address the root causes of this conflict.

Mr. KENNEDY. Mr. President, I’m honored to join Senator LEAHY, Senator OBAMA, Senator FEINGOLD, Senator DODD and Senator DURBIN in submitting this tribute to one of the world’s most courageous human rights and environmental activists, Ken Saro-Wiwa, on the tenth anniversary of his death.

Mr. Saro-Wiwa was a champion of nonviolence for social and economic justice and the environment in the oil-rich communities of the Niger Delta. He was a voice for hundreds of thousands of persons suffering from government repression and corporate greed, and he raised global awareness of the need for more responsible environmental and social practices by the oil industry.

On this day ten years ago, Ken Saro-Wiwa and eight of his Ogoni compatriots were unjustly put to death based on apparently trumped-up charges by an apparently biased Nigerian military tribunal. Their only crime was their courage in daring to speak out against the exploitation of the Ogoni environment and its people. Despite the widespread international condemnation of the killings, Mr. Saro-Wiwa has not been cleared of the false charges, and environmental and social degradation persists in the Ogoni and other communities in the Niger Delta.

The resolution that we are introducing today calls on the Nigerian Government to conduct a thorough judicial review of the military tribunal, and to pay compensation to the heirs of Mr. Saro-Wiwa and his colleagues if a miscarriage of justice is found. A UN report to Nigeria in 1996 found such a violation and called for such relief. The resolution also calls for increased assistance to the
Whereas the mission of the International Post-Polio Task Force includes educating medical professionals and the world's 20,000,000 polio survivors about post-polio sequelae; threatens the Polio Polio Letter Campaign, The Post-Polio Institute at New Jersey's Englewood Hospital and Medical Center, the publication of The Polio Paradigm: A Post-Polio Task Force service announcement provided by the National Broadcasting Company: Now, therefore, be it
Resolved, That the Senate—
(1) recognizes the need for every child, in America and throughout the world, to be vaccinated against polio;
(2) recognizes the 1,630,000 Americans who survived polio, their new battle with post-polio sequelae, and the need for education and appropriate medical care;
(3) requests that every State designate the period beginning on November 1, 2005 and ending on October 31, 2006 as the “Year of Polio Education” to promote vaccination and post-polio sequelae education and treatment; and
(4) requests that all appropriate Federal departments and agencies take immediate action to educate—
(A) the people of the United States about the need for polio vaccination; and
(B) polio survivors and medical professionals in the United States about the cause and treatment of sequelae.

Mr. SPECTER. Mr. President, I have sought recognition today to submit a resolution to designate November 1, 2005 to October 31, 2006 as the Year of Polio Education.

During the 1940s and the early 1950s, between 30,000 and 50,000 cases of polio were recorded annually in the United States, causing widespread fear and panic. I recall as a youngster attending a public swimming pool in Wichita, KS, and wondering if going to the swimming pool would cause polio.

Polio is a viral illness that leads to paralysis. The polio virus damages nerves that control muscles, which results in muscle weakness. In severe cases of polio, a person may lose the ability to move their arms and legs, the ability to breathe without help, or die.

President Franklin Delano Roosevelt was the most famous symbol of how physically debilitating polio can be. Yet despite the paralysis of his legs, he was a magnificent President and a great leader of the United States during the Depression and World War II.

This year, 2005, marks the 50th anniversary of the successful nationwide trial to administer the injectable polio vaccine. The invention of injectable polio vaccines eliminated naturally occurring polio cases in the United States, some American children did not receive the polio vaccine necessary to protect them. On September 29, 2005, the first of four children from a rural Minnesota Amish community was diagnosed with polio. While none of the four have suffered paralytic symptoms, the occurrence underscores the need for vaccinations.

The need for continued polio and post-polio vaccines education is imperative to the health of all Americans, especially children. I encourage my colleagues to work with Senator CORZINE and me to move this legislation forward promptly.

SENATE RESOLUTION 305—TO DESIGNATE THE PERIOD BEGINNING ON NOVEMBER 1, 2005 AND ENDING ON OCTOBER 31, 2006 AS THE YEAR OF POLIO EDUCATION

Mr. SPECTER (for himself, Mr. CORZINE) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

Whereas 2005 is the 50th anniversary of the injectable polio vaccine;
Whereas the polio vaccines eliminated naturally occurring polio cases in the United States but have not eliminated polio in other parts of the world;
Whereas as few as 57 percent of American children receive all doses of necessary vaccines during childhood, including the polio vaccine;
Whereas the Centers for Disease Control and Prevention recommends that every child in the United States receive all doses of the inactivated polio vaccine;
Whereas the success of the polio vaccines has coincided with the remarkable fact that the United States has not had a naturally occurring case of polio since 2005. This program helps families of children who may otherwise have access to vaccines by providing free vaccines to doctors who serve them.

This year is also the 131st anniversary of the first diagnosed case of post-polio sequelae. Post-polio sequelae is a condition that may develop several decades after a person has had polio, which affects the muscles and nerves, causing weakness, fatigue, pain, and other symptoms. An estimated 30 percent of paralytic polio survivors and 40 percent non-paralytic polio survivors develop this illness.

The need for continued polio and post-polio vaccines education is imperative to the health of all Americans, especially children. I encourage my colleagues to work with Senator CORZINE and me to move this legislation forward promptly.

Whereas research and clinical work by members of the International Post-Polio Task Force have discovered that post-polio sequelae can be treated, and even prevented, if polio survivors are taught to conserve energy and use assistive devices to stop damaging and killing the reduced number of oxygen-carrying red blood cells in the spinal cord and brain that survived the polio attack;
Whereas many medical professionals, and polio survivors themselves, know of the existence of post-polio sequelae, or of the available treatments; and
Whereas the need for continued diligence to protect children and American children from polio and other illnesses is critical. As chairman of the Labor, Health and Human Services, Education, and Related Agencies—LHHS—Appropriations Subcommittee, I have worked to provide $101.25 million in the fiscal year 2006 Senate LHHS Appropriations bill for global polio eradication, an increase of $500,000 since 2005. These funds provide polio vaccinations internationally in locations where polio has not been eradicated. Further, I have supported $461.5 million for the vaccine for children program as part of the fiscal year 2006 Senate LHHS Appropriations bill, an increase of $41 million since 2005. This program helps families of children who may otherwise have access to vaccines by providing free vaccines to doctors who serve them.

Whereas the Centers for Disease Control and Prevention recommends that every child, in America and throughout the world, to be vaccinated against polio;
Whereas as few as 57 percent of American children receive all doses of necessary vaccines during childhood, including the polio vaccine;
Whereas the Centers for Disease Control and Prevention recommends that every child, in America and throughout the world, to be vaccinated against polio;
Whereas as few as 57 percent of American children receive all doses of necessary vaccines during childhood, including the polio vaccine;
Whereas the Centers for Disease Control and Prevention recommends that every child, in America and throughout the world, to be vaccinated against polio;
Whereas the Centers for Disease Control and Prevention recommends that every child, in America and throughout the world, to be vaccinated against polio;
Mr. WARNER, and Mr. WYDEN) submitted the following resolution; which was considered and agreed to:

S. Res. 305

Whereas tens of millions of Americans have served in the Armed Forces of the United States during the past century;

Whereas hundreds of thousands of Americans have given their lives while serving in the Armed Forces of the United States during the past century;

Whereas the contributions and sacrifices of the men and women who have served in the Armed Forces of the United States have ensured that the Nation, which is founded on the principles of freedom, justice, and democracy, shall endure;

Whereas Armistice Day was first proclaimed by President Woodrow Wilson in 1919 to commemorate the November 11, 1918, armistice between the Allies and the Central Powers that ended the fighting of World War I;

Whereas on June 1, 1954, President Dwight D. Eisenhower signed into law the Act proclaims November 11 as Veterans Day (Public Law 83–380);

Whereas on October 8, 1954, in anticipation of the first nationwide observance of Veterans Day, President Dwight D. Eisenhower issued a Presidential proclamation regarding Veterans Day, which states, “[o]n that day let us remember that the sacrifices of all those who fought so valiantly, on the seas, in the air, and on foreign shores, to preserve our heritage of freedom, and let us recognize to the task of promoting an enduring peace so that their efforts shall not have been in vain”;

Whereas veterans play important roles in communities throughout the United States;

Whereas it is important to preserve the memory of the veterans of the Nation and to teach every generation about the sacrifices that all veterans have made in securing and preserving the freedom that all Americans enjoy today;

Whereas the United States is in a time of conflict that highlights the incomensurable sacrifices the brave men and women of our Armed Forces have made and continue to make for our Nation and its principles of freedom and democracy;

Whereas as of October 2005, there were 433,398 new veterans from the present conflict who bravely defended America;

Whereas November 11 is a day of solemn reflection on, and commemoration of, the contributions of those who have served and defended the Nation, especially those who gave the ultimate sacrifice to secure the freedoms enjoyed by all citizens; and

Whereas it is proper that the Senate observe this day with appropriate tributes, commemorations, and reflection even when it conducts the Nation’s business: Now, therefore, be it

Resolved, That the Senate recognizes that November 11, 2005, Veterans Day, is a day to honor all Army veterans and supports the Army Freedom Team Salute’s mission to recognize the unsung heroes who have served this country.

SENATE RESOLUTION 306—RECOGNIZING THAT VETERANS DAY IS A DAY TO HONOR ALL VETERANS OF THE ARMY AND TO SUPPORT THE ARMY FREEDOM TEAM SALUTE’S MISSION TO RECOGNIZE THE UNSUNG HEROES WHO HAVE SERVED THIS COUNTRY

Mr. AKAKA (for himself and Mr. BOND) submitted the following resolution; which was considered and agreed to:

S. Res. 306

Whereas Army personnel have for 230 years answered the call to duty by becoming guardians and defenders of America’s freedom;

Whereas millions of Army veterans selflessly served their country and continue to defend American freedom;

Whereas the Army created the Freedom Team Salute program to provide a way for the people of the United States to show their support for those who have made the ultimate sacrifice in service to America; and

Resolved, That the Senate reaffirms, recognizes, and honors the important contribution to the outcome of World War II.

SENATE RESOLUTION 307—TO RECOGNIZE AND HONOR THE FILIPINO WORLD WAR II VETERANS FOR THEIR DEFENSE OF DEMOCRACY AND DEMOCRACY AND THEIR IMPORTANT CONTRIBUTION TO THE OUTCOME OF WORLD WAR II

Mr. ALLEN (for himself, Mr. INOUYE, Ms. MIKULSKI, Mrs. BOXER, Mr. WARNER, and Mr. AKAKA) submitted the following resolution; which was considered and agreed to:

S. Res. 307

Whereas in 1898, the Philippines Archipelago was acquired by the United States of America, became an organized United States territory in 1902, and, in preparation for her independence, a self-governing commonwealth in 1935;

Whereas the people of the Philippines and of the United States developed strong ties throughout the decades into democratic transition of the island, compelling the United States to assume the responsibilities of defending the archipelago and protecting the people of the Philippines;

Whereas on July 26, 1941, anticipating the anniversary of the 1944 return of United States forces under General Douglas MacArthur to liberate the Philippines and said, “I urge all Americans to recall the courage, sacrifice, and loyalty of Filipino Veterans of World War II and honor them for their contribution to our freedom.”;

Whereas on July 26, 2001, President George W. Bush, in his greetings to the Filipino World War II veterans said, “More than 120,000 Filipinos fought with unwavering loyalty and great gallantry under the command of General Douglas MacArthur. The combined United States-Philippine forces distinguished themselves by their valor and heroism in defense of freedom and democracy. Thousands of Filipino soldiers gave their lives in the battles of Bataan and Corregidor. These soldiers won for the United States the precious time needed to disrupt the enemy’s plan for conquest in the Pacific. During the three long years following these battles, the Filipino people valiantly resisted a brutal Japanese occupation with an indomitable spirit and steadfast loyalty to America.”; and

Whereas the contributions of the Filipino people, and the sacrifices of their soldiers in World War II, have not been fully recognized:

Resolved, That the Senate reaffirms, recognizes, and honors the Filipino World War II veterans for their defense of American democracy and their important contribution to the victorious outcome of World War II.

SENATE RESOLUTION 308—DESIGNATING 2006 AS THE “YEAR OF STUDY ABROAD”

Mr. DURBIN (for himself, Mr. AXELANDER, Mr. FEINGOLD, Mr. CRAIG, Mr. AKAKA, Mr. COLEMAN, and Mr. COCHRAN) submitted the following resolution, which was considered and agreed to:

S. Res. 308

Whereas ensuring that the citizens of the United States are globally literate is the responsibility of the educational system of the United States;

Whereas educating students internationally is an important way to share the values of the United States; and

Resolved, That the United States wish to expand international educational exchanges in the United States.

Whereas students have an opportunity to enhance their knowledge of the world, and to increase their understanding of global issues;

Whereas the United States is a world leader in education, having educated generations of leaders and thinkers;

Whereas the United States is a leader in global education, having educated generations of leaders and thinkers;

Whereas the United States is a leader in global education, having educated generations of leaders and thinkers;

Whereas the United States is a leader in global education, having educated generations of leaders and thinkers;

Whereas the United States is a leader in global education, having educated generations of leaders and thinkers;

Whereas the United States is a leader in global education, having educated generations of leaders and thinkers;

Resolved, That the Senate reaffirms, recognizes, and honors the important contribution of the United States to global education, and that the United States continue to support international educational exchanges.
should have a study abroad experience sometime during college, but only 1 percent of students from the United States currently study abroad each year.

Whereas the need for such programs helps people from the United States to be more informed about the world and to develop the cultural awareness needed to avoid offending others from other countries.

Whereas a National Geographic global literacy survey found that 87 percent of students in the United States between the ages of 18 and 24 cannot locate Iraq on a world map, 83 percent cannot find Afghanistan, 58 percent cannot find Japan, and 11 percent cannot find the United States.

Whereas studying abroad exposes students from the United States to valuable global knowledge and cultural understanding and forms an integral part of their education.

Whereas Congress recognized through the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.) that the security, stability, and economic vitality of the United States is in an increasingly complex global age depend largely upon having a globally competent citizenry and the availability of experts specializing in world regions, foreign languages, and international affairs.

Whereas the Coalition for International Education, an ad hoc group of higher education institutions with interests in the international education programs of the Department of Education, and Government Accountability Office reports have found that Federal, international institutions, and corporations in the United States are suffering from a shortage of professionals with international knowledge and foreign language skills.

Whereas, according to the Coalition for International Education institutions of higher education in the United States are struggling to graduate enough students with the language skills and cultural competence necessary to meet the current demands of business, government, and educational institutions;

Whereas a survey done by the Institute for the International Education of Students shows that studying abroad influences subsequent educational experiences, decisions to expand or change academic majors, and decisions to attend graduate school;

Whereas the current research literature demonstrates that some of the core values and skills of higher education are enhanced by participation in study abroad programs;

Whereas programs not only open doors to foreign language learning, but also empower students to better understand themselves and others through a comparison of cultural values and ways of life;

Whereas study abroad programs for students from the United States can provide specialized training and practical experiences not available at institutions in the United States;

Whereas a blue ribbon task force of NAFSA: Association of International Education Organizations, a global association of individuals dedicated to advancing international education and exchange, found that a national effort to promote study abroad programs is needed to address a serious deficit in global competence in the United States;

Whereas the bipartisan, federally-appointed Commission on the Abraham Lincoln Study Abroad Fellowship Program, established pursuant to section 104 of the Miscellaneous Appropriations and Offsets Act, 2004 (Consolidated Appropriations Act, 2004 (Public Law 108-199; 118 Stat. 435)), is scheduled to make recommendations by December 1, 2003, for a national commission to study international education programs to meet this need: Now, therefore, be it

Resolved, That the Senate—

(1) designates 2006 as the “Year of Study Abroad”;
(2) encourages secondary schools, institutions of higher learning, businesses, and government to support and fund expand study abroad opportunities; and
(3) encourages the people of the United States to—
(a) support initiatives to promote and expand study abroad opportunities; and
(b) observe the “Year of Study Abroad” with appropriate ceremonies, programs, and other activities.

SENATE RESOLUTION 309—EX- PRESSING CONDOLENCES FOR THE PEOPLE OF JORDAN IN THE AFTERMATH OF THE DEADLY TERRORIST ATTACKS IN AMMAN ON NOVEMBER 9, 2005

Mr. FRIST (for himself, Mr. REID, Mr. LUGAR, Mr. BIDEN, Mr. BROWNBACK, and Mr. CHAFEE) submitted the following resolution; which was considered and agreed to:

S. Res. 309

Whereas the United States and a broad international coalition are engaged in a Global War on Terrorism;

Whereas on November 9, 2005, a series of explosions struck 3 hotels in Amman, Jordan, killing at least 56 people and injuring at least 113 others;

Whereas the terrorist attacks on Amman, Jordan, were senseless and barbaric acts carried out against innocent civilians;

Whereas Al Qaeda in Iraq has claimed responsibility for the terrorist attacks in Amman, Jordan;

Whereas the people and Government of the Hashemite Kingdom of Jordan have been targeted in several attempted terrorist attacks over the past few years;

Whereas the people of Jordan have a long and enduring friendship with the people of the United States and their close cooperation in political, economic, and humanitarian endeavors has benefitted both nations and the people of the Middle East region;

Whereas the Hashemite Kingdom of Jordan is a stalwart ally of the United States in the global war against terrorism;

Whereas the people of the United States stand in solidarity with the people of Jordan in fighting terrorism;

Whereas the Government of the United States immediately condemned the terrorist attacks and extended the support and condolences of the people of the United States to the people of Jordan; and

Whereas on September 12, 2001, in a letter to President George W. Bush condemning the September 11, 2001, terrorist attacks on the United States, King Abdullah of the Hashemite Kingdom of Jordan stated that “The people and Government of Jordan join the people of the United States in our absolute condemnation of the terrorist aggression against your nation . . . our hearts reach out to the victims and their families, and we honor the selfless men and women who have risked their lives to aid the injured and suffering . . . be assured that the Hashemite Kingdom of Jordan, its leaders and people stand with you against the perpetrators of these terrorist atrocities. We denounce the violence and hatred they represent. . . . Now, therefore, be it

Resolved, That the Senate—

(1) condemns, in the strongest terms, the senseless and barbaric terrorist attacks on the innocent people of Amman, Jordan, on November 9, 2005;
(2) expresses its condolences to the families and friends of those individuals who were killed in the attacks and expresses its sympathies to those individuals who have been injured;
(3) expresses the strong and continued solidarity of the people and Government of the United States with the people and Government of the Hashemite Kingdom of Jordan as they recover from these inhumane attacks;
(4) declares its readiness to support and assist the authorities of Jordan in their efforts to bring to justice those individuals responsible for the attacks; and
(5) calls upon the international community to renew and strengthen efforts to—
(A) defeat terrorists by dismantling terrorist networks and exposing the violent and nihilistic ideology of this brutal ideology;
(B) increase international cooperation to advance personal and religious freedoms, ethnic and racial tolerance, political liberty and pluralism, and economic prosperity; and
(C) combat the social injustice, oppression, poverty, and extremism that bolsters terrorism.

SENATE RESOLUTION 310—HON- ORING THE LIFE, LEGACY, AND EXAMPLE OF ISRAELI PRIME MINISTER YITZHAK RABIN ON THE TENTH ANNIVERSARY OF HIS DEATH

Mr. LAUTENBERG (for himself, Mr. VOINOVICH, Mr. BIDEN, Mr. LUGAR, Mr. CHAFEE, and Mr. BROWNBACK) submitted the following resolution; which was considered and agreed to:

S. Res. 310

Whereas Yitzhak Rabin was born March 1, 1922, in Jerusalem;

Whereas Yitzhak Rabin volunteered for the Palmach, the elite unit of the Hagannah (predecessor of the Israeli Defense Forces), and served for 27 years, including during the 1948 War of Independence, the 1956 Suez War, and as Chief of Staff in the June 1967 Six Day War;

Whereas, in 1975, Prime Minister Yitzhak Rabin signed the interim agreement with Egypt (Sinai II) which laid the groundwork for the 1979 Camp David Peace Treaty between Israel and Egypt;


Whereas, on September 13, 1983, in Washington, D.C., Yitzhak Rabin returned the Declaration of Principles framework agreement between Israel and the Palestinians;

Whereas, upon the signing of the Declaration of Principles, Yitzhak Rabin said to the Palestinian people: “We say to you today in a loud and clear voice: Enough of blood and tears. Enough! We harbor no hatred toward those who have no desire for revenge. We, like you, are people who want to build a home, plant a tree, love, live side by side with you—in dignity, empathy, as human beings, as free men.”

Whereas Yitzhak Rabin received the 1994 Nobel Prize for Peace for his vision and bravery as a peacemaker, saying at the time: “There is only one radical means of sanctifying human lives. Not armored plating, or tanks, or planes, or concrete fortifications. The one radical solution is peace.”

Whereas, on October 28, 1994, Yitzhak Rabin and King Hussein of Jordan signed a peace treaty between Israel and Jordan;

Whereas, on November 4, 1995, Yitzhak Rabin was brutally assassinated after attending a peace rally in Tel Aviv, where his last words were: “I have always believed that
the majority of the people want peace, are prepared to take risks for peace. Peace is what the Jewish People aspire to.”; and
Whereas Yitzhak Rabin dedicated his life to the defense of the state of Israel by defending his nation against all threats, including terrorism, and undertaking courageous risks in the pursuit of peace: Now, therefore, be it

Resolved, That the Senate—
(1) honors the historic role of Yitzhak Rabin for his distinguished service to the people of Israel and extends its deepest sympathy and condolences to the family of Yitzhak Rabin and the people of Israel on the tenth anniversary of his death;
(2) recognizes and reiterates its continued support for the close ties and special relationship between the United States and Israel;
(3) expresses its admiration for Yitzhak Rabin’s legacy and reaffirms its commitment to the process of building a just and lasting peace between Israel and its neighbors;
(4) condemns any and all acts of terrorism; and
(5) reaffirms unequivocally the sacred principle that democratic leaders and governments must be changed only by the democratically-expressed will of the people.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2507. Mr. KERRY (for himself, Mr. REID, Mr. BIDEN, and Mr. DAYTON) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of 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.

SA 2508. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2445 submitted by Mr. BROWNBACK (for himself, Mr. INOUYE, and Mr. DEMINT) and intended to be proposed to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2509. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2445 submitted by Mr. BROWNBACK (for himself, Mr. INOUYE, and Mr. DEMINT) and intended to be proposed to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2510. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2445 submitted by Mr. BROWNBACK (for himself, Mr. INOUYE, and Mr. DEMINT) and intended to be proposed to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2511. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2445 submitted by Mr. BROWNBACK (for himself, Mr. INOUYE, and Mr. DEMINT) and intended to be proposed to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2512. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2445 submitted by Mr. BROWNBACK (for himself, Mr. INOUYE, and Mr. DEMINT) and intended to be proposed to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2513. Mr. WARNER (for himself and Mr. FRIST) proposed an amendment to the bill S. 1042, supra.

SA 2514. Mr. ROBERTS (for himself and Mr. ROCKWELL) proposed an amendment to amendment SA 2507 proposed by Mr. KERRY (for himself, Mr. REID, Mr. BIDEN, and Mr. DAYTON) to the bill S. 1042, supra.

SA 2515. Mr. GRAHAM (for himself, Mr. KYL, Mr. CHAMBLISS, and Mr. CORNYN) proposed an amendment to the bill S. 1042, supra.

SA 2516. Mr. GRAHAM (for himself, Mr. KYL, and Mr. CHAMBLISS) proposed an amendment to amendment SA 2515 proposed by Mr. GRAHAM (for himself, Mr. KYL, Mr. CHAMBLISS, and Mr. CORNYN) to the bill S. 1042, supra.

SA 2517. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 2515 proposed by Mr. GRAHAM (for himself, Mr. KYL, Mr. CHAMBLISS, and Mr. CORNYN) to the bill S. 1042, supra; which was ordered to lie on the table.

SA 2518. Mr. WARNER (for himself and Mr. FRIST) proposed an amendment to the bill S. 1042, supra.

SA 2519. Mr. LEVIN (for himself, Mr. Reid, Mr. DODD, Mr. KERRY, Mr. MENENDEZ, Mr. FRANKEN, Mr. KENNEDY, Mrs. FEINSTEIN, Mr. OBAMA, and Mrs. BOXER) proposed an amendment to the bill S. 1042, supra.

SA 2520. Mr. FRIST (for Mr. INOUYE) proposed an amendment to the resolution S. Res. 9, expressing the sense of the Senate regarding designation of the month of November as ‘National Military Family Month’.

SA 2521. Mr. FRIST (for Mr. LEAHY) proposed an amendment to the bill S. 1558, an act to amend the Ethics in Government Act of 1978 to protect family members of filters from disclosing sensitive information in a public filing and to extend for 4 years the authority to redact financial disclosure statements of judicial employees and judicial officers.

SA 2522. Mr. FRIST (for Mr. LEAHY) proposed an amendment to the bill S. 1558, supra.

TEXT OF AMENDMENTS

SA 2507. Mr. KERRY (for himself, Mr. REID, Mr. BIDEN, and Mr. DAYTON) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of 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:

SEC. 401. REPORTS ON CLANDESTINE DETENTION FACILITIES FOR INDIVIDUALS CAPTURED IN THE GLOBAL WAR ON TERRORISM.

(a) Secretary of Defense Report.—
(1) REPORT REQUIRED.—Not later than sixty days after the date of the enactment of this Act, the Secretary of Defense shall submit to the Committees on Armed Services of the Senate and the House of Representatives a detailed report on the knowledge of the Secretary, and of the personnel of the Department of Defense, on whether or not there exists, or has existed, any clandestine facility or in cooperation with, another department, agency, or element of the United States Government, and for any such individual so held, a detailed description of the circumstances surrounding the detention of such individual and the disposition, if any of such individual.

(2) Elements.—The report required by paragraph (1) shall include the following:

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in classified form.

(b) Director of National Intelligence Reports.—
(1) REPORTS REQUIRED.—Not later than sixty days after the date of the enactment of this Act, the Director of National Intelligence shall provide to each member of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a detailed report setting forth the nature and cost of, and otherwise providing a full accounting on, any clandestine prison or detention facility currently or formerly operated by the United States Government, regardless of location, which detainee in the global war on terrorism are or were being held.

(2) Elements.—The reports required by paragraph (1) shall set forth, for each prison or facility covered by such report, the following:

(A) The location and size of such prison or facility.

(B) If such prison or facility is no longer being operated by the United States Government, the disposition of such prison or facility.

(C) The number of detainees currently held or formerly held, as the case may be, at such prison or facility.

(D) Any plans for the ultimate disposition of any detainees currently held at such prison or facility.

(3) Descriptions of the interrogation procedures used or formerly used on detainees at such prison or facility.
SA 2508. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2445 submitted by Mr. BROWNBACK (for himself, Mr. INHOFE, and Mr. DEMINT) and intended to be proposed to S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year of the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 11 of the amendment, strike lines 20 and 21.

SA 2509. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2445 submitted by Mr. BROWNBACK (for himself, Mr. INHOFE, and Mr. DEMINT) and intended to be proposed to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year of the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 10 of the amendment, line 23, strike "contraceptives" and insert "drugs or devices approved by the Food and Drug Administration as contraceptives, or generic equivalents approved as substitutable by the Food and Drug Administration".

SA 2510. Mrs. MURRAY submitted an amendment intended to be proposed to amendment SA 2445 submitted by Mr. BROWNBACK (for himself, Mr. INHOFE, and Mr. DEMINT) and intended to be proposed to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strengths for such fiscal year of the Armed Forces, and for other purposes; which was ordered to lie on the table; as follows:

On page 2 of the amendment, strike all after the first word and insert the following:

PROTECTION OF CHILDREN AND PARENTAL INVOLVEMENT IN THE PERFORMANCE OF ABORTIONS FOR DEPENDENT CHILDREN OF MEMBERS OF THE ARMED FORCES.

Section 1093 of title 10, United States Code, is amended by adding at the end the following:

(c) PARENTAL NOTICE.—(1) A physician may not use facilities of the Department of Defense to perform an abortion on a pregnant unemancipated minor who is a child of a member of the armed forces unless—

(A) the physician gives at least 48 hours actual notice, in person or by telephone, of the physician's intent to perform the abortion to—

(i) the member of the armed forces, or another parent of the minor, if the minor has no managing conservator or guardian; or

(ii) a court-appointed managing conservator or guardian;

(2) if a person to whom notice may be given under paragraph (1)(A) cannot be notified after a reasonable effort, a physician may perform an abortion if the physician notifies, by certifiable mail, restricted delivery, sent to the last known address, to the person to whom notice may be given under that paragraph.

(D) it is not necessary to preserve the life or health of the minor; or

(E) the pregnancy is the result of rape or incest.

(2) If a person to whom notice may be given under paragraph (1)(A) cannot be notified after a reasonable effort, a physician may perform an abortion if the person to whom notice may be given under that paragraph.

The person to whom notice may be given under that paragraph.

(3) The requirement that 48 hours actual notice be provided under this subsection may be waived for good cause.

(4) A physician may execute for inclusion in the minor an affidavit stating that, according to the best information and belief of the physician, notice or constructive notice has been provided as required by this subsection. Execution of an affidavit under this paragraph creates a presumption that the requirements of this subsection have been satisfied.

(A) A physician who intentionally performs an abortion on a pregnant unemancipated minor in violation of this subsection commits an offense punishable by a fine not to exceed $10,000.

(7) If the court fails to rule on the application within the period specified in paragraph (6), the application shall be granted and the physician may perform the abortion as if the court had issued an order authorizing the minor to consent to the performance of the abortion without notification to either of her parents or a managing conservator or guardian.

(b) A physician who intentionally performs an abortion on a pregnant unemancipated minor in violation of this subsection commits an offense punishable by a fine not to exceed $10,000.

(iii) An application under this subsection shall be made under oath and include—

(A) a statement that the minor is pregnant;

(B) a statement that the minor elects not to travel to the United States in pursuit of an order authorizing the abortion, the court may conduct the proceedings in the case of such application by telephone.

An application under this subsection shall be made under oath and include—

(A) a statement that the minor is pregnant;

(B) a statement that the minor elects not to travel to the United States in pursuit of an order authorizing the abortion, the court may conduct the proceedings in the case of such application by telephone.

An application for an order authorizing the abortion as if the court had issued an order authorizing the minor to consent to the performance of the abortion without notification to either of her parents or a managing conservator or guardian.

(c) A statement that the minor wishes to have an abortion without the notification of either of her parents or a managing conservator or guardian and—

(D) a statement as to whether the minor has retained an attorney, the name, address, and telephone number of her attorney.

The court shall appoint a guardian ad litem for the minor. If the court has not retained an attorney, the court may appoint an attorney to represent the minor. If the guardian ad litem is an attorney, the court may appoint the guardian ad litem to serve as the minor's attorney.

The court may appoint to serve as guardian ad litem for the minor.

(A) a psychiatrist or an individual licensed or certified as a psychologist;

(B) a member of the clergy;

(C) a grandparent or aunt, cousin, or uncle of the minor; or

(D) another appropriate person selected by the court.

The court shall determine within 48 hours after the application is filed whether the minor is mature and sufficiently well informed, that notification would not be in the best interest of the minor, or whether notification may lead to physical, sexual, or emotional abuse of the minor. If the court finds that the minor is mature and sufficiently well informed, that notification would not be in the best interest of the minor, or whether notification may lead to physical, sexual, or emotional abuse of the minor, the court shall enter an order authorizing the minor to consent to the performance of the abortion without notification to either of her parents or a managing conservator or guardian and shall execute the required forms.

The court may appoint to serve as guardian ad litem for the minor.

(A) a psychiatrist or an individual licensed or certified as a psychologist;

(B) a member of the clergy;

(C) a grandparent or aunt, cousin, or uncle of the minor; or

(D) another appropriate person selected by the court.

The court shall determine within 48 hours after the application is filed whether the minor is mature and sufficiently well informed, that notification would not be in the best interest of the minor, or whether notification may lead to physical, sexual, or emotional abuse of the minor. If the court finds that the minor is mature and sufficiently well informed, that notification would not be in the best interest of the minor, or whether notification may lead to physical, sexual, or emotional abuse of the minor, the court shall enter an order authorizing the minor to consent to the performance of the abortion without notification to either of her parents or a managing conservator or guardian and shall execute the required forms.

The court may appoint to serve as guardian ad litem for the minor.

(A) a psychiatrist or an individual licensed or certified as a psychologist;

(B) a member of the clergy;

(C) a grandparent or aunt, cousin, or uncle of the minor; or

(D) another appropriate person selected by the court.
another person designated to receive the order by the minor, or a governmental agency or attorney in a criminal or administrative action seeking to assert or protect the interest of the minor.

(11) A filing fee is not required of and court costs may not be assessed against a minor filing an application under this subsection.

(e) APPEAL.—(1) A minor whose application under subsection (d) is denied may appeal to the appropriate court of the United States having jurisdiction of the district court of the United States that denied the application. If the appeal is filed, the rule on the appeal within 48 hours after the appeal is filed, the appeal shall be deemed to be granted and the physician may perform the abortion as if the court had issued an order authorizing the minor to consent to the performance of the abortion using facilities of the Department of Defense as if the court had issued an order authorizing the minor to consent to the performance of the abortion using facilities of the Department of Defense without notification under subsection (c). Proceedings under this subsection shall be given precedence over other pending matters to the exclusion of other pending matters to proceedings under this subsection shall be given precedence over other pending matters to proceedings under this subsection shall be given precedence over other pending matters to proceedings under this subsection shall be given precedence over other pending matters to proceedings under this subsection shall be given precedence over other pending matters to proceedings under this subsection shall be given precedence over other pending matters to proceedings under this section.

(f) DEFINITIONS.—In this section:

(A) the member of the armed forces;

(B) a court-appointed managing conservator, guardian, or guardian;

(C) the appropriate district court of the United States by its inaction constructively authorizes the minor to consent to the abortion as provided by subsection (d) or (e);

(D) it is necessary to preserve the life or health of the minor;

(E) the pregnancy is the result of rape or incest;

(f) DEFINITIONS.—In this section:

(A) the member of the armed forces;

(B) a court-appointed managing conservator, guardian, or guardian;

(C) the appropriate district court of the United States by its inaction constructively authorizes the minor to consent to the abortion as provided by subsection (d) or (e);

(D) it is necessary to preserve the life or health of the minor;

(E) the pregnancy is the result of rape or incest;

(f) DEFINITIONS.—In this section:

(A) the member of the armed forces;

(B) a court-appointed managing conservator, guardian, or guardian;

(C) the appropriate district court of the United States by its inaction constructively authorizes the minor to consent to the abortion as provided by subsection (d) or (e);

(D) it is necessary to preserve the life or health of the minor;

(E) the pregnancy is the result of rape or incest;
(2) Application under this subsection may be filed in any appropriate district court of the United States. In the case of a minor who elects not to travel to the United States, or of an order authorizing the abortion, the court may conduct the proceedings in the case of such application by telephone.

(3) Application under this subsection shall be made under oath and include—

(A) a statement that the minor is pregnant;

(B) a statement that the minor is unmarried, is under 18 years of age, and has not had her disabilities removed;

(C) a statement that the minor wishes to have an abortion without the notification of either of her parents or a managing conservator or guardian; and

(D) a statement as to whether the minor has retained an attorney and, if she has retained an attorney, the name, address, and telephone number of her attorney.

(4) The court shall appoint a guardian ad litem for the minor. If the minor has not retained an attorney, the court shall appoint an attorney to represent the minor. If the guardian ad litem finds that the minor cannot or should not be granted an order authorizing the minor to consent to the performance of the abortion using facilities of the Department of Defense as if the court had issued an order authorizing the minor to consent to the performance of the abortion using facilities of the Department of Defense without notification under subsection (c). Proceedings under this subsection shall be given precedence over other pending matters to the extent necessary to assure that the court reaches a decision on the application within the period specified in paragraph (6).

(5) The court may appoint to serve as guardian ad litem—

(A) a psychiatrist or an individual licensed or certified as a psychologist; or

(B) a member of the clergy.

(6) A guardian shall be entitled to all discovery, deponent, deponent or using only her initials.

(7) If the court finds that the minor does not meet the requirements of paragraph (6), the application shall be deemed to be the minor's attorney.

(8) If the court finds that the minor is mature and sufficiently well-informed to make a decision to have an abortion performed without notification to either of her parents or a managing conservator or guardian, whether notification would not be in the best interest of the minor, or whether notification may lead to physical, sexual, or emotional abuse of the minor. If the court finds that the minor is mature and sufficiently well-informed to make a decision to have an abortion performed without notification to either of her parents or a managing conservator or guardian and shall execute the required forms.

(9) If the court finds that the minor does not meet the requirements of paragraph (6), the court may authorize the minor to consent to an abortion without notification to either of her parents or a managing conservator or guardian and shall execute the required forms.

(10) If the court finds that the minor fails to rule on the application within the period specified in paragraph (6), the application shall be deemed to be governed by the same provisions as if the court had issued an order authorizing the minor to consent to the performance of the abortion without notification under subsection (c).

(11) A filing fee is not required of and court costs may not be assessed against a minor filing an application under this subsection.

(12) The court may conduct the proceedings in the case of such application by telephone.

(13) Any application under this subsection (d) is denied may appeal to the court of the United States having jurisdiction of the district court of the United States that denied the application. If the court of appeals affirms the ruling, the appeal shall be deemed to be the minor's attorney.

(14) The court shall appoint a guardian ad litem for the minor. Another person designated to receive the ruling of the minor, or a governmental agency or attorney in a criminal or administrative action shall not assert or protect the interest of the minor.

(15) A filing fee is not required of and court costs may not be assessed against a minor filing an appeal under this subsection.

(16) RULE OF CONSTRUCTION.—Nothing in subsections (c), (d), or (e) shall be construed to create any exemption to the restrictions contained in subsections (a) and (b).

(17) Definitions.—In this section:

(1) The term 'abortion' means the use of any means at a medical facility of the Department of Defense to terminate the pregnancy of a female known by an attending physician to be pregnant, with the intention that the term of pregnancy by those means will with reasonable likelihood cause the death of the fetus. The term applies only to an unemancipated minor known by an attending physician to be pregnant and may not be construed to limit a minor's access to drugs or devices approved by the Food and Drug Administration as contraceptives, hormone therapies, or therapeutic equivalents as substitute by the Food and Drug Administration.

(2) The term 'appropriate district court of the United States' means—

(A) with respect to a proposed abortion at a particular Department of Defense medical facility in the United States or its territories, the district court of the United States having proper venue in relation to that facility;

(B) if the minor is seeking an abortion at a particular Department of Defense medical facility outside the United States or its territories—

(i) if the minor elects to travel to the United States in pursuit of an order authorizing the minor to consent to the performance of the abortion using facilities of the Department of Defense without notification under subsection (c); and

(ii) if the minor is seeking an abortion at a particular Department of Defense medical facility outside the United States or its territories—

(i) if the minor elects to travel to the United States in pursuit of an order authorizing the minor to consent to the performance of the abortion using facilities of the Department of Defense without notification under subsection (c);

(ii) if the minor elects to travel to the United States in pursuit of an order authorizing the abortion, the district court of the United States for the district in which the minor last resided.

(3) The term 'guardian' means a court-appointed guardian of the person of the minor.

(4) The term 'physician' means an individual licensed to practice medicine.

(5) The term 'unemancipated minor' includes a minor who is not a member of the armed forces and who—

(A) is unmarried; and

(B) has not had any disabilities of minority removed.

SA 2514. Mr. ROBERTS (for himself and Mr. ROCKEFELLER) proposed an amendment to an amendment to amendment SA 2507 proposed by Mr. KERRY (for himself, Mr. RYAN, Mr. BIDEN, and Mr. DAYTON) to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personal strengths for such fiscal year for the Armed Forces, and for other purposes; as follows:

In lieu of the language proposed to be inserted insert the following:

SEC. 909. REPORT ON CLOSED DETENTION FACILITIES FOR INDIVIDUALS CAPTURED IN THE GLOBAL WAR ON TERRORISM.

(a) IN GENERAL.—The President shall ensure that the United States Government continues to comply with the authorization, reporting, and notification requirements of title V of the National Security Act of 1947 (50 U.S.C. 1431 et seq.).

(b) DIRECTOR OF NATIONAL INTELLIGENCE REPORT.—

(1) REPORT REQUIRED.—Not later than 60 days after the date of the enactment of this Act, the Director of National Intelligence shall provide to the members of the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives a detailed report setting forth the nature and cost of, and otherwise providing a full accounting on, any clandestine prison or detention facility currently or formerly operated by the United States Government regardless of location, where detainees in the global war on terrorism are or were being held.

(2) ELEMENTS.—The report required by paragraph (1) shall have or facility, if any, covered by such report, the following:

(A) The location and size of such prison or facility;

(B) If such prison or facility is no longer being operated by the United States Government, the disposition of such prison or facility;

(C) The number of detainees currently held or formerly held, as the case may be, at such prison or facility;

(D) Plans for the ultimate disposition of any detainees currently held at such prison or facility;

(E) A description of the interrogation procedures used or formerly used on detainees at such prison or facility;

(F) A description of the interrogation procedures used or formerly used on detainees at such prison or facility.

(3) FORM OF REPORT.—The report required by paragraph (1) shall be submitted in classified form.

SA 2515. Mr. GRAHAM (for himself, Mr. KYL, Mr. CHAMBLISS, and Mr. CORNYN) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of 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; as follows:

SA 2516. Mr. GRAHAM (for himself, Mr. KYL, and Mr. CHAMBLISS) proposed an amendment to amendment SA 2515 proposed by Mr. GRAHAM (for himself, Mr. KYL, and Mr. CORNYN) to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of 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; as follows:

Strike all after the word SEC.

SA 2517. Mr. BINGAMAN submitted an amendment intended to be proposed to amendment SA 2515 proposed by Mr. GRAHAM (for himself, Mr. CHAMBLISS, and Mr. CORNYN) to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of 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; as follows:

On page 3, strike line 3 and all that follows through the end.

SA 2518. Mr. WARNER (for himself and Mr. FRIST) proposed an amendment to the bill S. 1042, to authorize appropriations for fiscal year 2006 for military activities of 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; as follows:
IRAQ.—Not later than 90 days after the date of this enactment in Iraq.

(1) members of the United States Armed Forces who are serving or have served in Iraq and who have served the United States, and the American people for their unwavering devotion to duty, service to the Nation, and selfless sacrifice under the most difficult circumstances;

(2) it is important to recognize that the American people have made enormous sacrifices and service to the Nation, and selfless sacrifice under the most difficult circumstances;

(3) calendar year 2006 should be a period of significant transition to full Iraqi sovereignty, with Iraqi security forces taking the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq;

(4) United States military forces should not stay in Iraq any longer than required and the people of Iraq should be the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq;

(5) the Administration needs to explain to Congress the diplomatic, political, economic, and military measures, if any, that are being or have been undertaken to successfully complete or support that mission, including:

(E) Securing the delivery of pledged economic assistance from the international community and additional pledges of assistance.

(F) Training Iraqi security forces and transferring security responsibilities to those forces and the government of Iraq.

(2) United States military forces should not stay in Iraq indefinitely and the people of Iraq should be the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq.

(4) United States military forces should not stay in Iraq indefinitely and the people of Iraq should be the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq.

(5) the Administration needs to explain to Congress the diplomatic, political, economic, and military measures, if any, that are being or have been undertaken to successfully complete or support that mission, including:

(E) Securing the delivery of pledged economic assistance from the international community and additional pledges of assistance.

(F) Training Iraqi security forces and transferring security responsibilities to those forces and the government of Iraq.

(2) United States military forces should not stay in Iraq indefinitely and the people of Iraq should be the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq.

(4) United States military forces should not stay in Iraq indefinitely and the people of Iraq should be the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq.

(5) the Administration needs to explain to Congress the diplomatic, political, economic, and military measures, if any, that are being or have been undertaken to successfully complete or support that mission, including:

(E) Securing the delivery of pledged economic assistance from the international community and additional pledges of assistance.

(F) Training Iraqi security forces and transferring security responsibilities to those forces and the government of Iraq.

(2) United States military forces should not stay in Iraq indefinitely and the people of Iraq should be the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq.

(4) United States military forces should not stay in Iraq indefinitely and the people of Iraq should be the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq.

(5) the Administration needs to explain to Congress the diplomatic, political, economic, and military measures, if any, that are being or have been undertaken to successfully complete or support that mission, including:

(E) Securing the delivery of pledged economic assistance from the international community and additional pledges of assistance.

(F) Training Iraqi security forces and transferring security responsibilities to those forces and the government of Iraq.

(2) United States military forces should not stay in Iraq indefinitely and the people of Iraq should be the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq.

(4) United States military forces should not stay in Iraq indefinitely and the people of Iraq should be the lead for the security of a free and sovereign Iraq, thereby creating the conditions for the phased redeployment of United States forces from Iraq.

(5) the Administration needs to explain to Congress the diplomatic, political, economic, and military measures, if any, that are being or have been undertaken to successfully complete or support that mission, including:

(E) Securing the delivery of pledged economic assistance from the international community and additional pledges of assistance.

(F) Training Iraqi security forces and transferring security responsibilities to those forces and the government of Iraq.
SA 2520. Mr. FRIST (for Mr. INOUYE) proposed an amendment to the resolution S. Res. 9, expressing the sense of the Senate regarding designation of the month of November as "National Military Family Month"; as follows:
On page 2, line 2, strike "; and" and all that follows to the end.

SA 2521. Mr. FRIST (for Mr. LEAHY) proposed an amendment to the bill S. 1558, An act to amend the Ethics in Government Act of 1978 to protect family members of filers from disclosing sensitive information in a public filing and to extend for 4 years the authority to redact financial disclosure statements of judicial employees and judicial officers; as follows:

Strike all after the enacting clause and insert the following:

**SECTION 1. PROTECTION OF FAMILY MEMBERS.**

Section 105(b)(3) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—
(1) in subparagraph (A), by inserting "or a family member of that individual" after "that individual"; and
(2) in paragraph (B)(i), by inserting "or a family member of that individual" after "the report".

**SEC. 2. EXTENSION OF PUBLIC FILING REQUIREMENT.**

Section 105(b)(3)(E) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended by striking "2005" each place it appears and inserting "2009".

SA 2522. Mr. FRIST (for Mr. LEAHY) proposed an amendment to the bill S. 1558, An act to amend the Ethics in Government Act of 1978 to protect family members of filers from disclosing sensitive information in a public filing and to extend for 4 years the authority to redact financial disclosure statements of judicial employees and judicial officers; as follows:

At the appropriate place, insert the following:

Amend the title so as to read: "To amend the Ethics in Government Act of 1978 to protect family members of filers from disclosing sensitive information in a public filing and to extend for 4 years the authority to redact financial disclosure statements of judicial employees and judicial officers.".

**AUTHORITIES FOR COMMITTEES TO MEET**

**COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY**

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Agriculture, Nutrition, and Forestry be authorized to conduct a hearing during the session of the Senate on Thursday, November 10, 2005 at 9 a.m. in 328A, Senate Russell Office Building. The purpose of this committee hearing will be to consider the nomination of Christy J. Smolla, Acting Administrator of the Rural Utilities Service at the United States Department of Agriculture.

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

**COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS**

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on November 10, 2005, at 9:30 a.m., to conduct a hearing on "The Development of New Basel Capital Accords."

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

**COMMITTEE ON ENERGY AND NATURAL RESOURCES**

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Thursday, November 10 at 10:30 a.m. The purpose of this meeting is to consider the nominations of Jeffrey D. Jarrett to be Assistant Secretary for Fossil Energy, DOE; and Edward F. Sproat, III to be Director, Office of Civilian Radioactive Waste Management, DOE.

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

**COMMITTEE ON FINANCE**

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet in open Executive Session during the session on Thursday, November 10, 2005, at 10 a.m., to consider an original bill that will include the Committee's budget reconciliation instructions pertaining to expiring tax provisions and also additional incentives for hurricane affected areas.

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

**COMMITTEE ON THE JUDICIARY**

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a markup on Thursday, November 10, 2005 at 9:30 a.m. in Senate Dirksen Office Building Room 226.

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

**COMMITTEE ON VETERANS' AFFAIRS**

Mr. WARNER. Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be authorized to meet to conduct a markup on Thursday, November 10, 2005 at 9:30 a.m. in Senate Dirksen Office Building Room 226.

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

**SUBCOMMITTEE ON AVIATION**

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Aviation be authorized to meet during the session of the Senate on December 15, 2005 at 10 a.m., to determine the present status of activities, including the impact on the aviation industry by, among other subjects, the fiscal year 2006 National Defense Authorization Act.

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

**SUBCOMMITTEE ON CLEAN AIR, CLIMATE CHANGE, AND NUCLEAR SAFETY**

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Clean Air, Climate Change, and Nuclear Safety be authorized to hold a hearing on November 10, 2005 at 9:30 a.m. regarding the implementation of the existing particulate matter and ozone air quality standards.

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

**SUBCOMMITTEE ON DISASTER PREVENTION AND PREDICTION**

Mr. WARNER. Mr. President, I ask unanimous consent that the Subcommittee on Science and Space and Subcommittee on Disaster Prevention and Prediction be authorized to meet on Thursday, November 10, 2005, at 2:30 p.m., on S. 517-Weather Modification. The PRESIDING OFFICER. Without objection, it is so ordered.

**PRIVILEGES OF THE FLOOR**

Mr. SESSIONS. Madam President, I ask unanimous consent that CDR Richard Paquette, a Navy legislative fellow in my office, be granted the privileges of the floor for the remainder of the debate on S. 1042, the fiscal year 2006 National Defense Authorization Act.

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

Mr. LEAHY. Mr. President, I ask unanimous consent that Bill Sexton of my staff be granted privilege of the floor for the duration of the consideration of this bill.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that Harry Christy and Bob Lester of the State Foreign Operations and Related Programs Subcommittee be given floor privileges during consideration of the fiscal year 2006 Foreign Operations bill.

**UNANIMOUS CONSENT AGREEMENT—H.R. 2419**

Mr. FRIST. I ask unanimous consent that at 4:30 p.m. Monday, November 14,
the Senate proceed to the conference report to accompany H.R. 2419, the Energy and Water appropriations bill, with 1 hour of debate allocated as follows: 30 minutes equally divided between the bill managers, 15 minutes under the control of Senator McCaIN, and 15 minutes under the control of Senator COBURN.

I further ask consent that following the use or yielding back of time the Senate proceed to a vote on adoption of the conference report, with no intervening action or debate.

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

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. FRIST. I ask unanimous consent the Senate immediately proceed to executive session to consider the following nominations on today's Executive Calendar: Calendar Nos. 399, 435, and 438; provided further that the Committee on Finance be discharged from further consideration of the nomination of Susan Schwab, PN 1032, and the Senate proceed to its consideration; provided further that the Committee on Agriculture be discharged from further consideration of the following nominations: James Andrew, PN 802; Charles Christopherson, PN 839.

I further ask unanimous consent the nominations be confirmed en bloc, the motions to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nominations considered and confirmed en bloc are as follows:

DEPARTMENT OF STATE

Anne W. Patterson, of Virginia, a Career Member of the Senior Foreign Service, Class of CAREER MINISTER, to be an ASSISTANT SECRETARY of State (International Narcotics and Law Enforcement Affairs.

DEPARTMENT OF JUSTICE

Sue Ellen Wooldridge, of Virginia, to be an Assistant Attorney General.

DEPARTMENT OF VETERANS AFFAIRS

George J. Opfer, of Virginia, to be Inspector General, Department of Veterans Affairs.

EXECUTIVE OFFICE OF THE PRESIDENT

Susan C. Schwab, of Maryland, to be a Deputy United States Trade Representative, with the rank of Ambassador.

James M. Andrew, of Georgia, to be Administrator, Rural Utilities Service, Department of Agriculture.

Charles R. Christopherson, Jr., of Texas, to be Chief Financial Officer, Department of Agriculture.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

REMOVAL OF INJUNCTION OF SECRECY PROTOCOL AMENDING THE CONVENTION WITH SWEDEN ON TAXES ON INCOME

Mr. FRIST. As in executive session, I ask unanimous consent the injunction of secrecy be removed from the following treaty transmitted to the Senate on November 9, 2005, by the President of the United States: Protocol Amending the Convention with Sweden on Taxes on Income (Treaty Document 109-8).

I further ask that the treaty be considered as having been read a first time; that it be reported with accompanying papers to the Committee on Foreign Relations in order to be printed; and that the President's message be printed in the RECORD.

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

The message of the President is as follows:

To the Senate of the United States:

I transmit herewith for the advice and consent of the Senate to ratification, a Protocol Amending the Convention Between the Government of the United States and the Government of Sweden for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income signed at Washington on September 30, 2005 (the "Protocol"). Also transmitted for the information of the Senate is the report of the Department of State with respect to the Protocol.

The Protocol eliminates the withholding tax on certain cross-border dividend payments. The proposed Protocol is one of a few recent U.S. tax agreements to provide for the elimination of the withholding tax on dividends arising from certain direct investments. In addition, the Protocol also modernizes the Convention to bring it into closer conformity with current U.S. tax-treaty policy, including strengthening the treaty's provisions preventing so-called treaty shopping.

I recommend that the Senate give early and favorable consideration to this Protocol and that the Senate give its advice and consent to ratification.

GEORGE W. BUSH.


EXPRESSING THE SENSE OF THE SENATE REGARDING VETERANS DAY 2005

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate now proceed to the consideration of S. Res. 305, which was submitted earlier today.

The PRESIDING OFFICER. The clerk will please report the resolution by title.

The legislative clerk read as follows: A resolution (S. Res. 305) expressing the sense of the Senate regarding Veterans Day 2005.

There being no objection, the Senate proceed to consider the resolution.

VETERANS DAY

Mr. BYRD. Mr. President, this Friday, November 11, is celebrated in this country as Veterans Day. It is always held on the 11th of November in memory of the end of World War I. In that "War to End All Wars" what wishful thinking that day laid down on the eleventh hour of the eleventh day of the eleventh month, at 11 o'clock a.m. on November 11, 1918. On that fateful hour, I am sure that many prayers of thanksgiving flew heavenward as Doughboys and their families rejoiced at their survival in spite of the most bitter and horrible fighting the world had yet experienced.

World War I saw the introduction of new and more deadly forms of warfare, as technology and chemistry were brought to bear on the battlefield. Horses were replaced by the first crude tanks and self-propelled guns. Monoplanes and biplanes brought warfare to skies overhead for the first time.

Chemical weapons, terrible and deadly, clouded the trenches. Diseases stalked the fields as well, from trenchfoot to the deadly Spanish flu that killed countless civilians alike. It was a dreadful time, one that would surely erase the desire to battle, if only that desire could be wiped from the human genome.

It was in wake of World War II, the Korean war, the Vietnam conflict, the cold war and repeated conflicts in the Balkans, in Iraq, and in Afghanistan, World War I seems almost quaint. There was no threat of nuclear war bringing vast destruction to our homelands. There was no threat of terrorist attacks against innocent civilians. There was some respect for noncombatants, and there were no kidnappings or concentration camps.

Today's battlefield is amorphous. It touches humanitarian volunteers and journalists. It strikes at soldiers in their weary bivouacs, and it threatens to reach again into our everyday lives and travels. Our battle-stained soldiers go no rest.

This Veterans Day, we are at war on three fronts. First, let us never forget that we have troops in Afghanistan, still struggling to defeat the remnants of those who attacked us on September 11, 2001. They do not receive as much press coverage as the conflict in Iraq, but their fight is taking place in the heartland of the Taliban, the refuge of last resort for the mastermind of the 9/11 attack, Osama bin Laden. Our prayers go out to those brave men and women who labor in the deserts and the high, cold mountains of that embattled land. Your efforts and your sacrifices are not forgotten.

Second, we also have troops in Iraq, in a battle of our choosing. It is a battle that is consuming a high and bloody price on each difficult day. Our anxious prayers are with those men and women too, who must face each day not knowing what is around each comer or along each dangerous roadway. They may be sure, beyond a shadow of a doubt, that whatever we do
here to question or investigate the circumstances that led to their deployment to Iraq, they have our unswerving respect and support in addition to our prayers. Those of their comrades who have paid a dear price and who lie wounded in hospitals have our losses and sincere wishes for speedy recovery. To the families who have lost a loved one in battle in service to our Nation, we owe a great debt.

They have no Veterans Day prayer of thanksgiving only the honored memory of their loved one.

Our third war is taking place at home, as the Nation struggles to put in place protections to deter, prevent, or respond to a terror attack within our borders. The military, the Department of Homeland Security, and State and local first responders all must define and organize themselves to meet these new threats. We are all familiar with the early responses, from machine-gun wielders to Guardsmen directing our airports to fighter jets circling overhead on combat air patrol. We now dutifully take our shoes off for inspection before boarding a plane, and we park farther from public buildings. We are reviewing what role the military should play in responding to terrorist attacks or natural disasters. We are debating what legal protections and due process are due to those who are accused of involvement in suspected terror plots. We are weighing what shakes of privacy come with our electronic transactions, even our library book withdrawals and Web searches, is commensurate with the threat to our safety. These new threats have made significant changes in our way of life, to be sure. Thankfully, we have not been tested again so far.

The changes in our daily routines are minute, however, in comparison to the challenges facing our men and women in uniform. Their foes wear no uniform, no recognizable insignia. They travel in crowds, in taxis and buses, in private cars and cement trucks loaded with explosives. They target diplomats, journalists, and those laboring to improve local living conditions as well as those in uniform. They target their own countrymen serving to keep the peace on their neighborhood streets. They come from other nations, driven by a fanaticism most of us cannot fathom, let alone comprehend. Our men and women are fighting a form of the hardest kind of war against a chameleon foe hidden in plain sight among the passing crowd. They have made repeated trips to the battlefield as our overstretched forces must deploys and redeploy. My heart goes out to them and my prayers are with them.

American men and women in the military services customarily state that they are proud to serve, proud to answer the Nation’s call. Know that this Senator, too, is proud—proud and thankful for the bravery and skill of our Nation’s soldiers, sailors, and airmen. I am proud of the families who support our troops with their love, their care packages, their prayers, and their loving welcomes home.

On Veterans Day, the Nation pays its respects to the men and women who have served and are now serving our Nation in uniform, and who have faced or are facing foes in battle. Give them your thanks, and give them their due. They are true patriots. They have faced great dangers for each and every one of us.

Mr. President, I close with a poem by Edgar Guest:

The things that make a soldier great and send him out to die,
To face the flaming cannon’s mouth nor ever question why,
Are lilacs by a little porch, the row of tulips red,
The peonies and pansies, too, the old petunia bed,
The grass plot where his children play, the roses on the wall:
’Tis these that make a soldier great.
He’s fighting for them all.
’Tis not the pomp and pride of kings that make a soldier brave.
’Tis not allegiance to the flag that over him may wave;
For soldiers never fight so well on land or on the sea when as when behind the cause they see the little place called home.
Endange’d but that humble street whereon his children run.
You make a soldier of the man who never bore a gun.
What is it through the battle smoke the valiant soldier sees?
The little garden far away, the budding apple tree,
The little patch of ground behind the simple church of gray.
The golden thread of courage isn’t linked to the noonday sun.
But to the spot where’er it be—the humblest spot called home.
And now the lilacs bud again and all is lovely there,
And homestick soldiers far away know spring is in the air.
The tulips come to bloom again, the grass once more is green,
And every man can see the spot where all his joys have been.
He sees his children smile at him, he hears the bugle call,
And only death can stop him now—he’s fighting for them all.

Ms. LANDRIEU. Mr. President, we observe Veterans Day on an anniversary of a day when war ended and our Nation was again at peace. November 11, 1918, Armistice Day, has been a day we use to remember our debt to all who have worn the uniform of the United States.

Our veterans have borne the costs of America’s wars and have sacrificed so not only our Nation but also our world can be free from terror. Today, every veteran can be certain, the Nation you serve and the people you defend are grateful.

Today more than 25 million Americans are either veterans or retired military. This number includes men and women from World War I, World War II, Korea, Vietnam, Afghanistan, and Iraq. Every Veteran has their own story of how they entered military service. Many enlisted on December 8, 1941, or at the beginning of other conflicts. Some began their military careers at a service academy or with a letter from the U.S. government. Yet when their service is complete, veterans of every era, every branch, ever wear certain shared commitments and experiences that form bonds that will last a lifetime.

America’s war veterans have fought for the security of this Nation and for the safety and peace of the world. They have humbled tyrants and defended the innocent and oppressed. The men and women of our Armed Forces have engaged the enemy on many fronts and confronted grave dangers to defend the safety of the American people. They serve and fight today, and their great achievements are added to American history. Americans are forever grateful for their honor, their courage, and their sacrifice.

Every day and every day, the prayers of the American people are with those who wear our country’s uniform. They follow a great tradition handed down to them by America’s veterans. Our veterans from every era are the finest Americans. We owe them and we owe to the Nation we know today. They command the respect of the people, and they have our lasting gratitude.

Mr. FEINGOLD. Mr. President, tomorrow the Nation will pause to honor those who have so selflessly served our country in the Armed Forces. For more than 200 years, men and women have proudly worn the uniform of the United States. In peacetime and in wartime, these selfless individuals have served and sacrificed on our behalf, many of them far away from their homes and from their families. Too many of them have made the ultimate sacrifice, and too many others bear the permanent scars or wounds that can both be seen and unseen. We owe them—and their families—our deepest, heartfelt gratitude.

As we prepare to mark Veterans Day in the United States with appropriate ceremonies and recognitions such as those that will take place in big cities and small towns across my home State of Wisconsin, men and women from my State and across our country will be continuing to serve with honor and distinction on our behalf in Iraq, Afghanistan, and elsewhere. As Americans, we have a shared commitment to this great country—and that of those who served before them—should inspire us all.

These quiet heroes can be found in all of our communities—in our families, within our circles of friends and acquaintances, in our schools, at our places of worship, at the local barber shop or salon, and at various neighborhood gathering places. Many of our veterans, while intensely patriotic and proud to serve their country, decline to talk in detail about their own acts of courage. Such humility is a testament to the selfless nature of these individuals. It is also a reminder
of the sometimes painful burden that too many of our veterans carry as a result of their service—a burden that may include memories of wartime experiences that are too personal to share even with the closest of family members and friends.

These brave men and women show their pride in and dedication to their country in ways large and small, but do not call attention to their own heroism. Many of them continue to serve their fellow countrymen and their fellow veterans though active membership in veterans service organization and other community groups. Others talk to school and youth groups about the importance of service, and many work tirelessly to keep alive the memories of those who did not return home.

Thousands of veterans around the country will gather proudly tomorrow for events marking Veterans Day. November 11 is a date with special significance in our history. On that day in 1918—exactly 96 years ago—the armistice was signed to end the First World War. It was proclaimed by the President as a day to honor all Americans who have served in the Armed Forces. November 11 is a date with special significance for events marking Veterans Day. November 11 is a date with special significance in our history. On that day in 1918—exactly 96 years ago—the armistice was signed to end the First World War. It was proclaimed by the President as a day to honor all Americans who have served in the Armed Forces. November 11 is a date with special significance in our history. On that day in 1918—exactly 96 years ago—the armistice was signed to end the First World War. It was proclaimed by the President as a day to honor all Americans who have served in the Armed Forces.

In 1938, Armistice Day was designated as a legal holiday “to be dedicated to the cause of world peace” by an act of Congress. It is a day to honor the contributions and sacrifices of all our Nation’s veterans. November 11 was renamed Veterans Day in 1954 so that we might also recognize the service and sacrifice of those who fought in World War II and the veterans of all of America’s wars.

We owe these brave men and women our gratitude, and we also owe them our best efforts to ensure they know about and receive the Federal benefits and services that they have earned through their service to our country. I have long been concerned that too many veterans and military personnel are unaware of benefits and programs that are available to them through the Department of Veterans Affairs and Defense and a number of other Federal agencies. I will continue my work to ensure that all veterans know about the benefits for which they may be eligible. I will also continue to support efforts to enhance VA health care programs so that all veterans who wish to take advantage of their health care benefits are able to do so. No veteran should have to wait months to see a doctor or should be told that he or she is barred from enrolling in the VA health care system because of a lack of funding.

In addition, I am committed to ensuring that our current military personnel receive adequate health care and transition services, including mental health services, as they return from deployments abroad and when they return to civilian life. I am pleased that earlier this week the Senate passed an amendment that I offered to the fiscal year 2006 Defense authorization bill which is based on legislation I introduced in June, the Veterans Enhanced Transition Services Act, VETS Act. This amendment represents another step toward enhancing and strengthening the benefits that are provided to our military personnel by making a number of improvements to the existing transition and post-deployment/pre-discharge health assessment programs.

My amendment will ensure that by 2010, veterans of the National Guard and Reserve who have been on active duty continuously for at least 180 days are able to participate in transition programs and requires that additional information be included in these transition programs, such as details about employment and reemployment rights and a description of the health care and other benefits to which personnel may be entitled through the VA. The amendment ensures that demobilizing military personnel have access to follow-up care for physical or psychological conditions incurred as a result of their service. In addition, the amendment requires that assistance be provided for eligible military personnel to enroll in the VA health care system.

Mr. President, as we reflect upon the solemn meaning of this day, let us keep all of our veterans and their families in our thoughts. These men and women and their counterparts are owed the best that our country has to offer, and they deserve our support—both during times of conflict and after the battles have ended.

Veterans Day originated on November 11, 1918, as Armistice Day, commemorating the end of World War I. Although Veterans Day originally marked the end of a conflict, it now is an important reminder that our responsibility to veterans extends far beyond the close of hostilities.

First, I believe it is important that we pause and pay tribute to the approximately 160,000 troops still fighting in the regions of Iraq and Afghanistan. Sadly, more than 2,000 soldiers have paid the ultimate sacrifice. Numerous others have experienced serious injury and harm.

With thousands and thousands of veterans coming home from this war, we must prepare for their return and ensure that they receive the care and benefits they deserve.

Today, there are 24.5 million living veterans in the United States. And I am proud that California is home to the most veterans in the country—over 2.3 million.

As California’s senior Senator, I am honored to serve as the ranking member of the Military Construction and Veteran Affairs Appropriations Subcommittee.

In July of this year, the Senate approved a spending package that provides over $70.7 billion for the Department of Veteran Affairs, over $1 billion more than the administration’s request.

The appropriated funds contain $23.3 billion for medical services, including $1 billion in funding to address the fiscal year 2006 shortfall.

The Senate and House are currently in conference to reconcile differences between the two Chambers’ respective bills. It is my hope that we will finish conference on a final version of the Military Construction and Veteran Affairs Appropriations bill and send it to the President for his signature over the next several days.

In addition to medical services and research, the Senate bill allocates $104 million for extended care facilities for our veterans. With 9.5 million veterans over the age of 65, the need for properly funded long-term care is more important than ever.

To date, a quarter of a million veterans of Operation Enduring Freedom and Operation Iraqi Freedom have been discharged from Active Duty.

Of these, 49,000 have sought care from the Veterans Administration. As a nation, we must fully meet our responsibilities to the veterans of this country.

Advances in medicine have thankfully spared many veterans of Iraq and Afghanistan from death, but roadside explosives and other weapons have left many of our troops maimed and disabled. To better serve wounded veterans, the Senate recently allocated $412 million for medical and prosthetics research.

There should be no doubt that these brave men and women have given their all to protect freedom and our way of life.

It is estimated that 500,000 veterans spent all or part of this past year homeless. But tragically, the VA only has the capability to assist one-fifth of all homeless veterans.

We must continue to push for the development of an effective and expansive therapeutic housing program to help these thousands of veterans.

The new funding will bring us closer to guaranteeing the health, safety, and comfort of all veterans. The San Diego VA Medical Center alone will be able...
to provide care for 2,000 additional patients.

It is also our responsibility to ensure that prescription drugs are affordable. We must also ensure that health care is accessible and that veterans' hospitals are provided with the proper tools and support system. This is why I have consistently voted for increased funding for VA health care. Just this year I supported an amendment to the Defense Appropriations Act, which extends military health care benefits beyond retirement.

Noble sacrifices of past generations deserve to be remembered and cherished. Congress has consistently supported the construction of new cemeteries where the memories of our esteemed veterans can be honored and their legacies celebrated. As a nation I believe we should also resist attempts to sell out land and facilities earmarked for veterans to commerce.

In west Los Angeles, pressure is increasing on the VA to develop some of the last open space left in the Los Angeles Basin. Land donated to honor the service of veterans should be kept in the hands of veterans. We cannot allow our responsibility to former service members to be subordinated to economic interests.

To truly honor veterans, our country needs to preserve the memory of their courage and with our colleagues from Iowa and California to make the battleship USS Iowa a permanent floating museum. The legendary ship's service in World War II and the Korean war will serve as a proper tribute to the veterans who served aboard this great fighting ship.

I look forward to continuing to work in service of our Nation's veterans. I hope you all will think of these courageous patriots beyond this special day and that we will honor and thank our veterans and salute the values that have made the United States the greatest Nation in the world. I have the highest respect for those who serve, and I appreciate and honor all of the men and women who continue to defend freedom at home and abroad. These American heroes and their families are at the forefront of our thoughts and prayers on this special day.

Mr. SALAZAR. Mr. President, this weekend we will all return home to our States and march in parades and participate in memorial events. Personally, I am always humbled to meet with men and women who heard duty call and answered without hesitation. When duty called for brave Americans to stand against the spread of tyranny and oppression—whatever its many forms—they answered. They were willing to go anywhere—from the shores of North America to the jungles of Southeast Asia, to Afghanistan and the Persian Gulf—they put their lives on the line for our safety and freedom. And in exchange for that, our Nation owes them sincere gratitude and a promise of support when they return.

During World War II, my father was a soldier and my mother worked in the War Department. During that time, my uncle Leandro was killed in Europe. My parents taught me about the ultimate sacrifice to protect America. They taught me the fundamental values I hold dear—love of family, community, country and God.

My dad told me something else. Four years ago, my father died at the age of 85. Even though his mind was wracked with Alzheimer's, my father's last wish was to be buried in his World War II uniform. My dad knew that there is no greater honor, in life or in death, than to love our country. When I got to the Senate, I asked to serve on the Committee on Veterans' Affairs. I wanted to fight for heroes like my father, uncle, brothers, and nephews. In fact, my brother John, himself a veteran and Congressman from Colorado's third district, will speak at Veterans Day events across his district tomorrow. Like millions of other veterans, our family matched their ideals, it is time the Nation acted to keep the promises it made to veterans.

Veterans Day is an opportunity for all of us to come together to hold parades and give speeches all will hear from a number of politicians tomorrow.

It reminds me of something a young Ben Franklin wrote to his mother and father in 1738:

The scripture assures me that at the last day we shall not be examined by what we thought, but by what we did ... that we did good to our fellow creatures.

John Kennedy put it another way:

As we express our gratitude, we must never forget that the highest appreciation is not to utter words, but to live by them.

Veterans Day is an important day, and veterans deserve every single word of praise that politicians utter. But our veterans deserve more than good words. They deserve the Government to keep the promises it made to them. We need to keep our promises to our soldiers at all stages of their lives, from when they first serve, to when they return home, to when they pass away.

Our military faces very different and daunting challenges as we begin the 21st century. We are fighting an enemy with a singular obsession—nothing less than the destruction of our way of life. We must provide our military with the resources to fight the war on terror and keep us safe. And just as we must protect our soldiers in battle, we must serve them when they return home.

Many of our veterans have seen and experienced things that will torment them all of their days. Many return to us damaged physically and emotionally. Many will rise from the worst of it and work to help others to do the same.

Colorado has 433,000 veterans who have fought for our freedom, and our state has more than 13,000 soldiers deployed in Iraq and Afghanistan. We need to show these heroes that we will support them when they come home.

Earlier this year, I was alarmed when I learned the VA had a $1 billion budget shortfall and was delaying construction and rearranging funds to hide the gap. I was proud to work with my colleagues on the Veterans' Affairs Committee to pass $3.5 billion in additional funds to cover the shortfall this year and next.

This is an important first step, but we need to make sure that veterans never have to worry about losing their health care again. First, we need to make sure that the VA's budget provides our veterans with the care they need. Then, I hope my colleagues will help me to support other legislation that would ensure our veterans have the resources and support they need.

Today, we honor the legacy of the men and women who have served in our Armed Forces, as they represent our State with honor and distinction across the country and throughout the world. Whether protecting Iraqi citizens in their historic effort to form a free and democratic state or helping evacuate innocent victims of war in the gulf coast region, their continued commitment to our Nation inspires us all.

Throughout our proud history, the United States has courageously met the challenges posed by enemies of freedom. In previous years we have lost some 700,000 men and women in defense of our country. As we recall their noble sacrifices, it is also important to honor the relatives and loved ones who help shoulder the burden of service.

America now faces new challenges from enemies that did not exist when our Nation’s veterans fought in previous wars. Those who fought tyranny and paid the ultimate price did so for our country. We must provide our military with the resources to fight the war on terror and keep us safe.

Many of our veterans have seen and experienced things that will torment them all of their days. Many return to us damaged physically and emotionally. Many will rise from the worst of it and work to help others to do the same.

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I also authored legislation that passed the Senate to make sure that we are not surprised by this kind of news in the future.

Second, we need to ensure that the VA’s budget is not dependent on the political climate in Washington. I believe we need to make VA funding mandatory so that VA never has to ration care and veterans never have to worry about losing their coverage.

Colorado’s veterans deserve a new state-of-the-art veterans hospital at Fitzsimons. When negotiations between the VA, the Fitzsimons Redevelopment Authority, and the University of Colorado broke down, I was proud to step in and help restart negotiations. This remains one of my top priorities in the Senate, and I am optimistic about the hospital’s prospects. Colorado’s veterans will get a new VA medical center at Fitzsimons.

But veterans in the metro area are not the only ones who need better care. In many rural parts of Colorado, veterans are being forced to drive hundreds of miles to get basic health care at overutilized facilities. This distance can lead to delayed care. And in the case of our aging veterans, the trip can be deeply meaningful to their health. That is just unacceptable.

Across Colorado, many brave and dedicated State officials and veterans groups are providing transportation services to rural veterans. Such volunteer programs exist in Alamosa, Denver, La Plata, Moffat, Prowers, and Weld counties. These are successful, but financial uncertainties put them in jeopardy.

I am proud to have introduced the VetRAide Act to help programs like these survive. The bill provides small grants to groups that provide transportation or otherwise assist veterans in rural areas. This bill has earned the support of 17 Senate cosponsors including Mr. President. I hope to get this legislation approved so that we can continue these transportation programs that are a lifeline to our rural veterans.

In August, I hosted a field hearing on rural veterans issues in Grand Junction. Based on that hearing, I introduced legislation to require the VA to reevaluate outdated policies that disadvantage rural areas in the placement of new VA clinics. In September the Senate passed this legislation, which hopefully will help clear the way for the veterans of northwestern Colorado to get a clinic that they deserve.

In addition, I have introduced critical legislation to improve care for veterans living in rural areas, blinded veterans, and our elderly veterans. These are three areas where the VA is not doing enough, and a relatively small investment can make a major difference in our heroes’ quality of life.

As we celebrate this Veterans Day, I am reminded of a sad fact. By 2015, the veteran population in Colorado is expected to fall by 49,500. Most of those will be World War II and Korean War veterans who will take their rightful places of honor next to the heroes buried in the four veterans cemeteries spread across Colorado.

I believe we need to honor the men and women who sacrificed so much for our freedom by giving them a burial plot of their own. Yet one of the nation’s largest veterans communities, Colorado Springs, does not have a veterans cemetery. There are more than 105,000 veterans in the Pikes Peak Region. Despite this, the nearest veterans cemetery is 770 miles from Springs through heavy Denver traffic. I have cosponsored legislation that would fix this inequity and hope it will be passed by the Congress.

I have also cosponsored legislation this week to close a terrible loophole in the law that allows capital offenders to be buried at national cemeteries. Our veterans deserve the dignity of not being buried next to murderers and monsters.

Since the American Revolution, nearly 1.2 million American soldiers have died defending this country. Their valor is an example to us. It requires us, the living, to ensure that the country that gave them their lives continues to be worthy of their sacrifice.

Colorado and the Nation will not forget what our veterans have done and continue to do for us. We owe our veterans our gratitude and our lifelong support. On this Veterans Day, Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 305) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

Whereas tens of millions of Americans have served in the Armed Forces of the United States during the past century;

Whereas hundreds of thousands of Americans have given their lives while serving in the Armed Forces of the United States during the past century;

Whereas the contributions and sacrifices of the men and women who have served in the Armed Forces of the United States have been vital in maintaining our freedom and way of life;

Whereas the more than 700,000 brave Americans who have sacrificed their lives while serving in the Armed Forces of the United States have ensured that the Nation, which is founded on the principles of freedom, justice, and democracy, shall endure;

Whereas Armistice Day was first proclaimed by President Woodrow Wilson in 1919 to commemorate the November 11, 1918, armistice between the Allies and the Central Powers that ended the fighting of World War I;

Whereas on June 1, 1945, President Dwight D. Eisenhower signed into law the Act proclaiming November 11 as Veterans Day (P.L. 83-305);

Whereas on October 8, 1954, in anticipation of the first nationwide observance of Veterans Day, President Dwight D. Eisenhower issued a Presidential proclamation regarding Veterans Day, which states, “[o]n that day let us solemnly remember the sacrifices of all those who fought so valiantly, on the land and sea, to preserve our freedom and to ensure our heritage of liberty. And let us consecrate ourselves to the task of promoting an enduring peace so that their precious sacrifices will not have been in vain and that the nations of the world will learn at last to live in peace together as brothers”;

Whereas veterans play important roles in communities throughout the United States;

Whereas it is important to preserve the memory of the veterans of the Nation and to teach every generation about the sacrifices that all veterans have made in securing and preserving the freedom that all Americans enjoy today;

Whereas the United States is in a time of conflict that highlights the incommensurably greater sacrifices the brave men and women of our Armed Forces have made and continue to make for our Nation and its principles of freedom, justice, and democracy;

Whereas as of October 2005, there were 453,398 new veterans from the present conflict who bravely defended America;

Whereas November 11 is a day of solemn reflection on, and commemoration of, the contributions and sacrifices of those who have and defended the Nation, especially those who gave the ultimate sacrifice to secure the freedoms enjoyed by all citizens; and

Whereas it is proper that the Senate observe the day with appropriate tributes, commemorations, and reflection even when it conducts the Nation’s business: Now, therefore, be it

Resolved, That it is the sense of the Senate—

(1) that those that have died in war serving the Nation, and the veterans of the Armed Forces of the United States, living and dead, are to be honored for their contributions and sacrifices to preserve the Nation and the principles of freedom, justice, and democracy that all Americans hold dear;

(2) that Veterans Day 2005 should be commemorated with appropriate tributes to all veterans of the Armed Forces of the United States for their contributions and sacrifices, and most especially to those who made the ultimate sacrifice; and

(3) that all Americans are encouraged to join the Senate in honoring and paying tribute to veterans of the Armed Forces of the United States on Veterans Day and throughout the year.

RECOGNIZING THAT VETERANS DAY IS A DAY TO HONOR ALL VETERANS OF THE ARMY

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 306, submitted earlier today.

The PRESIDING OFFICER. The clerk will please report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 306) recognizing that Veterans Day is a day to honor all veterans of the Army and to support the Army Freedom Team Salute’s mission to recognize the unsung heroes who have served this country.

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

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, the motions to reconsider be laid upon the table, and that any statements relating thereto be printed in
the RECORD, without intervening ac-
tion or debate.

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

The resolution (S. Res. 306) was
agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 306

Whereas Army personnel have for 230 years
answered the call to duty by becoming
guardsians and defenders of America's free-
doms;

Whereas millions of Army veterans self-
lessly served this Nation and their legacy of
duty has reigned in their continued support of
the mission of the Army;

Whereas the Army appreciates the sac-
rifices these courageous men and women
have made in answering the call to duty by
choosing a life of service;

Whereas the 83rd Congress created Vet-
erans Day as a national day of observance to
commemorate the heroes who served in the
Army Forces and the Army recognizes the
importance of honoring those who have served
their country; and

Whereas the Army created the Freedom
Team Salute to provide a way for the
United States and the Army to thank its
veterans; Now, therefore, be it

Resolved, That the Senate recognizes that
November 11, 2005, Veterans Day, is a day to
honor all Army veterans and supports the
Army Freedom Team Salute's mission to
recognize the unsung heroes who have served
this country.

RECOGNIZING AND HONORING THE
FILIPINO WORLD WAR II VET-
ERANS

Mr. FRIST. Mr. President, I ask
unanimous consent that the Senate
now proceed to the consideration of S.
Res. 307, which was submitted early
today.

The PRESIDING OFFICER. The
clerk will please report the resolution
by title.

The legislative clerk read as follows:

A resolution (S. Res. 307) to recognize and
honor the Filipino World War II veterans for
their defense of democratic ideals and their
important contribution to the outcome of
World War II.

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

Mr. FRIST. Mr. President, I ask
unanimous consent that the resolution be
agreed to, the preamble be agreed to, and
the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 307) was
agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. Res. 307

Whereas in 1898, the Philippines Archi-
pelago was acquired by the United States of
America, became an organized United States
territory in 1902, and, in preparation for her
independence, a self-governing common-
wealth in 1935;

Whereas the people of the Philippines and
of the United States developed strong ties
throughout the decades-long democratic
transition of the island, compelling the
United States to assume the responsibilities
of defending the archipelago and protecting
the people of the Philippines;

Whereas on July 26, 1941, anticipating the
aggression of Japanese invasion forces in the
Asia Pacific region, as well as the imminent
conflict between the United States and Japan,
President Franklin D. Roosevelt
issued a military order, calling the organized
military forces of the Government of Com-
monwealth of the Philippines into armed
service under the command of United States
Army officers led by General Douglas Mac-
Arthur;

Whereas on December 7, 1941, the Japanese
Government launched a 4-year war
with the United States with their stealth
bombing attacks of Pearl Harbor, Hawaii,
and Clark Air Field, Philippines, and led to
the loss of tens of thousands of American
and Filipino soldiers and countless civilian
casualties;

Whereas on February 20, 1946, President
Harry Truman stated: ’Philippine Army vet-
erans are nationals of the United States and
will continue in that status until July 4,
1946. They fought, as American nationals,
eagerly ordering the direction of our military
leaders. They fought with gallantry and courage under most
difficult conditions. I consider it a moral obli-
gation of the Government to do all that will
underwrite the welfare of the Philippine Army veterans.’;

Whereas on October 17, 1996, President Will-
imon J. Clinton issued a proclamation on the
anniversary of the 1944 return of United
States forces under General MacArthur to
liberate the Philippines and said, ’I urge all
Americans to recall the courage, sacrifice,
and loyalty of Filipino Veterans of World
War II and honor them for their contribution
to our freedom.’;

Whereas on July 30, 2001, President George
W. Bush, in his greetings to the Filipino
World War II veterans said, ’More than 120,000 Filip-
inos fought with unwavering loyalty and great
gallantry under the command of Gen-
eral Douglas MacArthur. The combined
United States-Philippine forces distin-
guished themselves by their valor and her-
oral in defense of freedom and democracy.
Thousands of Filipinos gave their lives in the
battles of Bataan and Corregidor.
These soldiers won for the United States the
precious time needed to disrupt the enemy’s
plan for conquest in the Pacific. During the
three long years following these battles, the
Filipino people valiantly resisted a brutal
Japanese occupation with an indomitable
spirit and steadfast loyalty to America.’;
and

Whereas the contributions of the Filipino
people, and the sacrifices of their soldiers in
World War II, have not been fully recognized:
Now, therefore, be it

Resolved, That the Senate reaffirms, recog-
nizes, and honors the Filipino World War
II veterans for their defense of American de-
mony and their important contribution to
the victorious outcome of World War II.

DESIGNATING 2006 AS THE ‘YEAR
OF STUDY ABROAD’

Mr. FRIST. Mr. President, I ask
unanimous consent that the Senate
proceed to the immediate consider-
ation of S. Res. 308, submitted early
today.

The PRESIDING OFFICER. The
clerk will please report the resolution
by title.

The legislative clerk read as follows:

A resolution (S. Res. 308) designating 2006 as the ’Year of Study Abroad.’

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

Mr. DURBIN. Mr. President, I rise
today to urge my colleagues to support
a Senate resolution designating 2006 as the ’Year of Study Abroad.’ This reso-
lution encourages initiatives to pro-
mote and expand study-abroad oppor-
tunities. Now more than ever, America
needs citizens who can understand and
communicate with people all over the
world. However, fewer than 1 percent of all U.S. undergraduates participate in
study-abroad programs, while nearly
600,000 international students from
more than 200 countries study in the
United States each year. The future of
our Nation depends on our ability to
prepare the next generation of leaders
for an increasingly complex global so-
ciety.

This resolution seeks to promote
study-abroad experiences as valuable
opportunities for exposure to global
knowledge and cultural understanding.
An education that includes study abroad
not only opens doors to careers, it
opens minds and worlds of possi-
bility. Studying abroad can help stu-
dents develop foreign language pro-
ficiency, improve decisionmaking
skills, and increase maturity and self-
confidence. Such experience can also
help heighten a student’s cultural sen-
sitivity. Put simply, an international
education prepares U.S. citizens to
live, work, and compete in the global
economy. Studying abroad is also an
effective way to promote the develop-
ment of a peaceful global community,
increase international trade, and cre-
ate goodwill towards the United States.

Congress recognized the importance
of studying abroad in 2004 when it es-
established the Commission on the Abra-
ham Lincoln Study Abroad Fellowship
Program. The Commission was tasked
with formulating a national program
that would dramatically increase the
number of American students studying
abroad each year. The Commission is
scheduled to issue its recommendations
on December 1 of this year. This reso-
lution underscores the importance of
the Commission’s work and builds on
the message of International Education
Week, November 14 to 18, 2005.

The future challenges that face all
nations will require an unprecedented
degree of understanding and coopera-
tion among countries and leaders. The
experiences and lifelong friendships
that result from studying abroad can
help foster mutual understanding
between the future leaders of the
world. Such relationships and coopera-
tion are vital for a secure and pros-
perous future, not only for the United
States, but for the entire world.

Mr. FRIST. Mr. President, I ask
unanimous consent that the resolution
be agreed to, the preamble be agreed to,
the motions to reconsider be laid
upon the table, and that any state-
mements relating thereto be printed in
the RECORD, without intervening ac-
tion or debate.
The resolution (S. Res. 309) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

Whereas the United States and a broad international coalition are engaged in a Global War on Terrorism:

Whereas on September 12, 2001, in a letter to President George W. Bush condemning the September 11, 2001, terrorist attacks on the United States, King Abdullah of the Hashemite Kingdom of Jordan stated that "the people of Jordan join the people of the United States in our absolute condemnation of the terrorist aggression against your nation . . . our hearts reach out to the victims and their families, and we honor the selfless men and women who risked their lives to aid the injured and suffering . . . be assured that the Hashemite Kingdom of Jordan, its leaders and people stand with you against the perpetrators of these terrorist atrocities. We denounce the violence and hatred they represent."; Now, therefore, be it

Resolved, That the Senate—

(1) designates 2006 as the "Year of Study Abroad"

(2) encourages secondary schools, institutions of higher learning, businesses, and government programs to promote and expand study abroad opportunities;

(3) encourages the people of the United States to—

(A) support initiatives to promote and expand study abroad opportunities; and

(B) observe the "Year of Study Abroad" with appropriate ceremonies, programs, and other activities.

The resolution, with its preamble, reads as follows:

S. RES. 309

EXPRESSING SYMPATHY FOR THE PEOPLE OF JORDAN

Mr. FRIST. Mr. President, I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table.

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

Mr. FRIST. I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table.

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

Mr. FRIST. I ask unanimous consent that the resolution be agreed to, and the motion to reconsider be laid upon the table.

The PRESIDING OFFICER. Without objection, it is so ordered.
United States with the people and Government of the Hashemite Kingdom of Jordan as they recover from these inhumane attacks; and
(4) declares its readiness to support and assist the authorities in Jordan in their efforts to bring to justice those individuals responsible for the attacks; and
(5) calls upon the international community to remain and strengthen efforts to—
(A) defeat terrorists by dismantling terrorist networks and exposing the violent and nihilistic ideology of terrorism;
(B) increase international cooperation to advance personal and religious freedoms, and ethnic and racial tolerance, political liberty and pluralism, and economic prosperity; and
(C) condemn all acts of terrorism, including acts of assassination, torture, and extremism that bolsters terrorism.

HONORING ISRAELI PRIME MINISTER YITZHAK RABIN

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Res. 310 submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 310) honoring the life, legacy, and example of Israeli Prime Minister Yitzhak Rabin on the tenth anniversary of his death.

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

Mr. FRIST. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, the motion to reconsider be laid upon the table, and that any statements relating thereto be printed in the RECORD.

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

The resolution (S. Res. 310) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

Whereas Yitzhak Rabin was born March 1, 1922, in Jerusalem;
Whereas Yitzhak Rabin volunteered for the Palmach, the elite unit of the Haganah (predecessor of the Israel Defense Forces), and served for 27 years, including during the 1948 War of Independence, the 1956 Suez War, and as Chief of Staff in the June 1967 Six Day War;
Whereas, in 1975, Prime Minister Yitzhak Rabin signed the interim agreement with Egypt, (Sinai II) which laid the groundwork for the 1979 Camp David Peace Treaty between Israel and Egypt;
Whereas, on September 13, 1993, in Washington, D.C., Yitzhak Rabin signed to the Declaration of Principles framework agreement between Israel and the Palestinians;
Whereas, upon the signing of the Declaration of Principles, Yitzhak Rabin said to the Palestinian people: "We say to you today in a loud and clear voice: Enough of blood and tears. Enough! We harbor no hatred toward you. We have no desire for revenge. We, like you, are people who want to build a home, plant a tree, love, live side by side with you—in dignity, empathy, as human beings, as free men.;"
Whereas Yitzhak Rabin received the 1994 Nobel Prize for Peace for his vision and bravery in laying the groundwork for peace at the time: "There is only one radical means of sanctifying human lives. Not armored plating, or tanks, or planes, or concrete fortifications. The one radical means of sanctifying human lives is a political process. The only way to create the peace which we all yearn for is to have peace at the negotiating table, and not on the battlefield."
Whereas, on October 26, 1994, Yitzhak Rabin and King Hussein of Jordan signed a peace treaty between Israel and Jordan;
Whereas, on November 4, 1995, Yitzhak Rabin was brutally assassinated after attending a peace rally in Tel Aviv, where his last words were: "I have always believed that the future of peace is in the hands of the young people, that the young people are prepared to take risks for peace... Peace is what the Jewish People aspire to."
Whereas Yitzhak Rabin dedicated his life to the cause of peace and security for the state of Israel by defending his nation against all threats, including terrorism, and undertaking courageous risks in the pursuit of peace; Now, therefore, be it

Resolved, That the Senate—
(1) honors the historic role of Yitzhak Rabin for his distinguished service to the country of Israel, and his profound sympathy and condolences to the family of Yitzhak Rabin and the people of Israel on the tenth anniversary of his death;
(2) recognizes and reiterates its continued support for the close ties and special relationship between the United States and Israel, including our shared commitment to democracy and the values of prosperity, justice, security and pluralism, and economic prosperity; and
(3) expresses its admiration for Yitzhak Rabin's legacy and reaffirms its commitment to the process of building a just and lasting peace between Israel and its neighbors;
(4) declares its readiness to support and assist the authorities in Jordan in their efforts to bring to justice those individuals responsible for the attacks; and
(5) reaffirms unequivocally the sacred principles that democratic leaders and governments must be changed only by the democratically-expressed will of the people.

RECOGNIZING THE 40TH ANNIVERSARY OF THE SECOND VATICAN COUNCIL

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 260 which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 260) recognizing the 40th anniversary of the Second Vatican Council's promulgation of Nostra Aetate:

Whereas, on October 28, 2005 marked the 40th anniversary of Nostra Aetate, which means “in our time.” On October 28, 1965, Nostra Aetate affirmed the respect of the Roman Catholic Church for Hinduism, Buddhism, Islam, and Judaism, and called upon all Catholics to engage in dialogue and cooperation with the followers of other religions.

As stated in the resolution, Nostra Aetate stated that the Roman Catholic Church, moved by the Gospel's spiritual love, decries hatred, persecution, and displays of anti-Semitism directed at Jews at any time and by anyone. As stated in the resolution, Nostra Aetate marked the initiation of the Catholic Church’s movement to open a chapter in Jewish-Christian relations that is unprecedented in its closeness and warmth.

With Nostra Aetate, Pope John Paul VI called on all Catholics not only to decry the persecution of people of non-Christian religions, but also to love and respect them.

As it is stated in a passage from Nostra Aetate: “In our time, when day by day all men are growing closer together, and the ties between different peoples are becoming stronger, the Church examines more closely its relationship to non-Christian religions. In her task of promoting unity and love among men, indeed, she considers above all in this declaration what men have in common and what draws them to fellowship... Men expect from the various religions answers to the unsolved riddles of the human spirit, which is in former times, deeply stir the hearts of men: What is man? What is the meaning, the aim of our life? What is moral good, what sin? Whence suffering and what purpose does it serve? Which is the road to true happiness? What are death, judgment and retribution after death? What, finally, is that ultimate inexpressible mystery which encompasses our existence: whence do we come, and where are we going?”

Nostra Aetate affirms that all people of all religions are united by the fact that we are all searching for the answers to the most basic questions about life and God, and that we must love and respect one another, despite our differences.

The message of Nostra Aetate is of particular importance today, amidst the conflict in the Middle East and terrorism in the name of Islam. As we continue the battle against the rise in anti-Semitism, prejudice against Muslims and all other forms of intolerance and xenophobia, both internationally and within the United States, we must remember the value of this message that calls for interreligious respect, tolerance, and dialogue and decries all forms of hatred.

Mr. VOINOVICH. Mr. President, I rise to strongly encourage my colleagues in the Senate to support this resolution recognizing the 40th anniversary of the Second Vatican Council’s Declaration on the Relation of the Church to Non-Christian Religions, Nostra Aetate, and the continuing need for mutual interreligious respect and dialogue.

October 28, 2005 marked the 40th anniversary of Nostra Aetate, which
The concurrent resolution (H. Con. Res. 260) was agreed to.

The preamble was agreed to.

**NATIONAL STALKING AWARENESS MONTH**

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Con. Res. 10.

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

The clerk now reports the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 10) raising awareness and encouraging prevention of stalking by establishing January 2006 as ''National Stalking Awareness Month.''

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. FRIST. I ask unanimous consent that the concurrent resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The concurrent resolution (S. Con. Res. 10) was agreed to.

The preamble was agreed to.

The concurrent resolution, with its preamble, reads as follows:

S. CON. RES. 10

Whereas an estimated 1,006,970 women and 370,990 men are stalked annually in the United States and, in the majority of such cases, the person is stalked by someone who is not a stranger;

Whereas 81 percent of women who are stalked by intimate partners are also stalked by an intimate partner;

Whereas 26 percent of stalking victims lose time from work as a result of their victimization and 7 percent never return to work;

Whereas stalking victims are forced to take drastic measures to protect themselves, such as relocating, changing their addresses, changing their identities, changing jobs, and obtaining protection orders;

Whereas stalking is a crime that cuts across race, culture, gender, age, sexual orientation, physical and mental ability, and economic status;

Whereas stalking is a crime under Federal law and under the laws of all 50 States and its values, represent the bedrock upon which our Nation was founded and upon which our Nation continues to rely in these challenging times.

Now, therefore, be it

Resolved, That it is the sense of Congress that—

A) National Stalking Awareness Month provides an opportunity to educate the people of the United States about stalking;

B) all Americans should applaud the efforts of the many victim service providers, police, prosecutors, national and community organizations, and private sector supporters for their efforts in promoting awareness about stalking; and

C) policymakers, criminal justice officials, victim service and human service agencies, nonprofits, and others should recognize the need to increase awareness of stalking and availability of services for stalking victims; and

2) Congress urges national and community organizations, businesses in the private sector, and the media to promote, through National Stalking Awareness Month, awareness of the crime of stalking.

**NATIONAL MILITARY FAMILY MONTH**

Mr. FRIST. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 9 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A resolution (S. Res. 9) expressing the sense of the Senate regarding designation of the month of November as ‘‘National Military Family Month.’’

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

Mr. FRIST. Mr. President, I ask unanimous consent that the amendment which is at the desk be agreed to, the resolution, as amended, be agreed to, the preamble be agreed to, the motions to reconsider be laid upon the table, with no intervening action or debate, and that any statements relating to the resolution be printed in the Record.

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

The amendment (No. 2520) was agreed to, as follows:

AMENDMENT NO. 2520

On page 2, line 2, strike ‘‘;’’ and all that follows to the end.

The resolution (S. Res. 9), as amended, was agreed to.

The preamble was agreed to.

The resolution, as amended, with its preamble reads as follows:

S. RES. 9

Whereas military families, through their sacrifices and their dedication to our Nation and its values, represent the bedrock upon which our Nation was founded and upon which our Nation continues to rely in these perilous and challenging times: Now, therefore, be it

Resolved, That it is the sense of the Senate—

1) that the month of November should be designated as ‘‘National Military Family Month’’; and

2) to request that the President—

A) designate the month of November as ‘‘National Military Family Month’’; and

B) issue a proclamation calling upon the people of the United States to observe the month with appropriate ceremonies and activities.

**AMENDING THE ETHICS IN GOVERNMENT ACT OF 1978**

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of S. 1558, and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1558) to amend the Ethics in Government Act of 1978 to protect family members of filers from disclosing sensitive information in a public filing and extend the public filing requirement for 5 years.

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

Mr. LEAHY. Mr. President, Senator SPECTER and I have introduced a comprehensive court security measure, S. 1558, the Court Security Improvement Act of 2005, CSIA. Our bill responds to requests by the judiciary for a greater level of working with the United States Marshals Service to determine their security needs. It enacts new criminal penalties for the misuse of restricted personal information to harm or threaten to seriously harm judges, their family members or other individuals performing official duties. It also enacts criminal penalties for threatening judges and Federal law enforcement officials by the malicious filing of false liens, provides increased protections for witnesses, and makes available new resources for State courts to improve security for State and local court systems. Finally, it extends life insurance benefits to bankruptcy, magistrate and territorial judges, and health insurance to surviving spouses and families of Federal judges.

One of the provisions of CSIA extends the ‘‘sunset’’ of a provision first enacted in the ‘‘Identity Theft and Assumption Deterrence Act of 1998’’ that grants the Judicial Conference of the United States the authority to redact information from a judge’s mandatory financial disclosure in circumstances in which it is determined that the release of the information could endanger the filer or the filer’s family. The Specter-Leahy bill also extends the protections of this provision to the family members of filers.

The misuse of this redaction authority has been a matter of some concern to me. I appreciate that the Judicial Conference is seeking to improve its practices. I offer this amendment to S. 1558, which is drawn from CSIA, because none of us wants to see judges or their families endangered. The redaction authority need not expire if there is agreement that it should be continued by the Senate for another 4-year period before another sunset. Instead, if the Senate adopts our amendment and the House accepts the Senate resolution with the House of Representatives concurring, That—
bill, the authority will be extended without interruption. I hope that the House will join us without delay both in extending the redaction authority and in expanding the scope of its protections to include family members.

I also hope that we will move quickly to pass the other important provisions of CSIA so that we can better protect the dedicated women and men throughout the judiciary in this country who do a tremendous job under challenging circumstances.

Mr. FRIST. Mr. President, I ask unanimous consent that the amendment that is at the desk be agreed to, the bill, as amended, be read a third time and passed, the title amendment be agreed to, the motion to reconsider be laid upon the table, with no intervening action or debate, and that any statement relating to the bill be printed in the Record.

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

The amendment (No. 2521) was agreed to, as follows:

AMENDMENT NO. 2521
Strike all after the enacting clause and insert the following:

SECTION 1. PROTECTION OF FAMILY MEMBERS.
Section 105(b)(5) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—
(1) in subparagraph (A), by inserting "or a family member of that individual" after "that individual"; and
(2) in subparagraph (B)(i), by inserting "or a family member of that individual" after "the report".

SEC. 2. EXTENSION OF PUBLIC FILING REQUIREMENT.
Section 105(b)(5)(E) of the Ethics in Government Act of 1978 (5 U.S.C. App.) is amended—
(1) by striking subsection (a) and inserting the following:

"(a) Any person who intentionally traffics or attempts to traffic in goods or services and knowingly uses a counterfeit mark on or in connection with such goods or services—

"(1) if an individual, shall be fined not more than $2,000,000, imprisoned not more than 10 years, or both; and

"(2) if a person other than an individual, shall be fined not more than $5,000,000.

(2) in subparagraph (B)(i), by inserting "or a family member of that individual" after "the report".

SEC. 3. TECHNICAL AND CONFORMING AMENDMENTS.
(a) SOUND RECORDINGS AND MUSIC VIDEOS OF LIVE PERFORMANCE.—Section 2318(b)(7) of title 18, United States Code, is amended—
(1) in subsection (c), by striking the last paragraph and inserting the following:

"(c) The term ‘traffic’ has the same meaning as in section 2320(e) of this title.

(b) CONSEQUENTIAL AMENDMENTS.—
(1) The amendments to section 2318(b)(7) of title 18, United States Code, made by this section, are repealed.

(2) The amendments made by this section are in addition to, and not in lieu of, the amendments made by section 2320(e) of title 18, United States Code.

SEC. 4. PROHIBITION ON TRANSPORT OF COUNTERFEIT GOODS OR SERVICES.
(a) PROHIBITION OF TRANSPORT OF COUNTERFEIT GOODS OR SERVICES.—Section 2320(a) of title 18, United States Code, is amended—
(1) by striking (10), (11), and (12) and inserting the following:

"(10) the term ‘copies’ and ‘phonorecords’ have the respective meanings given under section 101 of title 17;

"(11) the term ‘counterfeit mark’ has the meaning given under section 2320(e) of this title; and

"(12) the term ‘United States’ means each of the several States of the United States, the District of Columbia, and the territories and possessions of the United States.

(b) OFFENSE.—Any person who intentionally transports goods bearing a counterfeit mark or copies or phonorecords of a counterfeit work not covered by the copyright holder into or out of the United States for the purposes of commercial advantage or private financial gain shall be fined not more than $100,000, imprisoned not more than 10 years, or both.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—The amendments made by this section are in addition to, and not in lieu of, the amendments made by the amendments to section 110 of title 17, United States Code, made by this section.

SEC. 5. PROHIBITION ON TRANSPORT OF COUNTERFEIT GOODS OR SERVICES.—Section 2320(e) of title 18, United States Code, is amended—
(1) in paragraph (1), by striking the last clause and inserting the following:

"(1) the terms ‘copies’ and ‘phonorecords’ have the respective meanings given under section 101 of title 17;

(2) the term ‘traffic’ means to transport, transfer, or otherwise dispose of, to another, for purposes of commercial advantage or private financial gain, or to make, import, export, obtain control of, or possess, with intent to so transport, transfer, or otherwise dispose of; and

(3) the term ‘United States’ includes the several States of the United States, the District of Columbia, and the territories and possessions of the United States.

Mr. CORNYN. Mr. President, I rise today to thank my colleagues for joining me in the fight against global counterfeiting—a plague on our economy, on the safety of our citizens, and on our national security.

S. 1095, the Protecting American Goods and Services Act, or PAGS, is important legislation designed to combat the trafficking of illegitimate goods throughout the world—and I look forward to working with our colleagues in the House of Representatives to send it to the President.

I am particularly pleased to work with Senator Leahy in our continued bipartisan effort to protect intellectual property rights as well as to work on other important issues. Recently, we have worked together on a matter near
and dear to my heart—good government legislation related to the Freedom of Information Act, and it indeed has been a pleasure to work with the ranking member of the Judiciary Committee and his staff again.

Mr. President, counterfeiting—illegitimate goods—be it counterfeited products, illegal copies of copyrighted works or any other form of piracy—undermines property rights, threatens American jobs, decreases consumer safety and, often times, supports organized crime and terrorist activity.

Amazingly, it is estimated that between 5 percent and 7 percent of worldwide trade is conducted with counterfeit goods and services. According to FBI estimates, counterfeiting costs U.S. businesses as much as $200–$250 billion annually—and that costs Americans their jobs—more than 750,000 jobs according to U.S. Customs.

In recent years, this plague on global trade has increasingly caught our attention. According to the World Customs Organization and Interpol, the global trade in illegitimate goods has increased from $5.5 billion in 1992 to more than $600 billion per year today; that is, $600 billion per year—increased dramatically from the global economy.

But perhaps most troubling, the counterfeit threat endangers our safety and our security. Counterfeit goods undermine our confidence in the reliability of our goods and service. For example, the Federal Aviation Administration estimates that 2 percent of the 26 million airline parts installed each year are counterfeit. And the Federal Drug Administration estimates that as much as 10 percent of pharmaceuticals are counterfeit. Worse yet—evidence indicates that the counterfeit trade supports terrorist activities. Indeed, al Qaeda training manuals embraced in the Protecting American Goods and Services Act of 2005 will strengthen our ability to effectively fight intellectual property theft, we need stiff penalties to combat counterfeiting and piracy.

And the reach of counterfeiting runs deep in my own home State of Texas. Data is difficult to collect, but a 1997 piece detailing Microsoft's efforts to combat counterfeiting and piracy—while dated—pointed out that this type of activity costs Texas over 10,000 jobs and almost $1 billion. Today, we know those numbers are much higher.

Mr. President, we must act to stop this illegal activity.

The bill that we are sending over to the House today, the Protecting American Goods and Services Act, is not complicated, it is not long—but its global impact will be significant. The legislation is designed to provide law enforcement with additional tools to combat the flow of these illegitimate goods and it is perhaps even more critical for businesses, large and small, throughout America and for ensuring the safety of consumers around the globe.

The harm that traffic in counterfeit goods puts Americans in danger, support terrorism and undermine the health of our Nation's economy. The PAGS Act fills certain important gaps in current counterfeiting law by clarifying the term "trafficking" to ensure that it is illegal to: Possess counterfeit goods with the intention of selling them; give away counterfeit goods in exchange for some future benefit—in effect, "barter" in counterfeit goods in such a way that avoids criminality and import or export counterfeit goods or unauthorized copies of copyrighted works.

This bill will protect property rights, protect consumer safety, preserve American jobs and bolster the American economy by cracking down on the trade of illegal counterfeit goods and services.

Each of these items was highlighted by the Department of Justice in its October, 2004 report on its Task Force on Intellectual Property. In it, the Department describes the significant limitation of law enforcement often times faces in pursuing counterfeiters and other criminals. The cooperation between the Protecting American Goods and Services Act, as possible solutions to these obstacles.

This legislation, and other reforms, will help turn the tide of the growing counterfeiting epidemic, which is critically important to law enforcement—but it is even more critical for businesses, large and small, throughout America—including in my home state of Texas—as well as for ensuring the safety of consumers around the globe. Those who traffic in counterfeit goods put Americans in danger, support terrorism and undermine the health of our Nation's economy. It is time to put an end to this scourge on society.

I look forward to working with my colleagues to move this legislation forward, and in so doing, protect property rights, protect consumer safety, preserve American jobs and bolster the American economy.

Mr. LEAHY. Today, I am pleased that the Senate is passing S. 1095, the Protecting American Goods and Services Act of 2005, which is the latest of the bipartisan efforts that Senator CORINN and I have made to improve the lives of Americans through effective and efficient government. The Protecting American Goods and Services Act of 2005 will strengthen our ability to combat the escalating problem of counterfeiting worldwide. In the area of intellectual property theft, we need stiff penalties for counterfeiters and those who are caught with counterfeit goods with the intent to traffic their false wares. Ours is a short bill—indeed, it is only two pages long—but it will have powerful global implications in the fight against piracy.

Counterfeiting is a growing problem that costs our economy hundreds of billions of dollars every year and has been linked to organized crime, including terrorist organizations. According to the International Anti-Counterfeiting Coalition, counterfeit parts have been discovered in helicopters sold to NATO, in jet engines, bridge joints, brake pads, and fasteners in equipment designed to prevent nuclear reactor meltdowns. The World Health Organization estimates that the market for counterfeit drugs is about $32 billion each year.

Last year, as in years past, I worked with Senator ALLEN on an amendment to the Foreign Operations bill that provides the State Department with vital resources to combat piracy of U.S. products abroad. The sale of counterfeit and pirated music, movies, software, T-shirts, clothing, and fake drugs "accounts for much of the money the international terrorist network depends on to feed its operations." Unfortunately, knockoff products carrying Burton's name have been found across the globe. Vanessa Price, a representative of Burton, testified that the economic impact of tangible piracy in counterfeit goods is estimated to be roughly $350 billion a year and to constitute between 5 percent and 7 percent of worldwide trade, a few million dollars is a worthwhile investment.

We have certainly seen how this form of theft touches the lives of hard-working Vermonters. Burton Snowboards is a small company, whose innovation has made it an industry leader in snowboarding equipment and apparel. Unfortunately, knockoff products carrying Burton's name have been found across the globe. Vanessa Price, a representative of Burton, testified about burton's name have been found across the globe. Vanessa Price, a representative of Burton, testified about the negative impact on Vermonters. Burton Snowboards is a small company, whose innovation has made it an industry leader in snowboarding equipment and apparel.
capacitors reverse engineered and its customers lost to inferior copycat models. Vermont Tubbs, a furniture manufacturer in Rutland, has seen its designs copied, produced offshore with inferior craftsmanship and materials, and sold, so that the company is competing against cheap versions of its own products. And Hubbardton Forge in Castleton, VT has seen its beautiful and original lamps counterfeited and then sold within the United States at prices—often a fraction of what that company is paying for.

The Protecting American Goods and Services Act of 2005 will help to combat this growing scourge. It amends the definition of trafficking in the counterfeit law to criminalize the possession of counterfeit goods with the intent to sell or traffic in those goods, as well as to include any distribution of counterfeit goods with the expectation of gaining some benefit or advantage from the infringement, or criminal behavior. It will not be able to skirt the law simply because they barter illegal goods and services in exchange for their illicit wares. Finally, the bill's new definition will criminalize the importation and exportation of counterfeit goods, as well as of bootleg copies of copyrighted works into and out of the United States.

By tying off these loopholes and improving upon U.S. laws on counterfeiting, we will be sending a powerful message to the criminals who belong in jail, and to our innovators.

Mr. FRIST. Mr. President, I ask unanimous consent that the committee substitute be agreed to, the bill, as amended, be read a third time and passed on its way to the House of Representatives.

The bill (S. 1095), as amended, was read the third time and passed.

STOP COUNTERFEITING IN MANUFACTURED GOODS ACT

Mr. FRIST. Mr. President, I ask unanimous consent that the committee substitute be agreed to, the bill, as amended, be read a third time and passed on its way to the House of Representatives.

The bill (S. 1095), as amended, was read the third time and passed on its way to the House of Representatives.
and, if appropriate, amend the Federal sentencing guidelines and policy statements applicable to persons convicted of any offense under section 2318 or 2320 of title 18, United States Code.

(b) AUTHORIZATION.—The United States Sentencing Commission may amend the Federal sentencing guidelines in accordance with the provisions of section 3553 of title 18 of the United States Code, including those in subsections (a) through (c) of section 3553(a), so that the guidelines and policy statements on counterfeiting and trafficking in counterfeit goods and trademarks address:

(1) any offense covered under section 2320 of the United States Code;

(2) the establishment of猷approved program under section 3621 of the United States Code.

(c) RESPONSIBILITIES OF UNITED STATES SENTENCING COMMISSION.—In exercising its responsibilities under subsection (a), the United States Sentencing Commission shall ensure that the guidelines and policy statements the United States Sentencing Commission may amend under subsection (b) are consistent and in accordance with the sentencing policy of Title 18 of the United States Code.

(d) REPEAL.—Section 1699 of the United States Code is repealed.

(e) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of enactment of this Act.

This loophole was exposed by the Tenth Circuit Court of Appeals in United States v. Giles, 213 F.3d 1247—10th Cir. 2000. In this case, the United States prosecuted the defendant for manufacturing and selling counterfeit goods, including Dooney & Bourke labels that third parties could later affix to generic purses. Examining Title 18, section 2330, of the United States Code, the Tenth Circuit held that persons who sell counterfeit trademarks that are not actually attached to any goods or services do not violate the federal criminal trademark infringement statute.

S. 1699 closes this loophole by amending Title 18, section 2330 of the United States Code to criminalize the trafficking, or attempt to traffic, in “labels, patches, stickers” and generally any item to which a counterfeit mark has been applied. In so doing, S. 1699 provides U.S. Department of Justice prosecutors with the tools not only to prosecute individuals trafficking in counterfeit goods or services, but also individuals trafficking in labels, patches, and the like that are later applied to goods.

Congress must act expeditiously to protect U.S. held trademarks to the fullest extent of the law. The recent ten count indictment of four Massachusetts residents of conspiracy to traffic in approximately $1.4 million of counterfeit luxury goods in the case of U.S. v. Luong et al., 2005 D. Mass. underscores the need for this legislation. According to the indictment, law enforcement officers raided self-storage units earlier this year and found the units to hold approximately 12,251 counterfeit handbags; 7,651 counterfeit wallets; more than 17,000 generic handbags and wallets; and enough counterfeit labels and medallions to turn more than 50,000 generic handbags and wallets into counterfeits. Although the U.S. Attorneys Office was able to pursue charges of trafficking and attempting to traffic in counterfeit handbags and wallets, they could not bring charges for trafficking and attempting to traffic in the more than 50,000 counterfeit handbags and wallets. If these defendants will escape prosecution that would have otherwise been illegal if they had only been attached to an otherwise generic bag. This simply does not make sense and has the potential to undermine the reputation of U.S. made goods.

Constitution Attorney General Alice Fisher said, “Those who manufacture and sell counterfeit goods steal business from honest merchants, confuse or
Mr. SPECTER. As the Senator is aware, the Sentencing Commission has sought to update the Federal sentencing guidelines upon the periodic directive of Congress to reflect and account for changes in the manner in which intellectual property offenses are committed. The recent amendments to which you refer were promulgated by the Sentencing Commission pursuant to the authorization in the Family Entertainment and Copyright Act of 2005, also known as FECA. These amendments to the Federal sentencing guidelines, which took effect on October 24, 2005, address changes in penalties and definitions for intellectual property crimes, particularly those involving copyrighted pre-release works and issues surrounding "uploading." For example, the guidelines provide for a 25-percent increase in sentences for offenses involving pre-release works. In addition, the Commission revised its definition of "uploading" to ensure that the guidelines are keeping up with technological advances in this area.

I would like to make it clear for the record that the directive to the Sentencing Commission in Section 3 of S. 1699 is not meant as disapproval of the Commission’s recent actions in response to FECA. Rather, Section 3 covers other intellectual property rights crimes that Congress believes it is time for the Commission to revisit. Specifically, Section 3 directs the Commission to review the guidelines, and particularly the definition of "infringement amount," to ensure that offenses involving low-cost items like labels, patches, medallions, or packaging that are used to make counterfeit goods that are much more expensive, are properly punished. It also directs the Commission to ensure that the penalty provisions for offenses involving all counterfeit goods or services, or devices used to facilitate counterfeiting are properly addressed by the guidelines. As it did in response to the No Electronic Theft Act of 1997 and FECA, I am confident that the Commission will ensure that the Federal sentencing guidelines provide adequate punishment for these very serious offenses and I look forward to the Commission’s response to this directive.

Mr. LEAHY. I thank Senator SPECTER for that clarification. As he is aware, we have received over a dozen letters in support of S. 1699, the Stop Counterfeiting in Manufactured Goods Act of 2005. I ask unanimous consent to have several of these letters printed in the RECORD.

There being no objection, the material was ordered to be printed in the RECORD, as follows:
LEXMARK INTERNATIONAL INC., Lexington, KY, November 4, 2005.

Hon. Patrick J. Leahy, U.S. Senate, Washington, DC.

Dear Senator Leahy: I am writing to the members of the Senate Judiciary Committee to express Lexmark's strong support for Senate Bill 1699, the "Stop Counterfeiting in Manufactured Goods Act, and to urge your support for its passage. S. 1699 creates a much-needed deterrent targeting traffickers in counterfeit labels and goods—illegal acts which plague not only our business, but many others. S. 1699 amends 18 U.S.C. 2320 to strengthen the application of this statute to include counterfeit labels and goods, thus greatly helping our fight against counterfeiters.

Unfortunately, counterfeiting continues to grow out of control because it is seen as a lucrative, yet low-risk crime. Countless dollars are lost each year in lost intellectual property revenues, and when they are unwittingly bought and used by unknowing citizens, the theft of intellectual property is intolerable and the battle against counterfeiting will be fought with stronger weapons. S. 1699 accomplishes that precise goal.

Counterfeiting costs the United States billions of dollars each year in lost intellectual property revenue, profits and ultimately, jobs. These criminals must be stopped, and this bill seeks to take away some of the tools they use to trade counterfeit goods. If S. 1699 is enacted into law, it will also help the United States seek reciprocal legislation abroad.

I urge your personal support for S. 1699 both in Judiciary Committee deliberations and in promotion of its passage in the full Senate. Thank you for your consideration in addressing this very serious problem.

Yours sincerely,

Patrick T. Brewer, Director, Government Affairs.


Hon. Patrick J. Leahy, Ranking Democratic Member, Russell Senate Office Building, Washington, DC.

Dear Senator Leahy: I am writing to express my absolute support for Senate Bill 1699, the "Stop Counterfeiting in Manufactured Goods Act." S. 1699 creates a necessary disincentive in the criminal code for traffickers in counterfeit labels and goods. We are pleased that S. 1699 recognizes the need to strengthen the effectiveness of 18 U.S.C. 2320.

Second, S. 1699 strengthens forfeiture and destruction remedies that are necessary to deter counterfeiting. Unfortunately, counterfeiting continues to grow out of control because it is seen as a lucrative yet low-risk crime. Intellectual property owners, their counsel, private investigators and law enforcement fight counterfeiting every day. We must be able to send a message to counterfeiters that the theft of intellectual property is intolerable and that the battle against counterfeiting will be fought with stronger weapons. S. 1699 accomplishes that precise goal.

Counterfeiting will continue to cost the U.S. hundreds of billions of dollars each year if U.S. law does not act as a deterrent. This bill takes the very equipment out of the hands of counterfeiters who would perpetuate the manufacture of illicit goods. Once S. 1699 is enacted into law it will allow the U.S. to seek similarly strong legislation abroad as it enters into trade negotiations with other countries.

We urge you to endorse S. 1699 as written in your next Executive Business meeting and promote its passage in the full Senate. Thank you for attending to a serious problem that undermines U.S. intellectual property.

Sincerely,

Doreen Small, Associate General Counsel.


Hon. Senator Patrick J. Leahy, Russell Senate Office Building, Washington, DC.

Dear Senator Leahy: I am the President and CEO of Rolex Watch U.S.A., Inc., which is your Executive Business meeting and promote its passage in the full Senate. Thank you for attending to a serious problem that undermines U.S. intellectual property.

Sincerely,

Doreen Small, Associate General Counsel.


Hon. Senator Patrick J. Leahy, Russell Senate Office Building, Washington, DC.

Dear Senator Leahy: I am writing to express my absolute support for Senate Bill 1699, the "Stop Counterfeiting in Manufactured Goods Act." S. 1699 creates a necessary disincentive in the criminal code for traffickers in counterfeit labels and goods. We are pleased that S. 1699 recognizes the need to strengthen the effectiveness of 18 U.S.C. 2320.

Second, S. 1699 strengthens forfeiture and destruction remedies that are necessary to deter counterfeiting. Unfortunately, counterfeiting continues to grow out of control because it is seen as a lucrative yet low-risk crime. Intellectual property owners, their counsel, private investigators and law enforcement fight counterfeiting every day. We must be able to send a message to counterfeiters that the theft of intellectual property is intolerable and that the battle against counterfeiting will be fought with stronger weapons. S. 1699 accomplishes that precise goal.

Counterfeiting will continue to cost the U.S. hundreds of billions of dollars each year if U.S. law does not act as a deterrent. This bill takes the very equipment out of the hands of counterfeiters who would perpetuate the manufacture of illicit goods. Once S. 1699 is enacted into law it will allow the U.S. to seek similarly strong legislation abroad as it enters into trade negotiations with other countries.

We urge you to endorse S. 1699 as written in your next Executive Business meeting and promote its passage in the full Senate.

Sincerely,

Alexandria, VA, November 2, 2005.

Hon. Patrick J. Leahy, Ranking Democratic Member, Russell Senate Office Building, Washington, DC.

Dear Senator Leahy, I am writing to express my absolute support for Senate Bill 1699, the "Stop Counterfeiting in Manufactured Goods Act". S. 1699 creates a necessary disincentive in the criminal code for traffickers in counterfeit labels and goods. We are pleased that S. 1699 recognizes the need to strengthen the effectiveness of 18 U.S.C. 2320.

Second, S. 1699 strengthens forfeiture and destruction remedies that are necessary to deter counterfeiting. Unfortunately, counterfeiters continue to grow out of control because it is seen as a lucrative yet low-risk crime. Intellectual property owners, their counsel, private investigators and law enforcement fight counterfeiting every day. We must be able to send a message to counterfeiters that the theft of intellectual property is intolerable and that the battle against counterfeiting will be fought with stronger weapons. S. 1699 accomplishes that precise goal.

Counterfeiting will continue to cost the U.S. hundreds of billions of dollars each year if U.S. law does not act as a deterrent. This bill takes the very equipment out of the hands of counterfeiters who would perpetuate the manufacture of illicit goods. Once S. 1699 is enacted into law it will allow the U.S. to seek similarly strong legislation abroad as it enters into trade negotiations with other countries.

We urge you to endorse S. 1699 as written in your next Executive Business meeting and promote its passage in the full Senate.
Thank you for attending to a serious problem that undermines U.S. intellectual property.

Sincerely,

DONNA VAN GREEN, Frame Division Liaison, Vision Council of America.

THE TimberLAND COMPANY, Stratham, NH, November 2, 2005.

Senator ARLEN SPECTER, Chairman, Senate Committee on the Judiciary, Hart Senate Office Building, Washington, DC.

Dear Senator SPECTER and Senator LEAHY,

On behalf of the more than 2,100 people employed in the U.S. by The Timberland Company, I am writing to express my support for S. 1699, the "Stop Counterfeiting in Manufactured Goods Act" which creates necessary disincentives in the criminal code for traffickers in counterfeit labels and goods. This bill is an essential step toward protecting our trademark, our brand, and our company's identity. I urge you to endorse this bill and promote its passage in the full Senate.

As you know, the elicit counterfeiting of legitimate products is a serious problem, both internationally and in the United States. This bill, which is similar to H.R. 32, which passed the U.S. House of Representatives in May, will strengthen efforts to combat counterfeiting in the U.S. in two very important ways. Specifically, S. 1699 would:

Amend Title 18 of the United States Code to close the loophole in the criminal trademark infringement statute, which currently does not prohibit the trafficking of labels, patches, and stickers, and other counterfeit marks; and

Ensure that counterfeit goods and marks seized in violation of this statute are properly disposed of and do not make their way back on the street.

Counterfeiting costs the U.S. hundreds of billions of dollars each year, and will continue to do so if our laws do not act as a deterrent. S. 1699 takes that equipment out of the hands of counterfeiters who would perpetuate the manufacture of illicit goods, it would allow the U.S. to seek similarly strong legislation abroad as it enters into trade negotiations with other countries.

I appreciate this opportunity to address this important issue, and I hope you will continue the fight against elicit counterfeiting of U.S. products by supporting S. 1699 and promoting its passage in the full Senate.

Sincerely,

DANETTE WINEBERG, Vice President, General Counsel and Secretary.

Mr. LEAHY, Mr. President, it has been very heartening to see such overwhelming support for this important bill. Counterfeiting is a threat to America. It wreaks real harm on our economy, our workers, and our consumers. This bill is a tough bill that will give law enforcement improved tools to fight this form of theft. The bill is short and straight-forward, but its impact should be profound and far-reaching.

Mr. SPECTER, I would like to take this opportunity to thank Senators Alexander, Bayh, Brownback, Coburn, Cornyn, DeWine, Durbin, Feingold, Feinstei, Hatch, Kyl, Levin, Reed, Stabenow and Voinovich for their co-sponsorship.

I would also like to thank Representative Jim Sensenbrenner, chairman of the House Judiciary Committee, and Representative Joe Knollenberg for their leadership in the House with regard to H.R. 32, counterfeiting legislation directly related to S. 1699. In January of this year, Representative Knollenberg introduced H.R. 32, the initial draft of the Stop Countering in Manufactured Goods Act of 2005, in the House. When the bill was in Committee, he fostered negotiations between the Department of Justice, the U.S. Chamber of Commerce, and the International Trademark Association to craft language nearly parallelly S. 1699. I commend to my colleagues the Housing Judiciary Committee Report on H.R. 32, as amended.

Mr. LEAHY. Some of our most important legislation is produced not only when we reach across the aisle in the spirit of bipartisanship, but, when we work across chambers and reach true consensus. I would also like to thank Senators Alexander, Bayh, Brownback, Coburn, Cornyn, DeWine, Durbin, Feingold, Feinstei, Hatch, Kyl, Levin, Reed, Stabenow and Voinovich for their cosponsorship. Counterfeiting is a serious problem that does not lend itself to a quick and easy solution. This legislation is an important step towards fighting counterfeiting. I hope we can build on the success of this law.

Mr. FRIST. Mr. President, I ask unanimous consent that the committee amendment be agreed to, the bill, as amended, be read the third time and passed.

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

Mr. FRIST, I ask unanimous consent that the committee amendment be agreed to, the bill, as amended, be read the third time and passed.

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

Mr. FRIST. I ask unanimous consent that when the Senate completes its business today, it adjourn until 2 p.m. on Monday, November 14. I further ask that following the prayer and the pledge, the morning hour be deemed to have expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved and the Senate resume consideration of S. 1042 as under the previous order.

Mr. Chairman and Mr. DEAN, the Senate will continue its consideration of the Defense authorization bill. Under the agreement reached this evening, we will have debate on only a few remaining amendments. We will complete action on those amendments and proceed to passage of the bill with a series of votes that will start on Tuesday morning. We will have a vote on Monday. Under the order just entered, we will vote on the Energy and Water appropriations conference report at 5:30. We will also complete action on the Agriculture, Interior and Commerce appropriations conference report next week.

Mr. FRIST. If there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order.

The previous order, the Senate, at 7:56 p.m., adjourned until Tuesday, November 14, 2005, at 2 p.m.

Mr. FRIST. I ask unanimous consent that the Senate be limited to no more than ten hours of debate on S. 1042, the National Defense Authorization Act of 2006.

NOMINATIONS

Executive nominations received by the Senate November 10, 2005:

DEPARTMENT OF COMMERCE

ROBERT C. CHESANT, OF TEXAS, TO BE UNDER SECRETARY OF COMMERCE FOR TECHNOLOGY, VICE PHILLIP D. SMALL, RESIGNED.

DAVID M. SPONER, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF COMMERCE, VICE JAMES J. JOCHUM, RESIGNED.

DEPARTMENT OF HOMELAND SECURITY

UTTAM DHILLON, OF CALIFORNIA, TO BE DIRECTOR OF THE OFFICE OF INTERNATIONAL OPERATIONS, DEPARTMENT OF HOMELAND SECURITY, VICE JAMES R. NUGGET, RESIGNED.

SUPREME COURT OF THE UNITED STATES

SAMUEL A. ALITO, JR., OF NEW JERSEY, TO BE AN ASSOCIATE JUDGE OF THE SUPREME COURT OF THE UNITED STATES, VICE SANDRA Day O'CONNOR, RETIRED.

THE JUDICIARY

LEO MAURY GORDON, OF NEW JERSEY, TO BE A JUDGE OF THE UNITED STATES COURT OF INTERNATIONAL TRADE, VICE THOMAS J. AQUILINO, RETIRED.

DEPARTMENT OF JUSTICE

STEPHEN C. KING, OF NEW YORK, TO BE A MEMBER OF THE FOREIGN CLAIMS SETTLEMENT COMMISSION OF THE UNITED STATES, VICE JEREMY R. S. SEYMOUR, RESIGNED.

DEPARTMENT OF STATE

SUZANNE E. BURNETTE, OF NEW MEXICO, TO BE A RECEPTIONIST IN THE DEPARTMENT OF STATE, NEW YORK, VICE NANCY JACOBS, RETIRED.

DEPARTMENT OF THE INTERIOR

MARTHA J. ELLIOTT, OF MONTANA, TO BE AN ASSISTANT SECRETARY OF THE INTERIOR FOR LAND AND WILDLIFE, VICE JAMES D. BURTON, RESIGNED.

DEPARTMENT OF TRANSPORTATION

YOHEI Tsubouchi, of Illinois, to be an Alternate Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations.

ROBERT C. O'BRIEN, OF CALIFORNIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

WILLIAM CHRISTY, OF VIRGINIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS;

STEPHEN J. DUNN, OF NEW YORK, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

ROBERT C. GIBRIL, OF CALIFORNIA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

STEPHEN J. DUNN, OF NEW YORK, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS;

MRS. RICHARDSON, OF OHIO, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

AMERICAN EMBASSY, GILFUD, OF AFRICA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

DEPARTMENT OF the TREASURY

ROBERT M. BENNETT, OF UTAH, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

DEPARTMENT OF VETERANS AFFAIRS

ROBERT P. HILDEBRANDT, OF MONTANA, TO BE AN ALTERNATE REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

Donald L. C. Sharp, of Hawaii, to be a representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations;
EDWARD RANDALL ROYCE, OF CALIFORNIA, TO BE A REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE SIXTIETH SESSION OF THE GENERAL ASSEMBLY OF THE UNITED NATIONS.

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 602:

To be general

LT. GEN. DAVID D. MCKIERNAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 602:

To be lieutenant general

LT. GEN. CHARLES C. CAMPBELL, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be major general

BRIG. GEN. RICHARD G. MAXON, 0000

IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be general

LT. GEN. DAVID D. MCKIERNAN, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant general

LT. GEN. CHARLES C. CAMPBELL, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JEFFREY S. BRITTING, 0000

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ALBERT J. BAINGER, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JACK N. WASHBURN, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BARRY J. BERNSTEIN, 0000

MARK D. NETHERTON, 0000

JAMES D. REECE, 0000

GUY C. SCHULTZ, 0000

JUAN M. VERA, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MELVIN S. HOGAN, 0000

JOSEPH M. JACKSON, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

RENA A. NICHOLAS, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

JEFFREY S. BRITTING, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624:

To be major

ALBERT J. BAINGER, 0000

IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTION 12203:

To be colonel

JACK N. WASHBURN, 0000

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE RESERVE OF THE ARMY UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

To be colonel

BARRY J. BERNSTEIN, 0000

MARK D. NETHERTON, 0000

JAMES D. REECE, 0000

GUY C. SCHULTZ, 0000

JUAN M. VERA, 0000

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES ARMY UNDER TITLE 10, U.S.C., SECTION 624:

To be lieutenant colonel

MELVIN S. HOGAN, 0000

JOSEPH M. JACKSON, 0000

CONFIRMATIONS

Executive nominations confirmed by the Senate Thursday, November 10, 2005:

DEPARTMENT OF STATE

ANNE W. PATTERSON, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF STATE (INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS).

DEPARTMENT OF VETERANS AFFAIRS

GEORGE J. OFFER, OF VIRGINIA, TO BE INSPECTOR GENERAL, DEPARTMENT OF VETERANS AFFAIRS.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE’S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DUCY CONSTITUTED COMMITTEE OF THE SENATE.

DEPARTMENT OF AGRICULTURE

JAMES M. ANDREW, OF GEORGIA, TO BE ADMINISTRATOR, RURAL UTILITIES SERVICE, DEPARTMENT OF AGRICULTURE.

CHARLES R. CHRISTOPHERSON, JR., OF TEXAS, TO BE CHIEF FINANCIAL OFFICER, DEPARTMENT OF AGRICULTURE.

EXECUTIVE OFFICE OF THE PRESIDENT

SUSAN C. SCHWARZ, OF MARYLAND, TO BE A DEPUTY UNITED STATES TRADE REPRESENTATIVE, WITH THE RANK OF AMBASSADOR.

DEPARTMENT OF DEFENSE

DONALD C. WINTER, OF VIRGINIA, TO BE SECRETARY OF THE NAVY.

DEPARTMENT OF JUSTICE

SUE ELLEN WOOLBRIDGE, OF VIRGINIA, TO BE AN ASSISTANT ATTORNEY GENERAL.
EXTENSIONS OF REMARKS

SAYING FAREWELL TO HOUSE PARLIAMENTARIAN MUFTIAH MCCARTIN

SPEECH OF HON. J. DENNIS HASTERT
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 9, 2005

Mr. HASTERT. Mr. Speaker, I rise today to honor House Associate Parliamentarian Muftiah McCartin. Today marks the final day in the long and distinguished career of Muftiah, who has served this House with great distinction for nearly 30 years in the Office of the Parliamentarian.

During her nearly three decades of service, Muftiah served under six Speakers and three different Parliaments of the House. Charlie Johnson, the former Parliamentarian, would often describe Muftiah as a "Renaissance woman." She came to work for the Parliamentarian's Office as a clerk in 1976 and continued her education at night. On top of her day job and night school, Muftiah was a dedicated mother. She accomplished all her tasks with great determination, strength, and grace. After completing her juris doctorate, Muftiah was the first woman appointed an Assistant Parliamentarian in January of 1991 by Speaker Tom Foley.

Aside from her dedication to the Office's daily procedural mission, she has provided special expertise to the House in the areas of budget process and rule making. Muftiah has also assisted the Office as the long-time editor of the House Rules and Manual, published every Congress, as well as two editions of House Practice.

Over the years I have served in this House as both a Member and now Speaker, I have come to have a greater appreciation for the role of the Office of the Parliamentarian and those giving me advice. On behalf of all those who have looked to you for help while presiding in the Speaker's chair, thank you for being such a trusted and educated colleague.

I wish you the best of luck in your future endeavors and hope that with the long hours of this job behind you, you will be afforded more time to spend with your husband and four children.

CONGRATULATING DAVID WHITE

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

Thursday, November 10, 2005

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Mr. David White for receiving the Gold Medal of Achievement for the Royal Ranger Program. Mr. White is a freshman in Roanoke, Texas. His achievement represents many years of diligent work completing merits, camping and nature skills, leadership training camps, memorization, essays and service projects.

A special service honoring Mr. White's accomplishment is planned for November 27, 2005 at Grace Community Assembly of God in Flower Mound, Texas.

I extend my sincere congratulations to Mr. David White for receiving the Gold Medal of Achievement. His hard work and dedication to excellence warrants the highest achievement given by the Royal Rangers Program.

HONORING MARGARET ATENCIO

SPEECH OF HON. MARK UDALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 2005

Mr. UDALL of Colorado. Mr. Speaker, I rise today to honor a leader in Colorado's Hispanic community, Ms. Margaret Atencio. Margaret's tireless efforts in the competitive arena of Colorado politics has spanned many years. She is a beloved person in the Colorado Democratic Party, and well respected by all, including many Republican friends, for her dedication to Hispanic youth and increasing the participation and clout of the Latino vote. Her contributions are an inspiration to anyone interested in public service.

Margaret Atencio has had a distinguished career which began with her work at the Environmental Protection Agency and the Equal Opportunity Employment Commission. Governor Roy Romer appointed her to the Second Judicial Performance Committee Commission. She serves as the Chair of the Downtown Democratic Forum, the Democratic Outreach Commission, and was a founder of the Democratic Latino Initiative.

Margaret has shown boundless energy and commitment to political causes in Colorado. She is currently the vice chair of the 1st Congressional District, the captain and precinct committeeperson of House District IB, the 2nd Vice Chair of the Colorado Democratic Party, and the president of the Denver Jane Jeffersons. She has been a delegate to many National Democratic Party Conventions and State Party Conventions.

As influential as she has been in politics, it is not her partisan affiliation that strikes me as most worthy of recognition, but rather her commitment to projects that strengthen her community. She is a member of a grassroots group in Denver, "Finding Common Ground" and she serves on the Board of Directors Re- development, Incorporated, which is a non-profit group that sponsors programs to help low-income, elderly and disabled persons find affordable housing and support services.

Margaret does not hold public office, nor has she been a candidate for office, but she is, nevertheless, the kind of person who makes a difference. She is one of those persons who has helped others get elected, and to make sure that her candidates keep their promises.

Mr. Speaker, I ask my colleagues to join with me in expressing our gratitude to Margaret Atencio for her continuing commitment to honest politics in Colorado. In a time when voter turnout is sometimes disappointingly low and faith in government has fallen, it is heartening to know that there are people like Margaret who find time to volunteer, engage others and who are devoted to bettering the political process, increasing political participation and strengthening our communities in the process. I'm proud to know Margaret Atencio, to count her as a friend and advocate of people whose voices are not always heard, but need to be heard.

MOUNT ST. HELENS NATIONAL VOLCANIC MONUMENT

SPEECH OF HON. MARK E. SOUDER
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 2005

Mr. SOUDER. Mr. Speaker, on May 18, 1980, a catastrophic volcanic eruption forever changed the face of Mt. St. Helens in Washington. As a result of the eruption, fifty-seven people were killed, hundreds of square miles of forest were shattered, and the once graceful peak of the mountain was reduced to a smoldering crater.

In 1982, President Ronald Reagan established the Mount St. Helens National Volcanic Monument within the U.S. Forest Service. The Monument is unique in that it is the only unit of its kind in the U.S. Forest Service. The Monument’s mission to provide research, recreation, and education opportunities related to Mt. St. Helens and the 1980 eruption does not fit with that of the Forest Service, which is charged with management of our Nation’s forests.

The attached article, which appeared in The Columbian, a Vancouver, Washington-based newspaper, puts forth the idea that the Mount St. Helens National Volcanic Monument should be removed from the Forest Service, and made a unit of the National Park Service, whose primary mission is research, recreation, and education.

When I visited the Monument earlier this year, the same idea occurred to me. Perhaps it is time we look into it.

[From The Columbian, Nov. 7, 2005]

PARK STATUS MAY EASE ST. HELENS' BLUES

(By Erik Robinson)

Dave Uberuaga has been watching with interest as his neighbor to the south struggles to pay the bills. Uberuaga, superintendent of Mount Rainier National Park, has a built-in advantage over the Mount St. Helens National Volcanic Monument: a steady and reliable source of funding.
While the U.S. Forest Service looks for private enterprise to help make ends meet at Mount St. Helens, Congress provides 80 percent of Mount Rainier's budgetary needs. Out of a normal budget of just over $10 million, Uberuaga said Congress provides all but about $1.9 million.

In contrast, the $2.25 million recreation budget at Mount Helens is supported roughly 50-50 by direct allocations from the Federal government and fees generated by visitors. Even with that, the Gifford Pinchot National Forest is forced to jockey with other forests for a $400,000 boost from the Forest Service's regional office in Portland this year, and last year.

"It makes it very difficult on Mount St. Helens to have a viable operation," Uberuaga said.

For some, the proximity of Mount Rainier offers one tantalizing solution to the chronic funding woes at Mount St. Helens. "I think the possibility of it being folded into the Park Service or redesignated as a national park has never been greater," said Sean Smith, regional director of the National Parks Conservation Association in Seattle.

A NEW NATIONAL PARK?
Mount Rainier and other national parks receive direct appropriations from Congress. Mount Rainier is on the other hand receives its share of recreation funding only after it filters through three distinct layers of administrative overhead from national headquarters through the regional office in Portland, and, finally, through the Gifford Pinchot forest headquarters in Vancouver. At each level, the monument must compete with other recreation programs operated by the Forest Service.

"That's what the park service doesn't have," said Cliff Ligons, monument manager at Mount Rainier for the past 3 years.

Ligons added that the Forest Service had ample money and resources to operate the in the years after Congress established the 110,000-acre monument in 1982.

Times have changed since then, beginning with a precipitous decline in timber revenue since the 1980s. Since the Forest Service opened the last of three visitor centers at Mount St. Helens in 1997, direct appropriations for recreation have dwindled.

"The money to fight wars and to fight terrorism comes from somewhere, especially when you cut taxes," Ligons said. "Where do you think that's coming from? It comes from government programs. Mount St. Helens is one of many areas in the Forest Service that's currently struggling."

Ted Stubblefield, who retired as Gifford Pinchot forest supervisor in 1999, said Congress ought to establish a budget for national monuments such as Mount St. Helens as they do for national parks. He said it made no sense for the Forest Service to hang onto Mount St. Helens once the monument was established, partly because national parks tend to employ more people with higher salaries.

"Our guess is it would have been someplace like a wayside and more like Mount Rainier, Liberty Island or Mount Rushmore."

"Congress should do the same thing with monuments that the Forest Service manages," he said. "The monuments are really owned by the public in a more deeply held manner, this one is owned. They're like our national treasures."

BROADENING OPPORTUNITIES
Were it not for a new system of collecting fees on public lands authorized by Congress in 1997, the Mount St. Helens recreation program would have run out of money long ago.

The Forest Service collected about $1.1 million in visitor fees for the volcano last year. Now, the service is looking for more help from private enterprise.

In a 150-page prospectus issued last month, the Forest Service solicited proposals from private business by the government to operate helicopter tours, mobile food stands, RV sites, or other amenities around the erupting volcano. Forest Service officials said the outreach may help to improve the monument's bottom line, but it also would "broaden visitor opportunities" around Mount St. Helens.


Uberuaga said Mount Rainier also has private concession operations such as two overnight lodges, gift shops, a store for campers and three services providing guided climbs to the top of the 14,100-foot peak. He acknowledged, however, that people generally expect a national park to have a limited range of commercial opportunities.

"So there are no off-road vehicles at Mount Rainier. The forest there's appropriate places for that," he said.

Snowmobile tours are one of the potential opportunities suggested in the prospectus offered by the Forest Service at Mount St. Helens. Uberuaga said he will be interested to see how the Forest Service strikes a balance between new recreational opportunities while protecting the unique environment surrounding the most active volcano in the Cascade Range.

"I think the Forest Service has a great opportunity there to demonstrate their recreation and visitor experience," he said. "They just need a little more funds to take some of the pressure off."

LEGISLATION TO MAKE SOUTH KOREA A VISA WAIVER PROGRAM COUNTRY
HON. JAMES P. MORAN OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. MORAN of Virginia. Mr. Speaker, the Republic of Korea has long been a staunch ally and friend of the United States. In the last few years, South Koreans have been one of our strongest partners in the global war on terror. They have shown their commitment by supporting continued operations in Afghanistan. In line with the U.S. and Great Britain, South Korea is committing its 3rd largest number of troops to support the efforts of our Armed Forces in Iraq. Korea has also adopted economic policies that have helped them become the world's eleventh largest economy, the United States' seventh largest trading partner, and the fifth largest market for United States agricultural products.

In recognition of this steadfast friendship and unique relationship our nation has with the Republic of Korea, I am introducing legislation to make South Korea a Visa Waiver Program country. Under the Visa Waiver Program, a traveler to the United States, either for business or pleasure, can enter the country for up to ninety days without obtaining a visa. This courtesy has already been extended to United States citizens by the South Korean government.

The United States is home to over two million people of Korean heritage. By placing South Korea on the Visa Waiver Program list, we will make it easier for our friends and family members to visit our country as people from our other allies.

Placing Korea on the visa waiver country list would have a positive impact on our economy. More than 626,000 Korean citizens visit the United States each year. According to the U.S. Department of Commerce, overall tourism dollars spent in the U.S. by tourists from the Republic of Korea exceeded $1 billion in fiscal year 2004. Visitation and tourism dollars are bound to grow if South Korea is allowed to be a part of the Visa Waiver Program.

To curb any potential abuses, the South Korean government is taking aggressive steps to comply with post 9/11 security requirements to combat visa fraud. South Korea has already invested in state of the art technology and currently issues secure machine readable passports with digitalized photographs that are difficult to counterfeit. By 2007, e-passports will be introduced with biometric identifiers in compliance with International Civil Aviation Organization standards.

Economically, militarily and politically, the U.S. and South Korean share a vision of freedom and democracy that has made our nations solid friends and allies. In recognition of this friendship and our shared history, it is time to ease the restrictions Korean citizens encounter when they attempt to visit our nation, which has strong cultural ties to the people of Korea.

IN RECOGNITION OF ALL VETERANS WHO HAVE SERVED
HON. ADAM B. SCHIFF OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. SCHIFF of California. Mr. Speaker, this week we honor our Nation's veterans—not just the thousands who have risked their lives in Iraq and Afghanistan, but the millions more who over the years have answered the call to arms and served as a member of the United States Armed Forces.

Since the founding of this Nation, Americans have battled courageously to protect the helpless, defeat despotism and spread the cause of freedom to every corner of the globe. Most of
the men and women who served in World War I are no longer with us. World War II, Korea and Vietnam veterans still walk among us today, and we owe them the most heartfelt gratitude.

The torch was passed to a new generation after the horrific attacks of September 11, 2001. Since then, hundreds of thousands of young people have donned the uniform of a soldier, Marine, sailor or airman in our Global War on Terrorism. They have chosen an often arduous life not for fame or riches, but because they believe in America and her ideals. These great young people have embraced the challenge. From the dusty streets of Iraq to the jagged mountains of Afghanistan, they have done their duty with honor, fighting for their country and each other.

I have traveled overseas several times to Iraq and Afghanistan to meet our military personnel and have witnessed them doing their job magnificently; they fight voluntarily on our behalf. I was awed by their courage, determination and dedication as they combat a brutal enemy thousands of miles from home.

The times have changed, but the sacrifices have not. More than 2,000 U.S. service members have been killed and over 16,000 have been wounded in Iraq and Afghanistan.

We in Congress must honor our veterans not just with words, but with deeds. The survivors of those who make the ultimate sacrifice must be cared for in a manner that honors their memory. Benefits and health care must remain readily available for service members and their families—active duty, Reserve or Guard. And those wounded warriors who return home must be mended back to health, in body and spirit.

In my district, I have convened a working group to assist veterans in every possible way. The goal of this group is for communities to create innovative and effective programs which show appreciation and offer financial, moral and physical support for veterans.

Over 25 million U.S. veterans live among us today. You may know one. Pause a moment and thank them for their service. They deserve no less.

RECOGNIZING CHILD ADVOCACY CENTER AWARDEES

HON. DALE E. KILDEE
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. KILDEE. Mr. Speaker, I am pleased to stand before you today on behalf of one of my district’s premier human service organizations, the Child Advocacy Center of Genesee County. On Thursday, November 10, the Center will hold its Inaugural Awards Dinner, where they will acknowledge several individuals who have shown tremendous courage, kindness, and selflessness through acts of goodwill toward our young people.

Polly Sheppard will have the distinction of being awarded the first Volunteer of the Year Award. The cooperation between the CAC and the Michigan Department of Human Services will be shown. Linda Crouch and Director Denise Chambers will receive DHS Worker of the Year awards. The CAC will recognize its friends in law enforcement, as Detective Matt Bade of the Burton Police Department, and Detective Diana Mills of the Mt. Morris Police Department will be honored as Police Officers of the Year. John Greene and Marcie Mabry will be honored as Prosecutors of the Year.

The Sponsor of the Year Award will be presented to Ruth Mott Foundation. Mr. Speaker, I applaud these wonderful men and women for all they have done for others. Through their actions, they ensure that our children are able to enjoy healthy, productive, and safe lives, and I ask my colleagues in the 109th Congress to please join me in recognizing their heroic efforts.

CONGRATULATING SUE ANN SLAY

HON. MICHAEL C. BURGESS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Ms. Sue Ann Slay of Fort Worth, Texas on completing the Redman Iron Distance Triathlon on September 24, 2005 in Oklahoma City.

Currently, only five Ironman Triathlons occur every year in the United States. On September 14, 2005 Mayor Mick Cornett of Oklahoma City announced the first annual Redman Iron Distance Triathlon to be held at Lake Hefner on September 24, 2005. The Redman Triathlon consisted of a 2.4-mile swim in the open waters of Lake Hefner, a 112-mile bike ride, and a 26.2-mile marathon run. Nearly 125 people participated in this Iron distance race.

The Redman Iron Distance Triathlon began at 7 a.m. on September 24, 2005. Ms. Slay crossed the finish line 16 hours, 36 minutes, and 20 seconds later at 11:36 p.m. Many participants in triathlons battle cramps, fatigue, heat, and humidity just to complete the 140.6-mile race. In order to prepare for these intense conditions, Ms. Slay began training for the race in 2003, getting up at 6:00 a.m. to run 7 miles every day.

Today I congratulate Ms. Sue Ann Slay on competing and completing the Redman Iron Distance Triathlon sponsored by Valir Health. Ms. Slay’s dedication and commitment to fitness and her recent accomplishment is worthy of recognition.

RECOGNIZING THE ACHIEVEMENTS OF THE GIRL SCOUTS OF SOUTH-WEST FLORIDA

HON. KATHERINE HARRIS
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Ms. HARRIS. Mr. Speaker, I rise today, as a Girl Scout, First Class, to congratulate the Girl Scouts of Gulfcoast Florida on the recent opening of its new regional headquarters in Sarasota, Florida. The Searcy S. Koen Regional Girl Scout Event and Conference Center will create and serve energy and protecting our environment. Not only will it be a place to learn, but it will also be a place to have fun.

The new Wetlands Learning Habitat, plus the Council Headquarters and Gulf Coast Event and Conference Center will create and enhance opportunities for Girl Scouts throughout Southwest Florida. The Girl Scouts of Gulfcoast Florida, with over 9,700 registered girls, continue to build character, courage and confidence in girls who will strive to make the world a better place.

Having experienced scouting for twelve years, I well know the extraordinary opportunities offered to these girls, from camping in Florida’s beautiful State parks, to earning badges representing a plethora of skills and knowledge acquired. Attaining the Eagle Equivalent as a Girl Scout “First Class” was an extremely meaningful achievement for me as a young woman.

In today’s world, I believe we would all do well to reflect upon the Girl Scout Promise: “On my honor, I will try: to serve God and my country, to help people at all times, and to live by the Girl Scout Law . . . I will do my best to be honest and fair, friendly and helpful, considerate and caring, courageous and strong, responsible for what I say and do, and to respect myself and others, respect authority, use resources wisely, make the world a better place, and be a sister to every Girl Scout.”

APPOINTMENT OF CONFEREES ON H.R. 3199, USA PATRIOT AND TERRORISM PREVENTION REAUTHORIZATION ACT OF 2005

SPEECH OF
HON. MARK UDALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 9, 2005

Mr. UDALL of Colorado. Mr. Speaker, I am voting for this motion to instruct because I think it is absolutely necessary, although I do not think it is sufficient. The motion will instruct the House’s conferees to accept the provisions in the Senate version of the legislation that will establish four-year sunsets on three things.

These sunsets would apply to:
(1) Section 215 of the PATRIOT Act, which allows the secret Foreign Intelligence Surveillance Court to issue orders for any tangible thing—including business, library, and medical records—to anyone, as long as it is relevant to a terrorist investigation;
(2) Section 206 of the PATRIOT Act, which allows law enforcement officials to track a particular suspect by tapping multiple communication devices, as opposed to a single mode of communication; and
(3) the so-called “Lone Wolf” Provision of the Intelligence reform legislation, which allows the government to conduct surveillance on “lone wolf” terrorist suspects, who are not connected with a foreign power or recognized organization.

One of the reasons I voted against the PATRIOT Act when it was first considered by the House was my concern that the “sunset” clauses were too generous, meaning that the provisions covered by those clauses would remain in effect too long without the need for Congressional reconsideration. That was also a major reason I voted against H.R. 3199 earlier this year.

So, I definitely agree that the conferees should accept the Senate bill’s shorter sunset
periods for these three provisions. However, I think it would be even better for the conference to go further.

In particular, I think the conference report should include provisions along the lines of the bipartisan reform measure, known as the Secure Our Borders Act (SBA-05) of 2005 (H.R. 1526), of which I am a cosponsor. That bill would amend the PATRIOT Act to modify provisions regarding roving wiretaps under the Foreign Intelligence Surveillance Act of 1978 (FISA) to require that:

1. an order approving an electronic surveillance operation be based on either the identity of the target, or the place to be wiretapped; and
2. surveillance be conducted only when the suspect is present at the place to be wiretapped.

It also would revise the PATRIOT Act’s provisions governing search warrants to—

1. Limit the authority to delay notice of the issuance of such a search warrant to circumstances where providing immediate notice of the warrant will endanger the life or physical safety of the person to whom the records pertain; and
2. Require such delayed notification to be issued within 48 hours (instead of a “reasonable period”), with extensions by the court for additional periods of up to 21 calendar days each time that the court finds reasonable cause to believe that notice of the execution of the warrant would have such consequences. It also would require the Attorney General, on a semiannual basis, to transmit to Congress and make public a report concerning all requests for delays of notice and for extensions of such delays.

The SAFE bill also would amend FISA to require, with respect to access by the Federal Bureau of Investigation to business records for foreign intelligence and international terrorism investigations, that there be specific and articulable facts giving reason to believe that the person to whom the records pertain is a foreign power or agent.

It would specify that libraries will not be treated as wire or electronic communication service providers under provisions granting counterintelligence access to provider subscriber information, toll billing records information, or electronic communication transactional records.

And it would redefine “domestic terrorism” to mean only activities that involve acts dangerous to human life and that constitute a Federal crime of terrorism.

The broad support for such changes in the PATRIOT Act gives me hope that the fact that the SAFE bill is cosponsored by many Members from both sides of the aisle. It is also shown by the fact that over the last four years more than 300 communities and seven States, including Colorado—governments representing over 62 million people—have passed resolutions opposing parts of the PATRIOT Act.

Much of that public concern—a concern I share—has focused on the possible effects on the privacy of patrons and customers from the application of section 215 of the “PATRIOT Act” to libraries and bookstores. I think the conference report should include restrictions on the application of section 215 similar to those that would have been imposed by the Sanders amendment to the Justice Department’s fiscal year 2006 appropriations bill—an amendment that the House approved earlier this year by a vote of 238 to 187.

Mr. Speaker, when the House debated this bill earlier this year, I said that my reaction to it was similar to the one I had to the original “PATRIOT Act” legislation 4 years ago. As I did then, I remain concerned that the PATRIOT Act’s non-transparent, one-size-fits-all approach to combating terrorism, here at home as well as abroad. But I continue to think that it is essential that we remember and respect the constitutional rights of law-abiding Americans as we wage war against those who would destroy both our Constitution and our country—and, in fact, I think that if we don’t do that we will lose much of what we are seeking to defend.

I voted against the bill as it came to the House floor because I concluded that it did not strike the right balance, and should not become law in its present form. But I am hopeful that the bill will be further improved and the conference will produce a revised version that deserves the support of all Members of Congress.

Mr. SOUDER. Mr. Speaker, I would like to submit comments of USMC veteran, Barry Yeakle, about the Vietnam war, delivered at the Whitley County Veterans Observance in Columbus City, Indiana, on November 6, 2005, for the RECORD.

Try and picture this: I am a green 19-year-old, just off the boat from Indiana. I’m 9,000 miles away in Viet Nam. A delegation of Vietnamese peasants approaches me. Their appointed spokesman steps forward and very formally gives me to understand by an amazing mixture of Vietnamese, French, English and even Japanese (but mostly by waving his arms about wildly) that they have heard that the United States intends to send a man to the moon. They are incredulous. To make sure I understand which moon they mean, they keep tugging at my sleeve and pointing to it.

Looking back, what amazes me most is the matter-of-fact way I answered him: Sure, absolutely, we’re going to do it. I had never doubted it. That story illustrates the times. We were idealistic and maybe a little naïve. We believed we could win the war, end the enemy to certain defeat. In a desperate gambit, they broke a truce they’d requested themselves and launched assaults all over Viet Nam. In the end, they suffered one of the most lop-sided defeats in modern history; but an impatient television entertainment manager Walter Cronkite, who didn’t understand what the communist’s desperation, reported it otherwise. He influenced many Americans. Those of us in the field were horrified that all the sacrifices we’d witnessed could be wasted if the country turned against the war.

A famous American actress went to the enemy capital. She wore a kimono. As the photographers clicked away, she pretended to sight-in an anti-aircraft gun, a gun that had but one purpose: to shoot down American warplanes. Little was made of her treason; she went on to become an even bigger star. This apathy of the American people was hard to convince those peasants that they could believe in us as well. Is it any wonder that they believed we could protect them from communists in our own backyard?

When I was fourteen, this country elected its youngest-ever President. He was very charismatic and taking office, this is what he said to the American people: I also believe, whether it wishes us well or ill, that we shall pay any price, bear any burden, meet any hardship, support any friend, oppose any foe, in order to assure the survival and success of liberty.

It was an amazing promise; looking back, perhaps a foolish or impossible one, but the hope still lives in every American’s heart. I strongly support American involvement in Asia.

The story of this country’s longest war can be told briefly. Nine years after the Japanese Army was ejected from Viet Nam at the end of WWII, the French lost a huge battle against the communists and Viet Nam became two countries with a communist government in the North and republican government in the South. There was a time period in which our country had to decide whether we would move to fight or let the communists take over. As the South began to totter under the terrorism, President Kennedy decided to give it military aid against the fear that communism could spread throughout all of Indochina.

It was a near thing in the beginning and as American soldiers arrived to advise and train, the escalation of the guerilla war continued. By the summer of 1965, President Johnson sent the 3rd Marine Amphibious Force to keep the critical city of Da Nang under control. As the new democracy began to suffer one of the most lop-sided defeats in modern history; but an impatient television entertainment manager Walter Cronkite, who didn’t understand what the communist’s desperation, reported it otherwise. He influenced many Americans. Those of us in the field were horrified that all the sacrifices we’d witnessed could be wasted if the country turned against the war.

A new President, known to be tough on communism, Nixon, was elected and the war went into a sort of stalemate. An accord was reached with the communists and Viet Nam was divided into two countries, the South, while virtually no one emigrated to the North.

Still, the Communist soldiers kept invading from the North, and always the men who died along side me seemed the least the United States could afford to lose. Besides being courageous, they always seemed to be the Eagle Scouts, the valedictorians and class presidents. Two thirds of them were volunteers, the very opposite of WW II. I think it would be even better for the conferees to go further. As the new democracy began to suffer one of the most lop-sided defeats in modern history; but an impatient television entertainment manager Walter Cronkite, who didn’t understand what the communist’s desperation, reported it otherwise. He influenced many Americans. Those of us in the field were horrified that all the sacrifices we’d witnessed could be wasted if the country turned against the war.

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Trouble American arms had lost only one battle, the war itself was not. Nearly all of us were home by that terrible day in 1975. Choked with emotion, I ran to my church for comfort and found it empty and locked. I realized I would have to keep my sorrow to myself for years to come and that is exactly what happened.

Over 58,000 American men and women—more people than live in Whitley County—died. Thousands more have died since from causes born in the war. Our friends from Australia, South Korea, Thailand and the Philippines lost over 6,000 more, and the Army of Vietnam’s losses were nearly a quarter of a million. Future generations will ask to what avail, since Vietnamese became one more brutal communist dictatorship. Here is the answer I like: There are some who say more brutal communist dictatorship. Here is the answer I like: There are some who say more brutal communist dictatorship.

Mr. Speaker, I want to express my sincere concern with the funding level for nuclear physics programs in the Energy and Water Appropriations Act Conference Report for FY2006.

While the Office of Science does receive an increase of $32.8 million over the fiscal year 2005 level, the nuclear physics programs are actually cut 8.4 percent below fiscal year 2005 levels. The Jefferson Lab in my district in Newport News, VA, is one of the basic research labs that would be negatively impacted by this funding level.

Just last month the National Academy of Sciences issued a report titled “Rising Above the Gathering Storm.” That report underscored that the nation’s economic health is seriously at risk without a sustained investment in science. The report noted that 14 years ago, 36 percent of undergraduates receive their degrees in science and engineering. In China the figure is 59 percent, and in Japan 66 percent.

In the United States the corresponding figure is 32 percent. It seems to me that this is a time the nation needs to invest in science, not cut science programs.

Mr. Speaker, no Member is more concerned about trimming our budget than I am, but we cannot afford to cut programs like nuclear physics, that are the key to our country’s success, both now and in the future. I wish to state for the record that I am extremely disappointed with the cuts to nuclear physics programs, and I will continue to work vigilantly in the future for this critical funding.

NATURAL RESOURCE PROTECTION

COOPERATIVE AGREEMENT ACT

HON. JON C. PORTER
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. PORTER. Mr. Speaker, protecting our Nation’s natural resources is one of the greatest gifts that we can give to future generations. When one thinks of our national resources, images of Yellowstone National Park, Lake Mead National Recreation Area, or the Grand Canyon National Park often come to mind. However, in recent years, these areas have all experienced the devastating effects of invasive plant species such as salt cedar, or tamarisk.

This is why I rise today to announce the introduction of the Natural Resource Protection Cooperative Agreement Act.

Invasive plant species know no boundaries. According to the Department of the Interior, the National Park Service currently manages 388 units, comprised of 84.4 million acres of land throughout the United States. Of these units have been cited as having “serious problems” due to invasive plant species.

Today, I am introducing the Natural Resource Protection Cooperative Agreement Act.
The purpose of this bill is to allow the National Park Service to enter into cooperative agreements with State, local, educational, and Tribal experts to restore and protect these lands from the effects of invasive plant species. The goal of this legislation is to allow the National Park Service to work with those who are best able to protect these species by entering federal units, putting the National Park Service into a better position to preserve our native species.

Thank you, Mr. Speaker, for allowing me to speak on this important bill.

HONORING GORDON AND ANITA MURCHIE FOR THEIR CONTRIBUTIONS TO THE WINE INDUSTRY

HON. GEORGE RADANOVICH
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. RADANOVICH. Mr. Speaker, it is a pleasure for me today to pay tribute to two very good friends and fellow Californians, Gordon and Anita Murchie. On the 14th of August, 1955, in the midst of family and friends, Gordon and Anita were married in the Presbyterian Church in Santa Barbara. As a lifelong ambition, Gordon attended college at University of California at Santa Barbara. Both had a deep commitment to the community and the political, economic and cultural issues of the region. While there, Anita authored the only book to comprehensively research and relate the story of the Anglo-American contributions to Costa Rica from the period of Independence, 1824, to the end of that century, entitled Imported Spices. Gordon served as the Public Affairs Attaché at the Embassy. Gordon’s last overseas assignment was as an advisor to the U.S. military in northern Iraq to establish a safe zone for the Kurds in 1991. Having received two Superior Service Medals during his 35 years of government service, Gordon retired in 1993. Upon retirement, Gordon and Anita were asked to take on the management of an international organization as President and Executive Secretary, which they have continued to administer to the present day. In recognition of their contributions to the growth of the Virginia wine industry, Gordon was presented the first Association’s Lifetime Achievement Award. Gordon is also credited with promoting a renewed public interest in the evolution of viticulture and enology in America, from 1607 Jamestown to the present day. For the past 9 years, he has served as the wine consultant to George Washington’s Mount Vernon, which conducts annual wine and history events.

The Murchies remain active participants in the support of the growth and development of the U.S. wine industry, as a whole, with particular attention to the rapid growth of the wine industry in the Commonwealth of Virginia. As a team, the Murchies are well known in the American wine industry, on Capitol Hill, and in a number of foreign communities abroad. As Gordon says of their partnership through life, he would never have been able to realize his career dreams if it had not been for the above-and-beyond-the-call-of-duty support of Anita.

As Co-Chairman of the Congressional Wine Caucus, I wish to commend and recognize the contributions of the Murchies for their lifelong work in promoting the American way of life and the democratic principles of our Nation. I wish them continued health and happiness and success in their endeavors as American ambassadors in an increasingly challenging world.

HONORING MICHAEL A. CONDUFF, DENTON CITY MANAGER

HON. MICHAEL C. BURGESS
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. BURGESS. Mr. Speaker, I rise today to recognize Mr. Michael A. Conduff, retiring City Manager of Denton, Texas, for his outstanding service to the local community for the past four and a half years.

Since Mr. Conduff assumed the duties as Denton’s City Manager on May 14, 2001, the City was able to accomplish many goals including the completion of the Downtown Improvement Projects, implementation of computer aided dispatch in the police department, and the opening of the North Branch Library and the Water Works Park. Mr. Conduff was also instrumental in multiple economic development projects including Denton Crossing, Presbyterian Hospital of Denton, improvements to the Water Works Park, and other hazardous substances—because of its proximity to our state’s major metropolitan area, timely and effective cleanup and closure of the site has been a matter of top priority for all Coloradans.

Just last month, the overall contractor for the cleanup, Kaiser-Hill, announced that their work was done. The Department of Energy must still confirm that, and there still must be a formal decision by state and federal regulators. But those who knew Rocky Flats as it was will hardly recognize the site as it is today.

The cleanup of Rocky Flats is a major achievement for which we can all be proud. I want to especially note the efforts of the workers and their dedication not only the security of this country, but their dedication to performing a safe and extensive demolition and decommissioning. This was very complicated and difficult work involving dangerous and toxic materials.
Mr. MICA. Mr. Chairman, I am pleased to introduce legislation (H.R. 4181) to authorize DOE to expend funds to acquire some or all of the minerals, including $10 million from its appropriation for fiscal year 2006. The bill also provides that DOE’s expenditure of $10 million for these purposes—under certain circumstances, an appropriate payment to specified Federal and State officials for acquisition of Rocky Flats minerals or for habitat restoration at Rocky Flats—will satisfy certain claims the State of Colorado might bring for natural Federal rights at Rocky Flats that are now in non-Federal ownership.

To facilitate this acquisition, I have introduced legislation (H.R. 4181) to authorize DOE to expend funds to acquire some or all of the minerals, including $10 million from its appropriation for fiscal year 2006. The bill also provides that DOE’s expenditure of $10 million for these purposes—under certain circumstances, an appropriate payment to specified Federal and State officials for acquisition of Rocky Flats minerals or for habitat restoration at Rocky Flats—will satisfy certain claims the State of Colorado might bring for natural Federal rights at Rocky Flats that are now in non-Federal ownership.

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In response to his recent commendation, Philip's modest reaction was typical. "I do this because I love it, not to win an award," Philip told the Macon Telegraph's Ed Grisamore. "This is really Macon's award."

Mr. Speaker, community leaders like Philip McGoldrick are a special treasure for a city like Macon. The first Philip McGoldrick Scholarship Award was given away this year to help this year's Toys for Tots annual drive bring Santa to every child in Macon, but he hasn't forgotten the critical need to bring Santa to the children left devastated by Hurricane Katrina. I can only wish that other cities each have at least one Philip McGoldrick to lead, organize and motivate civic organizations. Truly, the "gold" in the Philip's surname must refer to his heart, for it is made of pure gold.

HONORING THE NORRISTOWN AREA HIGH SCHOOL HALL OF CHAMPIONS INDUCTEES

HON. JIM GERLACH
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. GERLACH. Mr. Speaker, I rise today to honor five distinguished men and women on the occasion of their induction into the Norristown Area High School Hall of Champions Association.

The Norristown Area High School Hall of Champions Association was established in 1977 to commemorate the athletic accomplishments of distinguished alumni of the Norristown Area High School. The 2005 Annual Hall of Champions Inductees will be John Sewell III; Willie A. Suber, posthumously; Robert V. Mitchell; Angela Henry Lee; and Melissa Mary Kelly.

John Sewell III, Class of 1954, was a football and track and field standout for three years in high school and won the District One shot put title with a distance of 49 feet, 11 3/4 inches. Mr. Sewell also played both offensive and defensive line positions in football. During his career, he earned all-star team honorable mention.

Willie A. Suber, Class of 1958, received All-Suburban honors as halfback during the 1957 Eagles football team's undefeated season, which was only the second in school history. Mr. Suber also participated on the track and field team and ran both the 100 and 200 yard dashes. Mr. Suber passed away in 1994.

Robert V. Mitchell, Class of 1961, was well-known in high school as a basketball, baseball, and track star. Mr. Mitchell helped lead the basketball team to the Suburban One title in the 1960–1961 season. Mr. Mitchell also batted .313 for the baseball team which placed second in the league, and he set a school high jump record of 6 feet 4 1/2 inches while helping the track team to the District One title in 1961.

Angela Henry Lee, Class of 1987, was the school high jump record of 6 feet 4 1/2 inches and placed second in the league, and she set a personal record in softball.

Melissa Mary Kelly, Class of 1998, was an outstanding basketball and softball player. Her athletic accomplishments resulted in her being named to the first team Suburban One League all three years, while also leading the basketball team in scoring and assists. Ms. Kelly also won all-league honors for her athletic talent in softball.

Ms. Kelly also won all-league honors for her athletic talent in softball. Mr. Speaker, it is an honor to rise today to recognize these remarkable and talented men and women who have all excelled in their respective sports and have made a positive impact on their school and community.

RECOGNITION OF INTERNATIONAL DAY OF PRAYER FOR THE PERSECUTED CHURCH

HON. PATRICK T. MCHENRY
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. MCHENRY. Mr. Speaker, in recognition of the International Day of Prayer for the Persecuted Church on November 13, 2005, I commend Burke Community Bible Church and Pastor Scott McMeans of New Day Christian Church and Pastor George Logan, and First Hmong Baptist Church and Pastor Nhia Yee Her for gathering in worship and prayer on behalf of Christians around the world who are persecuted for their faith.

Hebrews 13:3 says, "Remember them that are in bonds, as bound with them: and them which suffer adversity, as being yourselves also in the body." This day of prayer is an opportunity to live that verse, and to remember that prayer changes things. Today we place a special focus on their situation, and we need to continue to remember and pray for those being persecuted, those involved in the persecution, and those that choose to ignore it.

With over 100,000 United States churches representing nearly every denomination taking part in this day of remembrance and prayer, I urge the country to remember those believers who are suffering because of their faith.

As Christians living in a free nation, we often take our freedoms for granted. Remembering those who can not worship in freedom should cause us to think of God for His blessings to us, and compel us to live out our faith in every single aspect of our lives.

RECOGNIZING JACK C. SMITH ON THE 50TH ANNIVERSARY OF FOOD CITY

HON. RICK BOUCHER
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. BOUCHER. Mr. Speaker, I rise today to honor one of my constituents. On November 17, 2005, Jack Curtis Smith, founder of K-VA-T Food Stores, Inc., will mark his 50th year in the grocery business in southwest Virginia, and I would like to take this occasion to recognize his many contributions to my Congressional District. K-VA-T Food Stores, Inc., is an important asset in southwest Virginia, eastern Kentucky, and northeast Tennessee, employing more than 11,000 residents and honoring a strong commitment of service to the region.

Jack C. Smith returned to his hometown of Grundy, Virginia, in 1954 after graduating from the U.S. Naval Academy in Annapolis, Maryland, and serving in the U.S. Navy for 10 years. While standing in a lengthy line at Grundy's only grocery store, Jack Smith decided his hometown needed a larger, more convenient supermarket with an emphasis on customer service. Earl Smith, Jack's uncle, Ernest Smith, Jack's cousin, and Curtis Smith, Jack's father, shared the vision that Jack could meet this need. These four local businessmen formed a partnership and began work with the Piggly Wiggly Corporation to construct a new, state-of-the-art grocery store, and on November 17, 1955, Jack Smith and his partners opened the Piggly Wiggly superstore in the town of Grundy.

After experiencing great success with his Grundy store, Jack Smith acquired grocery stores in eastern Kentucky, southwest Virginia, and east Tennessee from grocery chains such as White Stores, Food City, Winn Dixie, and Piggly Wiggly. Retaining the Food City name, Smith remodeled and modernized the stores, adding features such as wide aisles, larger selection of products and computerized checkout systems, designed to provide the customers greater accessibility to the products and to facilitate an easier shopping experience. Smith soon created K-VA-T Food Stores, Inc., as the holding company which his supermarkets would operate. K-VA-T is an acronym for Kentucky, Virginia, and Tennessee, the States in which his grocery stores are located.

Jack’s work begun 50 years ago with Jack C. Smith has borne fruit. Today K-VA-T Food Stores, Inc., operates nearly 100 Food City stores. K-VA-T has grown to become the largest employer in the Tri-Cities region of Tennessee and Virginia and the fifth largest employer in the Commonwealth of Virginia. Despite its development as a large retail grocery chain, the headquarters of K-VA-T as well as its distribution facility remain in southwest Virginia near the location of its first supermarket.

Most importantly, K-VA-T has adopted a policy of improving the lives of the residents in the communities it serves. The company is 16 percent employee owned. Jack Smith once stated, "The ultimate objective of K-VA-T Food Stores is to fulfill its ongoing commitment to planned growth. My wish is that the public, our corporate officers, associates and patrons can find their lives enriched because of this company's existence and its efforts. But first, and foremost, let us remember that the friendship of those we serve is the foundation of our progress." For 50 years, Jack Smith has been making investments in the communities his stores serve in cities such as Knoxville, Tennessee, as well as small, rural towns such as Grundy, Virginia.

K-VA-T supports local farmers and produce vendors by selling locally grown produce in its stores. Through the Apples for Students program, K-VA-T has provided over $9.2 million in computers and computer equipment to over 700 schools. The company regularly participates in local food drives and provides assistance to chapters of the Second Harvest food bank network. Semi-annually, K-VA-T sponsors Food City Family Race Night, which occurs during the week before the NASCAR races the company sponsors. Food City Family Race Night draws over 40,000 race fans,
and the proceeds from the event are contrib-
uted to local charities. These are just a few of
the many ways K-VA-T supports its commu-
nities.

The outstanding work of Jack C. Smith and
K-VA-T Food Stores has improved the quality
of life for thousands of citizens in my Congres-
sional District in southwest Virginia as well as
throughout eastern Kentucky and northeast
Tennessee. The affects of his dedication to
shaping the communities in this region will be
lasting. I applaud the efforts of Jack C. Smith,
and it is with great pleasure that I congratulate
him on 50 years in the grocery business.

CONGRATULATING ARGYLE HIGH
SCHOOL MARCHING BAND

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

Thursday, November 10, 2005

Mr. BURGESS. Mr. Speaker, I rise today to
congratulate the Argyle High School Marching
Band on winning the Class 2A State Champi-
Onship.

The Music Program of the University Inter-
scholastic League, UIL, is designed to support
and enrich the teaching of music as an integ-
ral component of the public school curriculum
in the state of Texas. Each year approximately
500,000 middle school, junior high and high
school students reap the benefits of participa-
tion in the 10 UIL music events. This year the
UIL State marching band championship was
held in the San Antonio Alamodome on No-
Vember 7–8, 2005.

The Argyle High School Marching Band won
the state title 2 years ago, when they were
last eligible to compete. This year, after suc-
cessfully competing in regional and area UIL
contests, the band was able to advance to the
UIL State competition. After performing their
original music and marching routine, the band
was selected as one of the 7 top finalists out of
a total 18 2A bands at the competition. The
final performance determined that the Argyle
High School Band won the UIL Class 2A State
Championship.

I sincerely commend the Argyle High School
Marching Band and their Director, Cindy Mikel,
for winning the UIL Class 2A State Champi-
nship. Their hard work, dedication, desire to
excel, and success in promoting and per-
forming music deserves the highest recogni-
tion and congratulations.

RECOGNIZING THE 12TH ROUND
OF INTER-KOREAN FAMILY
REUNIONS NOVEMBER 5–10, 2005

HON. XAVIER BECERRA
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 2005

Mr. BECERRA. Mr. Speaker, since the land-
mark Joint Declaration was signed during the
inter-Korean summit that took place on June
15, 2000, 11 rounds of family reunions be-
tween South and North Korea have taken
place. Over these 5 years, more than 10,000
people have been given the chance to do
something they have not done in over 50
years—and that is to once again feel the
warm embrace of their family. This past Satur-
day, November 5, 2005, a 12th reunion began at
North Korea’s Mount Kumgang Resort and
will last through today, November 10, 2005.

And so Mr. Speaker, I rise today to recog-
nize this historic event, as these incredibly
emotional and heart-warming reunions under-
score the unimaginable pain experienced by
families forced apart in 1950 at the outbreak
of the Korean War. A renewed sense of ur-
gency surrounds these reunions as divided
family members are well into their senior
years; many of whom have already passed
away and were never afforded the opportu-
ity to do that which so many of us are blessed to
do daily; converse face to face with a daugh-
ter or brother or mother or father.

Great strides have been taken to expand the
breadth and depth of these reunifications to
allow for greater participation. In addition to
the face to face meetings, South Korea has in-
corporated live television and video feeds for
those family members who cannot make the
trip to Mount Kumgang. South Korea has also
committed to hold family reunions on a regular
basis and institutionalize both the exchange of
letters and the process of confirming the fates
and whereabouts of separated family mem-
bers. Already, the status of some 20,000 indi-
viduals—living and deceased—have been
confirmed. Furthermore, South Korea is cur-
tently constructing a family reunion center that
will serve as the permanent location for
hosting future reunions.

A seldom-cited fact is that there are more
than 10 million separated family members—a
staggering one quarter of the nation’s popu-
lation—currently in South Korea. In addition,
there are more than 500,000 Korean Ameri-
cans here in our own country who also share
the pain of having separated family members
in North Korea.

The South Korean government has held
talks with North Korea on the topic of including
Koreans from all over the world in the reunifi-
cation efforts. As a result of the second and
third round of ministerial meetings that were
held in 2000 between the two Koreas, 115 Ko-
dernans living overseas, including 94 Ameri-
cans, have been afforded the opportu-
nity to see and be with their separated fam-
ily members.

The South Korean government has stated
that it will make all efforts possible to continue
to create greater opportunities for Koreans liv-
ing abroad to meet their divided family mem-
ers. So far, about 1,000 Koreans living over-
seas have applied to participate in the re-
unions, 600 of whom live right here in the
United States.

For these reasons, Mr. Speaker, I wish to recog-
nize and pay tribute to the 12th round of
inter-Korean family reunions. Perhaps it is also
fitting for all of us here in this body to take
a moment to reflect on the importance of family,
recognizing that the time we spend with them
is so precious and must never be taken for
granted. I also wish to express my personal
appreciation and commend the government
and people of South Korea for all they have
done to institutionalize these important re-
unions and encourage them to continue their
full commitment to family reunification.

RECOGNIZING AND COMMENDING
CONTINUING DEDICATION AND
COMMITMENT OF EMPLOYERS
OF MEMBERS OF THE NATIONAL
GUARD AND THE OTHER RE-
SERVE COMPONENTS

SPEECH OF
HON. TODD TIAHRT
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, November 8, 2005

Mr. TIAHRT. Mr. Speaker, the summer inva-
sion of Kuwait by Saddam Hussein in 1990
initiated one of the longest continual military
mobilizations in our nation’s history. Since
then, our military has been continually en-
gaged in the Middle East and other theaters.
The attacks in New York, Virginia and Penn-
sylvania on September 11th, 2001 have only
served to expand the scope and increase the
operational tempo and intensity of our armed
forces.

For the past 15 years, our citizen-soldiers,
found in the Reserves and Army and Air Na-
tional Guard, have been increasingly mobilized
deployed. Since the Global War on Ter-
orism began in 2001, 433,000 members of
the reserve component have been mobilized
for active duty. These troops, like our active-
duty force, risk their lives on the front-lines
for our nation’s security and freedom while being
separated from friends and family. But unique
to our National Guardsmen and Reservists,
these deployments often involve year-long abs-
ences from civilian employment and a cor-
responding financial hardship.

National Guard and Reserve mobilization
also has a dramatic effect on civilian employ-
ers. Across the nation businesses are losing
their top employees to the call of national
service. Despite the strain on their businesses,
the vast majority of employers embrace this
challenge with pride. Not only do they adhere
to the Uniformed Services Employment and
Reemployment Rights Act, many businesses
go above and beyond in support of their de-
ployed employees and the families left behind.
They deserve our nation’s respect and thanks.

Therefore, Mr. Speaker, I am honored to
support House Resolution 302, sponsored by
Mr. POMBO of California. This important resolu-
tion recognizes and commends the dedication
and commitment of employers of the members
of the National Guard and the other reserve
components. I encourage this entire body to
strongly support this resolution, along with the
businesses and reservists it commends.

OLD JAIL ART CENTER SILVER
ANNIVERSARY

HON. RANDY NEUGEBAUER
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. NEUGEBAUER. Mr. Speaker, I would like
to congratulate the Old Jail Art Center in
Albany, Texas on its 25th anniversary. The Art
Center first opened on December 19, 1980
and, as the name indicates, is located in the
first permanent jail built in Shackelford County.
The historic location in combination with the
excellent permanent art collection and other
exhibits gives Albany an important cultural
center that receives over 30,000 visitors a year.

Texas Monthly magazine has called The Old Jail Art Center the best small-town museum in the state and it is easy to see why. It has a permanent collection of over 1900 works of art, including modern paintings by artists such as Thomas Hart Benton, Pierre-Auguste Renoir, and Pablo Picasso. The museum’s Eastern Art Collection displays thirty-five Chinese terra-cotta tomb figures from the Han and T’ang dynasties. The Old Jail Art Center provides art education opportunities with 43 Big Country school districts. In addition, the museum offers historical archives and serves as a research library for Shackelford County. I am pleased to honor this full service art center that contributes to the cultural and educational opportunities for my constituents in the 19th Congressional District of Texas.

I would like to congratulate all those involved with making this museum such a success. The citizens of Albany and all Texans can be proud of the Old Jail Art Center and its programs.

VETERANS DAY

HON. HILDA L. SOLIS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Ms. SOLIS. Mr. Speaker, I rise today to pay tribute to America’s 24.5 million living veterans who have served and sacrificed for our country—including the 28,000 veterans in my district.

Veterans Day is the time to honor the servicemen and women that have protected this country and the freedom we hold so dear. Throughout history, our veterans have served our nation with great distinction and honor. Today, we recognize both those who have worn the uniform and those who are currently serving.

That is why I support several key pieces of legislation that serve to benefit our nation’s veterans, I am proud to be a cosponsor of H.R. 2131, the New GI Bill of Rights for the 21st Century. The new GI Bill would repeal unfair tax burdens on military families, provide veterans with affordable health care, education, and job training benefits, and strengthen our support for men and women in uniform, including our National Guard and Reservists.

On this Veterans Day, our servicemen and women continue to risk their lives in Iraq and Afghanistan to protect our country. Recently, the 2,000th soldier was killed in Iraq and more than 15,000 troops have been wounded there. During the Iraqi conflict, my district has suffered the loss often brave servicemen who did not return to their families. They are Marine Corporal Lance Corporal Manuel A. Ceniceros; Specialist Leroy Harris-Kelly III; Marine Corporal Rudy Jose Casanova; Marine Private First Class Atanasio Haromarin; Army Private First Class Santos G. Fry; and Guy Reinbold.

Today, I want to specifically thank the students from Northwest ISD for their outstanding collective fundraising effort. Northwest ISD students collected $13,517.58 for Hurricane Katrina victims. Additionally, Gilley-Tarpley Associates agreed to match the donation up to $5,000.00, for a total of $18,517.58.

The district-wide relief effort, which began in September, was organized by the Northwest High School Student Council, PAL, and the Key Club organizations.

I stand here today to sincerely thank the students of Northwest ISD and Gilley-Tarpley Associates for their generous donation. I am proud to call these people fellow Texans. Through their contribution, they not only stand as devoted and giving American citizens, but they serve as an inspiration to others.

In memory of R.C. Gorman

HON. TOM UDALL
OF NEW MEXICO
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to honor the memory of R.C. Gorman, a close family friend and a legendary Navajo artist known as “The Picasso of American painters.”

R.C. grew up using the earth as his canvas. His palette was the desert of the Southwest and his tools were the rocks and sands around him. After years of mastering his craft, he found a home in Taos, New Mexico, and became known for his Native American art. For four decades, R.C. was a pioneer. He opened the first Native American-owned art
IN HONOR OF SISTER JULIE HYER

HON. SAM FARR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 2005

Mr. FARR. Mr. Speaker, I rise today to honor Sister Julie Hyer, as she has recently celebrated 20 years as President of Dominican Hospital in Santa Cruz, California. Since 1985, Sister Julie has enlivened and inspired those affiliated with Dominican Hospital and the community at large with her leadership in ways that are practical and profound.

Before coming to Santa Cruz, Sister Julie served at the Mercy Healthcare Corporation in Farmington, Michigan. There, she served for 11 years beginning as a hospital coding clerk in 1974 and ascending to Associate Director of Medical Affairs at the corporate level. Sister Julie has an MBA in Finance from the University of Detroit, BS in Medical Record Administration from Siena Heights College in Detroit, and a BA in Mathematics from Siena Heights University in Adrian, Michigan.

Dominican Hospital is a non-profit community hospital located in Santa Cruz, sponsored by the Adrian Dominican Sisters. As President of Dominican Hospital, Sister Julie oversees acute care, inpatient and outpatient services, four subsidiary corporations, two congregate living facilities totaling 356 apartments, and other multiple joint ventures. She also serves as a member of many corporate-wide initiatives and committees.

Mr. Speaker, the service of local community leaders is an asset to this Nation, and I applaud Sister Julie for her significant contribution. The 20 year anniversary of Sister Julie’s presidency signifies a fruitful career of improving the health of the community through her core values of dignity, excellence, collaboration, justice and stewardship. It is clear that Sister Julie has made a lasting impact on our community and I join Dominican Hospital in honoring her tenure.

PERSONAL EXPLANATION

HON. BRIAN HIGGINS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 2005

Mr. HIGGINS. Mr. Speaker, I missed a roll-call vote on the night of Wednesday November 9, 2005. I would like to enter into the RECORD how I intended to vote on the missed rollcall:

On rollcall No. 582 regarding S. 1894, the Fair Access Foster Care Act of 2005, I would have voted “yea.”

CONFERENCE REPORT ON H.R. 2862, SCIENCE, STATE, JUSTICE, COMMERCY, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

SPEECH OF
HON. ADAM B. SCHIFF
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES

Wednesday, November 9, 2005

Mr. SCHIFF. Madam Speaker, from the dawn of civilization, man has peered out into the heavens and marveled at the vast expanses of our universe. During the past half century, from America’s first satellite, the grapefruit-sized Explorer I, to the International Space Station now being built 200 miles above us, human beings have begun to learn how to operate in the harsh environs of space. Our unmanned space probes, such as Ranger and Surveyor craft that paved the way for Apollo to the Voyager spacecraft that explored the outer planets—continue to increase our understanding of the universe. Everyone of the ambitious American space probes that has visited another planet has been managed by NASA’s Jet Propulsion Laboratory (JPL) in Pasadena, California.

It is for this reason, I am proud that the conference report covering NASA operations includes full support of the work of JPL on the Mars exploration program and the Space Interferometry Mission.

NASA’s Mars exploration program embodies the President’s vision for space exploration. It will expand our knowledge of one of our neighbors in the solar system and pave the way for a manned mission to Mars. NASA’s search for planets and life beyond our solar system is also having increasing and dramatic success with more than 150 planets now discovered. With full funding, the Space Interferometry Mission will examine over two thousand stars for planetary systems, fulfilling a critical step in the search for Earth-like planets.

For their strong support of this vision, I would like to thank Chairman Lewis and Ranking Member Obey. I would also like to thank Chairman Wolf and Ranking Membermolohan for meeting on several occasions to discuss the important work of JPL.

In addition to expanding our reach into the depths of the universe, the space research program at JPL will have additional benefits here on Earth. According to economists, in investment in research and development in other nations has increased in recent years, it has stagnated in the United States. Full funding for the work at JPL demonstrates our continuing commitment to research in the sciences.

The space exploration program also has an impact on young people. Generations of students have been inspired to enter scientific fields by stunning images from the heavens. The funding for cooperative education programs between NASA’s Jet Propulsion Laboratory and Griffith Observatory recognizes the importance of encouraging more students to enter scientific fields.

With our commitment to the programs at NASA’s Jet Propulsion laboratory, we are pursuing both the human quest to understand our universe and the American quest for continuing leadership in space exploration.

CONGRATULATIONS TO THE MCCANDLESS TOWNSHIP SANITARY AUTHORITY

HON. MELISSA A. HART
OF PENNSYLVANIA
IN THE HOUSE OF REPRESENTATIVES

Thursday, November 10, 2005

Ms. HART. Mr. Speaker, I would like to take this opportunity to congratulate the McCandless Township Sanitary Authority on the 50th anniversary of its founding.

Over the past fifty years the McCandless Township Sanitary Authority has provided service to 52,000 customers in Bradford Woods Borough, the Borough of Franklin Park, Marshall Township, Pine Township, the Town of McCandless and boundaries of Hampton and Ross Townships. Their customers vary from residential and commercial facilities to schools, colleges, and hospitals. The authority owns and operates a comprehensive sanitary sewer system that includes four treatment plants, and sixteen pumping stations.

To celebrate their 50 years of great service, the authority will commemorate the anniversary on December 17, 2005 as part of the annual Christmas Dinner at Highland Country Club.

I ask my colleagues in the United States House of Representatives to join me in honoring the 50th anniversary of the McCandless Township Sanitary Authority. It is an honor to represent the Fourth Congressional District of Pennsylvania and a pleasure to salute such a dedicated institution as the McCandless Township Sanitary Authority.

RECOGNIZING FLOWER MOUND HIGH SCHOOL SPEECH AND DEBATE TEAM

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

Thursday, November 10, 2005

Mr. BURGESS. Mr. Speaker, I rise today to commend the Flower Mound High School speech and debate team for being recognized as 13th out of the top 50 speech and debate teams in the country.

The ranking was announced by the National Forensic League on Oct. 22, 2005. The National Forensic League is comprised of 103
CONGRESSIONAL RECORD — Extensions of Remarks November 10, 2005

HON. BART STUPAK
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 9, 2005

Mr. STUPAK. Madam Speaker, this week, the House of Representatives passed the conference report to H.R. 2862, the FY 2006 Science, State, Justice, and Commerce Appropriations bill on a vote of 397–19.

I voted for this conference report because it provides funding for important law enforcement agencies, including the Federal Bureau of Investigation, the Department of Justice, and the Drug Enforcement Agency. However, I was reluctant to support this conference report during final passage because I was extremely disappointed and concerned that this legislation drastically cuts funds for the Community Oriented Policing Services program, or COPS Program, and subsequently eliminates Byrne-JAG grants.

Byrne-JAG grants provide vital funding for multi-jurisdictional drug task forces, anti-drug education programs, treatment programs, and sentencing strategy programs, anti-terrorism training programs, and for the enforcement of child abuse and neglect laws, and the improvement the criminal justice systems’ response to domestic and family abuse. When the House first considered H.R. 2862, I offered a bipartisan amendment to increase Byrne-JAG grants funding, but unfortunately, my amendment failed to garner enough votes.

Today I congratulate the Flower Mound High School speech and debate team and Head Debate Coach, Eric Mears, on ranking 13th out of the top 50 speech and debate tournaments in the country. Their dedication and hard work in perpetuating intellectual debate, oratory, and public speaking deserves the highest recognition and praise.

HON. SUE W. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mrs. KELLY. Mr. Speaker, I rise today to commend the efforts of the Crohn’s and Colitis Foundation of America in fighting Inflammatory Bowel Disease (IBD). Today, the Foundation will visit Capitol Hill and ask for our support of H.R. 3616—The Inflammatory Bowel Disease Research Act.

Crohn’s Disease and ulcerative colitis are chronic disorders of the gastrointestinal tract that affect approximately 1.4 million Americans, 30 percent of whom are diagnosed in their childhood years. IBD represents a major cause of morbidity from digestive illness and has a devastating impact on both patients and families. The cause is unknown, and there is no medical cure.

I urge my colleagues to cosponsor the bipartisan Inflammatory Bowel Disease Research Act that I’m sponsoring with the gentlemen from Illinois, JESSE JACKSON, Jr. The IBD Research Act builds upon legislation we sponsored last Congress, which garnered 1BB cosponsors in the House. It is time for Congress—we look forward to even more support. Together we can help millions of children and adults that suffer from these devastating diseases.

CONFERENCE REPORT ON H.R. 2862, SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

SPEECH OF HON. SUE W. KELLY
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today to offer legislation along with my colleague from Kentucky, Congressman HROAD “HAL” ROGERS, which seeks to increase venture capital investment in small businesses located in low-income urban and rural communities nationwide. Our bill, the Securing Equity for the Economic Development of Low Income Areas—SEED—Act, would reauthorize and expand the New Markets Venture Capital (NMVC) program of the Small Business Administration (SBA).

The New Markets Venture Capital Program was established in 2000 for the purposes of making equity investments in small businesses located in economically distressed communities through the creation of NMVC companies. Many conventional venture capital firms have been unwilling to invest in economically disadvantaged areas. NMVC companies aim to help fill the access to capital gap that exists for many small firms in these communities.

New Market Venture Capital companies will leverage equity capital backed by SBA-guaranteed funds to invest in small businesses in distressed areas. NMVC companies can also apply for matching operational assistance grants to provide entrepreneurs with the services and technical support needed to help their businesses grow and succeed.

Through the program, 6 New Markets Venture Capital companies have been formed and are currently still operating and making quality investments in small businesses throughout the country. For example, the Southern Appalachian Fund located in Congressman ROGERS’ Congressional District was one of the original New Markets Venture Capital companies established during the initial round of funding. The Southern Appalachian Fund (SAF) is a $12.5 million venture capital fund offering equity capital and operational assistance to eligible small businesses located in the Appalachia regions of Kentucky, Tennessee, Georgia, Alabama, and Mississippi. In 2004 alone, SAF invested over $1 million in three companies, which helped attract an additional $1.7 million in venture capital funding for these firms. As a result, these investments assisted in the creation of over 50 new jobs in the region.

Unfortunately, though authorized, this worthy program has not received funding in each of the last 3 fiscal years. The SEED Act would reauthorize the New Markets Venture Capital program by providing $100 million in debenture guarantees and $25 million in operational assistance grants to fund the creation of a fresh round of NMVC companies. In addition, our legislation would incorporate small manufacturers into the mission of the program by encouraging the SBA to set up at least one company that is primarily involved in the manufacturing firms. The bill also seeks to diversify venture capital investments beyond the typical Silicon Valley and Northeastern corridors by
encouraging the formation of NMVC companies in each of the ten geographic regions of the SBA.

Many of my constituents have fallen on hard times and are in need of help. A large portion of my district is in the midst of an economic crisis. In 2002, the Bureau of Labor Statistics reported that 59 percent of working age African American males in Milwaukee were either unemployed or out of the workforce. In the past five years, Milwaukee has lost 33,000 manufacturing jobs, an industry that was once the lifeblood of the local economy. And, according to a study conducted by the University of Kansas, Milwaukee ranks 49th out of the 50 largest U.S. cities in terms of per capita venture capital dollars.

Small businesses create nearly 75 percent of all new jobs and account for 99 percent of all employers. It is not a stretch to conclude that increased investment in small businesses leads to the creation of new jobs and sparks much needed economic development in areas that have experienced better days. And given the high levels of unemployment that exist in many urban and rural communities throughout the country, the New Markets Venture Capital program would provide a crucial source of investment capital to small firms and help create new jobs. I strongly urge my colleagues to support this very important bipartisan bill.

INTRODUCTION OF THE BLUNT RESERVOIR AND PIERRE CANAL LAND CONVEYANCE ACT OF 2005

HON. STEPHANIE HERSHEY
OF SOUTH DAKOTA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Ms. HERSETH. Mr. Speaker, today, I am introducing the Blunt Reservoir and Pierre Canal Land Conveyance Act of 2005.

The origins of the bill stretch back to The Flood Control Act of 1944 which authorized a 190,000 acre irrigation project surrounding the Oahe Dam in South Dakota. As part of this project, the Bureau of Reclamation acquired approximately 19,000 acres of land in two South Dakota counties before organized opposition halted the project in 1977. Since then, the Bureau of Reclamation has retained ownership of the land and, even today, the original landowners continue to lease the land from the department.

Recognizing that the project will not be restarted, the State of South Dakota initiated talks to resolve the ownership situation. Working with the South Dakota Department of Game, Fish and Parks, local stakeholders, the Bureau of Reclamation, and others, a general consensus emerged that the best way to deal with the associated economic, tax base, wildlife mitigation, and public access concerns would be to allow the original landowners to buy back the land. Years of negotiations and meetings led to the bill I am introducing today.

Under this bill, former Blunt Reservoir and Pierre Canal landowners would be allowed to repurchase their former lands, on which they currently hold preferential leases, from the Bureau of Reclamation. The bill also will transfer non-preferentially-leased lands and unleased lands to the South Dakota Department of Game, Fish, and Parks, GFP, as part of its broader plan to restore wildlife habitat that was lost due to the construction of the Missouri River dams.

The proposals in this legislation were included in an identical bill that passed the Senate by unanimous consent last year. This legislation is an important opportunity to resolve a land ownership issue left open for over 3 decades. I urge my colleagues in the House to give this bill their swift consideration.

TRIBUTE TO ERNEST C. FORD, AN AMERICAN VETERAN

HON. DANIEL E. LUNGREN
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. DANIEL E. LUNGREN of California. Mr. Speaker, Veterans Day is a special day we set aside to honor all of our brave service men and women both past and present. It is a day to remember, a day to honor and a day to reflect upon our fellow citizens who, risking their lives, were willing to make the ultimate sacrifice. It is a day to honor those we know and those we have never met.

It is my privilege to honor one of our veterans in the 47th Congressional District of California, Ernest C. Ford. Mr. Ford’s story was brought to my attention some months ago. Like many of my fellow colleagues in Congress, we represent our constituents and are honored to have veterans among them. It is their story that humanizes the importance of Veterans Day.

In May of 1927, Charles Lindbergh took off from Roosevelt Field, Long Island, New York and flew into aviation history and into the imagination of a 5½ year old boy, “Ernie” Ford. With the onset of World War II, the young farm boy from Dodge City, Kansas left his family and friends to join a cause larger than himself.

Fifteen years later to the day of Lindbergh’s faithful flight, Staff Sergeant Ernest C. Ford graduated from advanced flying school at Luke Field, Phoenix, Arizona. Like many, in what has been referred to as the greatest generation, he served with honor and distinction to preserve Liberty and Freedom throughout the world. Flying over 6,500 hours and 364 combat missions, the most of any pilot in the USAAF during World War II, he showed his dedication to duty, honor and country.

On February 6, 1943, Staff Sergeant Emie Ford, a transport pilot, is credited with saving three C-47 planes, their crews, and 87 Australian soldiers from a German Ju-88 bomber. Mr. Ford’s actions were recognized through a commitment to workplace safety, as these sites achieve a level of worker protection that goes far beyond compliance with already strict government regulations.

In Charles Town, WV, the March-Westin Company is constructing a 55,000 square foot, old style church which includes a parish hall, library, classrooms, a chapel, bell tower, and a kitchen. This $10 million project will serve not only as a model for workplace safety but also as a wonderful place for worship and a welcome addition to the eastern panhandle of West Virginia.
In closing, I want to again commend the March-Westin Company, the St. James Catholic Church, and the Wheeling-Charleston Catholic Diocese for their commitment to workplace health and safety and ask my colleagues here in Congress to join me in recognizing their efforts.

**FREEDOM FOR JOSÉ ENRIQUE SANTANA CARREIRA**

**HON. LINCOLN DIAZ-BALART OF FLORIDA IN THE HOUSE OF REPRESENTATIVES Thursday, November 10, 2005**

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about José Enrique Santana Carreira, a political prisoner in totalitarian Cuba.

Mr. Santana Carreira is the national coordinator of the Democratic Party November 30 and a member of the pro-democracy opposition of the Democratic Party November 30 in totalitarian Cuba.

Santana Carreira describes the horrible conditions in the gulag to his mother:

My dearest mother, I resolve to take this until the maximum consequences if they already hate me, this will not stop, the only thing that I want is for all to know of the abuses that we are being subjected to and to resolve the necessary support from all the people so that all these abuses end and the World learns about the cruelties commit for those who fight peacefully with their reason and their right.

Take care of my vjejita, I am very ill, suffering with all this, but I am willing to die for the reason that assists me in this our pacific fight.

I love you a lot. José Enrique Santana Carreiras

Mr. Santana Carreras represents the very best of the Cuban people: No matter how intense the repression, no matter how inhumane the conditions, he will never relent in his belief that the men and women of Cuba should be and will be free.

Mr. Speaker, it is as inconceivable as it is unacceptable that, in the 21st century and only 90 miles from our shore, brave men and women are locked in grotesque dungeons because they believe that all people have basic human rights. It is a profound embarrassment for mankind that the world stands by in silence and acquiescence while political prisoners are systematically tortured because of their belief in freedom, democracy, human rights and the rule of law. My colleagues, we must demand the immediate and unconditional release of José Enrique Santana Carreira and every political prisoner in totalitarian Cuba.

**CONGRATULATING CJ’S STUDIO OF PERFORMING ARTS**

**HON. MICHAEL C. BURGESS OF TEXAS IN THE HOUSE OF REPRESENTATIVES Thursday, November 10, 2005**

Mr. BURGESS. Mr. Speaker, I rise today to congratulate Ms. Darion Albert, Ms. Brittany Carey, Ms. Christian Hargers, Ms. Britania Jones, and Ms. De’Ona Stafford of CJ’s Studio of Performing Arts, located in my district, for their opportunity to dance in the Moscow Ballet’s presentation of The Nutcracker in Dallas.

The Moscow Ballet is a classical ballet company that brings the grand tradition of a century of Russian ballet to audiences throughout the world, and it is considered a great honor to be part of the troupe. Moscow Ballet’s The Great Russian Nutcracker combines the family favorite with a special prayer for peace. Unlike many American adaptations, The Great Russian Nutcracker ends not in the “Land of the Sweets,” but in the “Land of Peace and Harmony.” The Russian Nutcracker has charmed for more than a century because it takes its audience to a world of enchantment and peace where dreams are made real, language is no barrier, and it is always the season of love and giving.

The five young ladies of CJ’s Studio of Dance were selected this year to perform in this timeless tradition and performance. Ms. Albert, Ms. Carey, Ms. Hargers, Ms. Jones, and Ms. Stafford have all attended CJ’s for a number of years, under the direction of Ursula Gibbs. Ms. Gibbs serves as the studio’s artistic director and dance instructor and is to be congratulated for her skillful dance instruction. I extend my sincere congratulations to these young ladies for this distinguished opportunity. I wish them the best of luck in their dedicated pursuit of dance and the performing arts.

**HONORING AMERICA’S VETERANS**

**HON. BETTY MCCOLLUM OF MINNESOTA IN THE HOUSE OF REPRESENTATIVES Thursday, November 10, 2005**

Ms. MCCOLLUM of Minnesota. Mr. Speaker, every year on November 11, the American people honor the men and women who have served and sacrificed for our Nation as members of the armed forces. The sacrifices of our veterans and their families are the foundation of our Nation’s freedom. All Americans owe them a debt of gratitude for their service.

Veterans Day is a national holiday for remembrance and appreciation. Whether a veteran served during WWII, Korea, Vietnam, the Gulf War, or have recently returned from Iraq and Afghanistan, they have earned our respect. As a member of Congress, I feel strongly about honoring our veterans and their families. With over 100 members of Congress, Congress must keep its promise to those veterans who have served, as well as those who will be returning home from Iraq and Afghanistan. Providing the necessary healthcare, education, and disability benefits to meet the needs of our veterans is both a responsibility and a moral obligation.

This Veterans Day, let us thank our family, friends and neighbors who have served our Nation in uniform. Their courage is to be celebrated. Their commitment to our Nation must be matched by a commitment to Congress to truly honor their service by guaranteeing the benefits they deserve.

**RESOLUTION OF INQUIRY, H. RES. 505 REQUESTING THE PRESIDENT TO TRANSMIT TO THE HOUSE OF REPRESENTATIVES DOCUMENTS PERTAINING TO THE WHITE HOUSE IRAQ GROUP**

**HON. SHERROD BROWN OF OHIO IN THE HOUSE OF REPRESENTATIVES Thursday, November 10, 2005**

Mr. BROWN of Ohio. Mr. Speaker, earlier today the House International Relations Committee convened to consider an important resolution of inquiry, H. Res. 505.

The resolution would have required the President and Secretary of State to turn over to the House of Representatives all white papers, minutes, notes, e-mails or other communications relating to the White House Iraq Group (WHIG). Unfortunately, the committee voted to report the resolution unfavorably, so we won’t be getting those important documents.

It was also unfortunate that the committee called for a vote before all Democrats wishing to speak could be heard. Because the chairman acted in this manner, further debate was closed.

Due to this, I feel it necessary to have my statement from the International Relations Committee included in the CONGRESSIONAL RECORD.

I hope that in the future, when our committee meets on important legislation with serious international and national security implications, all members will be allowed to address their concerns vocally and publicly.

My statement for the committee record appears below.

Here we are again, asking for the answers to the same questions we’ve been asking for over two and a half years.

I commend my colleagues for introducing H. Res. 505, a resolution that would require the President and Secretary of State to turn over to the House of Representatives all white papers, minutes, notes, e-mails or other communications relating to the White House Iraq Group (WHIG).

It seems many of my colleagues on the other side of the aisle have forgotten that Congress has an obligation to the American people to oversee the activities of the Executive Branch.

Because of that duty, we owe it to the American public to investigate the actions of the WHIG if we are to determine what the Bush Administration was peddling less than the actual truth of the Iraqi threat prior to going to war.

Over the past several years, Congress has continually failed to investigate the Administration’s faulty intelligence claims with regard to Iraq.

Now we know that Andrew Card formed the WHIG in 2002, with the goal of marketing an
invasion of Iraq. The group included numerous senior administration officials, including Lewis "Scooter" Libby, Karl Rove and Condoleezza Rice.

It appears much of the administrations support for the Iraq invasion came from the WHIG, and it helped create materials for use by administration officials.

The materials then used to make claims which it appears the members of the WHIG knew or had reason to know were questionable or false.

In the buildup to the war, these materials included but were not limited to possible erroneous claims that Iraq sought uranium from Niger; that Iraq's aluminum tubes could be used only for nuclear weapons purposes; and that Iraq was a training ground for Al Qaeda operatives.

Following these and similar claims, an aggressive media assault continued. In mid-September 2002, Condoleezza Rice stated that action on Iraq was necessary because, "We don't want the smoking gun to be a mushroom cloud.

Vice President Cheney also appeared that month on "Meet the Press" stating that Saddam Hussein was "actively and aggressively working towards a nuclear bomb.

President Bush himself claimed during a 2002 major speech in Cincinnati: "We've learned that Iraq has trained Al Qaeda members in bomb-making and deadly gases."

The American people deserve answers regarding the truth about information peddled by WHIG.

I urge my colleagues to do more than their Congressional service demands—we must investigate possible wrongdoing by the Executive Branch.

If you do not fear the truth, you will vote to report this resolution favorably.

PERSONAL EXPLANATION

HON. MIKE PENCE
OF INDIANA

IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. PENCE. Mr. Speaker, I was detained the afternoon of November 9, 2005. Had I been present, I would have voted in the following manner:

Roll call 581 (On Passage—H.R. 2862)—"aye"; roll call 582 (On Passage—S. 1894)—"aye"; roll call 583 (On Agreeing to the Senate amendment)—"nay"; roll call 584 (On Motion to Reconcile with Instructions—H.R. 1751)—"nay"; and roll call 585 (On Passage—H.R. 1751)—"aye."

REMARKS REGARDING VETERANS DAY

HON. AL GREEN
OF TEXAS

IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. AL GREEN of Texas. Mr. Speaker, it is because of the great sacrifices of the men and women in our armed forces that we are able to live in freedom. We are committed and indebted to America's veterans who have risked their lives to protect liberty and defend freedom both here in the United States and abroad.

Today, I take the opportunity to recognize the sacrifices our veterans have made serving our country and I extend to them my deep felt admiration.

On this Veterans Day, we must not just recognize the war heroes among us with our words, rather we must recognize them with our deeds. Members of our armed forces serve our Nation with distinction and we must honor them with more than just our gratitude.

We must honor them by providing them with the most basic benefits, access to health care, education, job training, and full receipt of the disability compensation to which they are entitled.

Tragically, we are failing our Nation's veterans.

It is our duty to provide men and women returning from service with the resources to seamlessly resume their lives as civilians. This means providing them with exceptional educational opportunities, job training and health care.

We must abolish the Disabled Veterans Tax, a tax that forces disabled military retirees to give up one dollar of their pension for every dollar of disability pay they receive. Abolishing this tax is critical to the nearly 400,000 military retirees who continue to pay it. We should receive and to make them mandatory.

We must investigate possible wrongdoing by the Executive Branch.

If you do not fear the truth, you will vote to report this resolution favorably.

KID SAFE CHEMICALS ACT OF 2005

HON. HENRY A. WAXMAN
OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. WAXMAN. Mr. Speaker, today, I am pleased to introduce the "Child, Worker and Consumer-Safe Chemicals Act of 2005," also known as the "Kid Safe Chemicals Act." I am particularly pleased that Representatives SOLIS, SLAUGHTER, and PALLONE are joining me in this effort to create a non-toxic environment to protect the health of children, workers and others.

The legislation we introduce today is companion legislation to an important bill that was introduced in the U.S. Senate earlier this year. Senators LAUTENBERG and JEFFORDS introduced S. 1391 with Senators BOXER, CLINTON, CORZINE, KENNEDY and HILL to address the major problem of inadequate chemical regulation in this country.

The United States' current regulatory approach to chemicals is in dire need of being modernized. As Congress begins to take up this issue, the European Union is starting to resolve a multi-year process to achieve the same goal and is developing what may become the state-of-the-art approach to chemicals regulation. While this issue is proceeding overseas, we cannot sit upon our hands here in the United States. It's clear that our system must be modernized, and I have no doubt that it will be modernized. Our goal is that Congress begin this process sooner rather than later.

The Kid Safe Chemicals Act responds to the growing body of scientific literature which identifies chemical exposures as a factor in the rise of disorders and diseases such as birth defects, asthma, neurological and developmental disorders, infertility and certain types of cancer.

Study after study reveals alarming evidence of our exposure to industrial chemicals and pollutants. Bio-monitoring studies report the presence of hundreds of synthetic chemicals in our bodies—even in the bodies of infants and fetuses. These chemicals are not house- hold items: bisphenol A, brominated flame retardants, phthalates, and perfluoro compounds. Yet we are exposed every day—on the job, through our food and water, and in our homes. Computers, cosmetics, even children's toys can contribute to our collective "body burden" of chemical contamination.

Tens of thousands of chemicals have never been properly assessed for their potential health and environmental risks. The problem can be traced to the 1976 federal law that was meant to empower the Environmental Protection Agency (EPA) to take action on such threats. The Toxic Substances Control Act (TSCA) has been in place for 29 years, but has failed to protect Americans from dangerous chemicals.

A July 2005 report by the Government Accountability Office documented the abysmal results of this federal policy. Of the 62,000 chemicals on the market when the law took effect, the EPA has used its authority under the Toxic Substances Control Act to evaluate less than two hundred, and invoked its power to regulate just five groups of chemicals.

This system is badly broken.

The Kid Safe Chemicals Act will reform our failed approach to chemical regulation and put us on track to reassess U.S. leadership. This legislation will protect kids by recognizing their special vulnerabilities and requiring manufacturers to provide health and safety information prior to distributing a chemical in consumer products. This will end the false presumption that we have relied upon for too long—that a substance is safe until proven dangerous.

This legislation is endorsed by the American Public Health Association, the Natural Resources Defense Council, and over a dozen pediatricians, other physicians and researchers from the National Centers for Children's Environmental Health. This legislation is a strong starting point in a debate our country needs to have. I am proud to introduce Senator LAUTENBERG's legislation in the House and look forward to working with colleagues in both chambers to act upon it as soon as possible.

GYNECOLOGICAL RESOLUTION FOR ADVANCEMENT OF OVARIAN CANCER EDUCATION

SPEECH OF
HON. BOBBY L. RUSH
OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES
Monday, November 7, 2005

Mr. RUSH. Mr. Speaker, on Monday, when the House considered H. Res. 444, a Gynecological Resolution for Advancement of Ovarian Cancer Education, I was unavoidably detained in my Chicago district. I would like to take this
opportunity to express my support for this resolution, which has been sponsored by my good friend and colleague, Ralph Hall of Texas, to bring attention to a disease that has afflicted one of his long time staff members, Grace Warren.

That disease is ovarian cancer.

Mr. Speaker, ovarian cancer is the fourth leading cause of cancer mortality among women in the United States. Research has proven that early detection of the disease can improve the long term survival rates among those with the disease dramatically yet, unfortunately, there are few, if any, effective methods of early detection. As a result, often when the disease has been diagnosed, it is often far advanced.

While the mortality rates have decreased in the United States for other cancers, they have remained high for women with ovarian cancer. This is the result, in part, because the symptoms of the disease are not well understood and in part, because there are no reliable and reasonably priced screening tests to detect the disease in its early stages. Statistics from the Centers for Disease Control and Prevention indicate that more than 22,000 American women will be diagnosed with the disease this year, yet last year, the National Cancer Institute dedicated approximately one-fifth of the research dollars to ovarian cancer as it does to breast cancer.

Earlier this year, when Ralph advised me that he was sponsoring legislation to increase the awareness of ovarian cancer and to dedicate resources to research on its causes and cures, I agreed to cosponsor the legislation. Not only as a testament to Grace, and to the strength and courage which she has demonstrated while battling this devastating disease, but to all of the women in this country who are the victims of ovarian cancer and other gynecological cancers.

Mr. Speaker, I am pleased and proud that the House has passed this resolution overwhelmingly. It is my hope that the Senate will soon follow suit and pass similar legislation. Grace Warren, and the other victims of this disease, deserve no less.

SECURE ACCESS TO JUSTICE AND COURT PROTECTION ACT OF 2005

SPEECH OF
HON. BETTY McCOLLUM
OF MINNESOTA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 9, 2005

The House in Committee of the Whole on the State of the Union had under consideration the bill (H.R. 1751) to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes.

Ms. McCOLLUM of Minnesota. Mr. Chairman, I rise today to make known my position on H.R. 1751. Although I was on the floor yesterday during the debate on this important legislation and intended to cast an affirmative vote, my vote was not recorded. The record will reflect that I was present for the preceding vote.

I strongly support the Secure Access to Justice and Court Protection Act of 2005. This legislation was written in response to recent violence against judges and employees of the courts. It increases penalties against those who threaten, assault, or murder judges, as well as court and law enforcement personnel. Members of the judiciary and their staff are critical to ensuring that all Americans have access to our courts and to guaranteeing that justice and fairness remain essential values of our society.

Many Democratic amendments were accepted during debate in the Judiciary Committee that make this a stronger bill. The changes focused on providing increased grants to state and local governments to prevent violence. This bill includes grant programs for states to assess court safety, to improve witness protection programs, to create databases to track domestic crime and terrorism and to develop programs to help juvenile witnesses.

Court officials in Minnesota have stated that these dollars will be extremely useful in protecting witnesses who are often reluctant to testify for fear of their safety. The courts can use this funding for temporary or permanent relocation to help keep witnesses, who are vital to successfully prosecuting criminal cases, remain safe. In addition, special training for court staff, judges, and attorneys will help make juvenile witnesses more comfortable and able to deal with their important role in trial.

Mr. Chairman, this is an important step in preventing and prosecuting violence against the judiciary and I am pleased that H.R. 1751 passed the House overwhelmingly.

CONFERENCE REPORT ON H.R. 2862, SCIENCE, STATE, JUSTICE, COMMERCE, AND RELATED AGENCIES APPROPRIATIONS ACT, 2006

SPEECH OF
HON. BOB Etheridge
OF NORTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 9, 2005

Mr. Etheridge. Mr. Speaker, I rise in support of the Fiscal Year 2006 Science, State, Justice, Commerce Appropriations act because it includes several meritorious provisions, including a directive to the Federal Trade Commission to investigate price gouging by oil companies as well as continued funding for Economic Development Assistance grants.

Unfortunately, once again the House Republican leadership has stalled State and local law enforcement assistance grants despite the growing responsibilities of our first responders in the ongoing efforts to homeland security.

I am also concerned that this bill cuts the Small Business Administration’s 7(a) loan program. Small businesses are the backbone of our nation’s economy, and now, when they are struggling with a weak economy and the high cost of fuel and transportation, is not the time to reduce our support.

And finally, I am sorely disappointed that the Republican leadership has stripped out the Freedom to Read provision that passed this Subcommittee on June 15th of this year, as it has in previous years. Despite the support of an overwhelming majority of Members, the Administration threatens to veto the bill because it protects people’s right to privacy. This is the wrong message to be sending to the citizens of the United States. Despite the bill’s serious shortcomings, it contains important investments in federal research and development as well as law enforcement and crime prevention initiatives. On balance, this bill merits passage, and I urge my colleagues to join me in voting Yes.

SAYING FAREWELL TO HOUSE PARLIAMENTARIAN MUFTIAH McCARTIN

SPEECH OF
HON. JERRY LEWIS
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, November 9, 2005

Mr. Lewis of California. Mr. Speaker, I rise in tribute to an outgoing member of the House Parliamentarian’s office who is retiring today nearly 30 years of service. Muftiah McCartin will be retiring from her position as Associate Parliamentarian. She will truly be missed.

Muftiah has been a part of this institution longer than most Members. She began her career with the Parliamentarian’s office in 1976, 3 years before I came to the House. She started as a Clerk and worked her way up to one of the senior positions in the office. As a Clerk, she continued her education and eventually earned her law degree. She became the first woman to be appointed a Parliamentarian in 1991. Her story is truly one of personal and professional excellence, initiative, and dedication to her responsibilities.

Mr. Speaker, the Committee on Appropriations is particularly sad to see Muftiah leave. Her knowledge of parliamentary rules and precedents as they pertain to appropriations bills is unsurpassed, as is her knowledge of the budget process. The Committee has always had tremendous confidence in her skills and ability to proffer accurate advice. With numerous regular and supplemental bills coming to the House floor each year, the Committee relied on her expertise extensively. The words “check with Muftiah” were heard over and over again in the Committee’s offices.

The Committee’s high admiration of Muftiah’s professional skills is matched by the Committee’s appreciation of the calm and composed manner in which she performed her duties. She is always approachable and willing to take time to work on any matter, even when the other demands on her time are huge. She always approaches her work with a smile and keeps her sense of humor. In addition to the professional relationships she developed with the staff of the Committee, many highly valued personal friendships arose during her time with us.

Muftiah will now be able to spend more time with her family—her husband Terry, and her children Marissa, Elaine, Sandra, and Luke. She and her family have made a lot of sacrifices over the years. I hope that now she will have more time to attend her children’s baskeball, soccer, and baseball games as well as other family activities that are so important.

Mr. Speaker, on behalf of the Members and staff of the Committee on Appropriations, I
want to wish Muftiah well as she embarks on this next phase of her life’s journey. I also
genuinely thank her for all that she has done
for the House and for the Committee, and I
want her to know that she will be missed.

CONFERENCE REPORT ON H.R. 3057,
FOREIGN OPERATIONS, EXPORT
FINANCING, AND RELATED PRO-
GRAMS APPROPRIATIONS ACT,
2006

SPEECH OF
HON. JEB HENSARLING
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Friday, November 4, 2005

Mr. HENSARLING. Mr. Speaker, today, the
House of Representatives approved the con-
ference report for H.R. 3057, legislation to
fund American projects abroad in Fiscal Year
2006. I would like to mention how much I ap-
preciate the hard work of my friend from Cali-
fornia, Chairman Lewis, in bringing this bill to
the floor. This is no easy task. Unfortunately,
I cannot support this legislation because I be-
lieve it represents a disservice to taxpaying
American families. Several times already this
year, the legislation that violates either the
Budget Act or increases spending by
significant levels. Congress must learn to
live by these funding levels or we will leave
our children and grandchildren a huge and un-
fair financial burden as their inheritance.

At this crucial time in our Nation’s history
Congress needs to make the necessary and
tough choices about spending. Unfortunately,
H.R. 3057 does not achieve that goal and
vastly exceeds funding in previous years. Al-
though H.R. 3057 was within the limits of the
budget allocations, the bill costs $1.24 billion
more than last year’s bill, for a total price tag
of almost $21 billion, a 6 percent increase. It
also includes a gratuitous 40 percent increase
in funding for the Export Import Bank, as well
as several questionable earmarks, including
$2.3 million for the International Fertilizer De-
v Advance COLSA’s employees provide a wide variety of services to its clients including IT Services, Complex Systems Integration, Software Engi-
neering and Analysis, Business Management Solutions, and Modeling and Simulation. They also provide Test and Evaluation Support, Se-
curity Solutions, Intelligence Support, Advance Algorithms Services, and Engineering Serv-
ces.

Despite its short history, COLSA has re-
ceived the Department of Defense’s Small
Business Prime Contractor of the Year, the
James S. Cogswell Award for Security Excel-
lence, and the American Business Ethics
Award, among others.

Mr. Speaker, I appreciate Frank and the en-
tire COLSA team for their hard work and dedi-
cation towards strengthening our military and
intelligence capabilities and I congratulate
them on 25 years of service to our country.

Mr. Speaker, on behalf of the United States
House of Representatives and everyone in Ala-
mansa, I would like to thank the
COLSA Corporation for its commitment to the
war fighter and the security of our nation.

CONGRATULATING SGT. JEREMY
KAMPHUIS FOR BEING NAMED
2005 U.S. ARMY NONCOMMI-
SSIONED OFFICER OF THE YEAR

HON. VERNON J. EHLERS
OF MICHIGAN
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. EHLERS. Mr. Speaker, I rise today to
honor and congratulate Sgt. Jeremy Kamphuis for
being named the 2005 U.S. Army Noncom-
missioned Officer of the Year. Sgt. Kamphuis is
a member of the 127th Military Police Com-
pamy, stationed in Hanau, Germany. His home-
town is Grand Rapids, Michigan, which I re-
present, and where his parents, Don and Mary Kamphuis, also reside.

Sgt. Kamphuis, 23, enlisted with the U.S.
Army Reserves in August 2000 shortly after
graduating from Covenant Christian High
School and signed up for active duty in Octo-
ber 2003. In April 2004, Sgt. Kamphuis was
deployed with his fellow members of the 127th
Military Police Company from their base in

Middle East will experience democracy, free-
dom, peace, economic prosperity and toler-
ance. I believe this funding is critical to achiev-
ing that goal and must remain a top priority for
Congress.

I know many other parts of the world have
come to depend on American foreign aid, and
clearly there is no more generous nation than
the United States. I believe this bill does not
go far enough in addressing the looming fiscal
Crisis our Nation currently faces. We must pro-
tect the integrity of the budget laws and rules
Congress has established and work harder to
protect the family budget from the federal
budget. Thus, I cannot support H.R. 3057 as
written.

SECURE ACCESS TO JUSTICE AND
COURT PROTECTION ACT

HON. RUSK D. HOLT
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES
Thursday, November 10, 2005

Mr. HOLT. Mr. Speaker, yesterday the
House considered the so-called Secure Access
to Justice and Court Protection Act, H.R.1751.

We have all heard of the tragic and deeply
troubling violence directed at judges or other
court employees. In just March of this year,
U.S. District Judge Arthur F. Leahy came
down from home at day work to discover her hus-
bond and mother shot dead in the basement.
We clearly need to act to help protect the lives
and security of all federal court employees, in-
cluding judges.

H.R. 1751 would authorize the appropriation
of additional funds over the next five years to
increase court security, and to provide grants
to States do the same and to help protect wit-
nesses. The bill would also toughen the pen-
alties on the books for threatening or commit-
ting acts of violence against federal judges or
court employees.

While I support and believe we need to pro-
tect federal court employees, there are too
many troubling and fundamental problems with
this bill for me to support it.

This bill creates 22 new mandatory min-
imum penalties. Mandatory minimum penalties
do not work. They discount mitigating factors
in crimes, prevent judges from meting out pun-
ishments that are tailored to the crime, and
mandatory minimum have proven discrimina-
tory to people of color. They may make legis-
lators feel good but they have been shown not
to reduce crime rates. Even the Judicial Con-
ference, the group that represents Federal
judges, has said that mandatory minimums
violate common sense.

Also troubling is the fact that this legislation
creates seven additional death penalties. Yet,
research has shown that capital punishment is
not a deterrent to crime. Let me repeat, the
death penalty simply does not reduce crime.
The death penalty is also flawed because it is
applied unevenly and unjustly along racial
clines, and far too often is applied to someone
who is only later exonerated, often too late.

Given these two deeply troubling problems
with this bill, I cannot support it.
Hanau, Germany, to Baghdad, where they were involved in the very important work of training Iraqi police.

Earlier this year, three weeks after returning from his Iraq deployment, Sgt. Kamphuis’s commanding officer suggested that he participate in the Noncommissioned Officer competition. After winning four lower levels, beginning at battalion level and through his brigade and the Fifth Army Corps, Sgt. Kamphuis found himself at Fort Lee, Virginia, this September with nine other finalists, competing for 5 days and enduring stringent physical and mental challenges. The final challenge was a six-mile run in which Sgt. Kamphuis and his competitors each had to wear a full uniform, 40 pounds of body armor, a 40-pound pack and combat boots. Sgt. Kamphuis completed the course in one hour, 10 minutes.

As the Army’s Noncommissioned Officer of the Year, Sgt. Kamphuis will represent the Army on key occasions, as well as continuing to do his job as a member of and trainer for the 127th Military Police Company.

On the occasion of Veterans Day, I want to commend Sgt. Jeremy Kamphuis and all his comrades for the jobs they do in protecting our country and our world each and every day. Thank you and congratulations to Sgt. Kamphuis on being named the U.S. Army’s Noncommissioned Officer of the Year.
Chamber Action
Routine Proceedings, pages S12631–S12719

Measures Introduced: Thirteen bills and nine resolutions were introduced, as follows: S. 1989–2001, and S. Res. 302–310.

Measures Reported:
S. 1182, to amend title 38, United States Code, to improve health care for veterans, with an amendment in the nature of a substitute. (S. Rept. No. 109–177)

Measures Passed:
Veterans Day 2005: Senate agreed to S. Res. 305, expressing the sense of the Senate regarding Veterans Day 2005.
Recognizing Veterans Day: Senate agreed to S. Res. 306, recognizing that Veterans Day is a day to honor all veterans of the Army and to support the Army Freedom Team Salute’s mission to recognize the unsung heroes who have served this country.
Honoring Filipino Veterans: Senate agreed to S. Res. 307, to recognize and honor the Filipino World War II veterans for their defense of democratic ideals and their important contribution to the outcome of World War II.
Year of Study Abroad: Senate agreed to S. Res. 308, designating 2006 as the “Year of Study Abroad”.
Sympathy for People of Jordan: Senate agreed to S. Res. 309, expressing sympathy for the people of Jordan in the aftermath of the deadly terrorist attacks in Amman on November 9, 2005.
Honoring Israeli Prime Minister Yitzhak Rabin: Senate agreed to S. Res. 310, honoring the life, legacy, and example of Israeli Prime Minister Yitzhak Rabin on the tenth anniversary of his death.

Nostra Aetate: Senate agreed to H. Con. Res. 260, recognizing the 40th anniversary of the Second Vatican Council’s promulgation of Nostra Aetate, the declaration on the relation of the Roman Catholic Church to non-Christian religions, and the historic role of Nostra Aetate in fostering mutual inter-religious respect and dialogue.

National Stalking Awareness Month: Committee on the Judiciary was discharged from further consideration of S. Con. Res. 10, raising awareness and encouraging prevention of stalking by establishing January 2006 as “National Stalking Awareness Month”, and the resolution was then agreed to.

National Military Family Month: Committee on the Judiciary was discharged from further consideration of S. Res. 9, expressing the sense of the Senate regarding designation of the month of November as “National Military Family Month”, and the resolution was then agreed to, after agreeing to the following amendment proposed thereto:
Frist (for Inouye) Amendment No. 2520, to strike certain provisions.

Ethics in Government Act Amendment: Committee on Homeland Security and Governmental Affairs was discharged from further consideration of S. 1558, to amend the Ethics in Government Act of 1978 to protect family members of filers from disclosing sensitive information in a public filing and to extend for 4 years the authority to redact financial disclosure statements of judicial employees and judicial officers, and the bill was then passed, after agreeing to the following amendments proposed thereto:
Frist (for Leahy) Amendment No. 2521, in the nature of a substitute.
Frist (for Leahy) Amendment No. 2522, to amend the title.

Protecting American Goods and Services Act: Senate passed S. 1095, to amend chapter 113 of title 18, United States Code, to clarify the prohibition on the trafficking in goods or services, after agreeing to the committee amendment in the nature of a substitute.
Stop Counterfeiting in Manufactured Goods Act: Senate passed S. 1699, to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks, after agreeing to the committee amendment. Pages S12714–18

Department of Defense Authorization: Senate continued consideration of S. 1042, to authorize appropriations for fiscal year 2006 for military activities of 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, taking action on the following amendments proposed thereto:

Adopted:
By 89 yeas to 8 nays (Vote No. 317), Talent Amendment No. 2477, to modify the multiyear procurement authority for C-17 aircraft. Page S12644
Roberts/Rockefeller Modified Amendment No. 2514 (to Amendment No. 2507), in the nature of a substitute. Pages S12653–55, S12661
By 82 yeas to 9 nays (Vote No. 318), Kerry Amendment No. 2507, to require reports on clandestine facilities for the detention of individuals captured in the global war on terrorism, as amended. Pages S12645–48, S12652–53, S12662, S12665–66
By division vote, Lautenberg Modified Amendment No. 2478, to prohibit individuals who knowingly engage in certain violations relating to the handling of classified information from holding a security clearance. Pages S12661–62, S12666
By 49 yeas to 42 nays (Vote No. 319), Graham Amendment No. 2516 (to Amendment No. 2515), of a perfecting nature. Pages S12666–68
Rejected:
By 44 yeas to 53 nays (Vote No. 316), Dorgan Amendment No. 2476, to establish a special committee of the Senate to investigate the awarding and carrying out of contracts to conduct activities in Afghanistan and Iraq and to fight the war on terrorism. Pages S12639–44
Pending:
Graham Amendment No. 2515, relating to the review of the status of detainees of the United States Government. Pages S12655–65
Warner/Frist Amendment No. 2518, to clarify and recommend changes to the policy of the United States on Iraq and to require reports on certain matters relating to Iraq. Pages S12668–69
Levin Amendment No. 2519, to clarify and recommend changes to the policy of the United States on Iraq and to require reports on certain matters relating to Iraq. Pages S12669–70, S12675–76

During consideration of this measure today, Senate also took the following action:

Warner (for Akaka) Amendment No. 2485, to establish the National Foreign Language Coordination Council to develop and implement a foreign language strategy, previously agreed to on Wednesday, November 9, 2005, was modified by unanimous consent. Pages S12670–72
Warner (for Feingold) Modified Amendment No. 1550, to improve national security through the establishment of a Civilian Linguist Reserve Corps Pilot Project within the Department of Defense comprised of citizens fluent in foreign languages who would be available to provide translation services and related duties, as needed, previously agreed to on Wednesday, November 9, 2005, was further modified by unanimous consent. Pages S12672–75

A unanimous-consent agreement was reached providing for consideration of certain remaining first-degree amendments to the bill, other than any managers amendments that are cleared; further, that there be three second-degree amendments in order to the Graham Amendment No. 2515 (listed above); that all amendments be offered and debated on Monday, November 14, 2005, under the previous limitations; that on Tuesday, November 15, 2005, at a time determined by the Majority Leader, after consultation with the Democratic Leader, Senate vote on, or in relation to, Warner/Frist Amendment No. 2518 (listed above), to be followed by a vote on, or in relation to, Levin Amendment No. 2519 (listed above), to be followed by votes on, or in relation to, the second-degree amendments in the order offered, to be followed by a vote on Graham Amendment No. 2515 (listed above), as amended; that following those votes the Senate vote on final passage of the bill; and that there be 30 minutes divided equally between the two managers prior to the start of the voting sequence. Pages S12702–03

A unanimous-consent agreement was reached providing for further consideration of the bill at 2 p.m. on Monday, November 14, 2005. Page S12718

Foreign Operations Appropriations Conference Report: By a unanimous vote of 91 yeas (Vote No. 320), Senate agreed to the conference report to accompany H.R. 3057, making appropriations for the Department of State, foreign operations, and related programs for the fiscal year ending September 30, 2006, clearing the measure for the President. Pages S12648–51, S12668

Energy and Water Appropriations Conference Report—Agreement: A unanimous-consent-time agreement was reached providing that at 4:30 p.m. on Monday, November 14, 2005, Senate will consider the conference report to accompany H.R. 2419, making appropriations for energy and water development for the fiscal year ending September 30, 2006,
with one hour for debate, and at 5:30 p.m. a vote on adoption of the conference report.  

Signing Authority—Agreement: A unanimous-consent agreement was reached providing that during this adjournment of the Senate, the Majority Leader and Senator Allen, be authorized to sign duly enrolled bills or joint resolutions.  

Removal of Injunction of Secrecy: The injunction of secrecy was removed from the following treaty:  

Protocol Amending the Convention with Sweden on Taxes on Income (Treaty Doc. No. 109–8).  

The treaty was transmitted to the Senate today, considered as having been read for the first time, and referred, with accompanying papers, to the Committee on Foreign Relations and ordered to be printed.  

Nominations Confirmed: Senate confirmed the following nominations:  

Donald C. Winter, of Virginia, to be Secretary of the Navy.  

Anne W. Patterson, of Virginia, to be an Assistant Secretary of State (International Narcotics and Law Enforcement Affairs).  

Sue Ellen Wooldridge, of Virginia, to be an Assistant Attorney General.  

George J. Opfer, of Virginia, to be Inspector General, Department of Veterans Affairs.  

Susan C. Schwab, of Maryland, to be a Deputy United States Trade Representative, with the rank of Ambassador. (Prior to this action, Committee on Finance was discharged from further consideration).  

James M. Andrew, of Georgia, to be Administrator, Rural Utilities Service, Department of Agriculture. (Prior to this action, Committee on Agriculture, Nutrition and Forestry was discharged from further consideration).  

Charles R. Christopherson, Jr., of Texas, to be Chief Financial Officer, Department of Agriculture. (Prior to this action, Committee on Agriculture, Nutrition and Forestry was discharged from further consideration).  

Nominations Received: Senate received the following nominations:  

Robert C. Cresanti, of Texas, to be Under Secretary of Commerce for Technology.  

David M. Spooner, of Virginia, to be an Assistant Secretary of Commerce.  

Uttam Dhillon, of California, to be Director of the Office of Counternarcotics Enforcement, Department of Homeland Security.  

Samuel A. Alito, Jr., of New Jersey, to be an Associate Justice of the Supreme Court of the United States.  

Leo Maury Gordon, of New Jersey, to be a Judge of the United States Court of International Trade.  

Stephen C. King, of New York, to be a Member of the Foreign Claims Settlement Commission of the United States for the term expiring September 30, 2008.  

Duane Acklie, of Nebraska, to be an Alternate Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations.  

Goli Ameri, of Oregon, to be a Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations.  


Donald M. Payne, of New Jersey, to be a Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations.  

Edward Randall Royce, of California, to be a Representative of the United States of America to the Sixtieth Session of the General Assembly of the United Nations.  

3 Army nominations in the rank of general.  

Routine lists in the Air Force, Army.

Messages From the House:  

Measures Referred:  

Executive Communications:  

Additional Cosponsors:  

Statements on Introduced Bills/Resolutions:  

Additional Statements:  

Amendments Submitted:  

Authorities for Committees to Meet:  

Privileges of the Floor:  

Record Votes: Five record votes were taken today. (Total—320)  

Adjournment: Senate convened at 9:30 a.m., and adjourned at 7:56 p.m., until 2 p.m., on Monday, November 14, 2005. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S12718.)  

Committee Meetings  

(Committees not listed did not meet)  

NOMINATIONS  

Committee on Agriculture, Nutrition, and Forestry: Committee concluded a hearing to examine the nominations of Charles R. Christopherson, Jr., of Texas, to
be Chief Financial Officer, who was introduced by Senator Crapo, and James M. Andrew, of Georgia, to be Administrator, Rural Utilities Service, both of the Department of Agriculture, after the nominees testified and answered questions in their own behalf.

NEW BASEL CAPITAL ACCORDS

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the development of New Basel Capital Accords, focusing on plans of the U.S. banking agencies to update and enhance the regulatory capital program through implementation of the International Convergence of Capital Measurement and Capital Standards, and revisions to the existing domestic risk-based capital framework for banks, after receiving testimony from John C. Dugan, Comptroller of the Currency, and John M. Reich, Director, Office of Thrift Supervision, both of the Department of the Treasury; Susan Schmidt Bies, Member, Board of Governors of the Federal Reserve System; Donald E. Powell, Chairman, Federal Deposit Insurance Corporation; Katherine G. Wyatt, New York State Banking Department, Albany; L. William Seidman, CNBC, and Daniel K. Tarullo, Georgetown University Law Center, both of Washington, D.C.; William M. Isaac, The Secura Group, New York, New York; and George G. Kaufman, Loyola University, Chicago, Illinois, on behalf of U.S. Shadow Financial Regulatory Committee.

WRIGHT AMENDMENT

Committee on Commerce, Science, and Transportation: Subcommittee on Aviation concluded a hearing 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, after receiving testimony from Senators Inhofe and Bond; Representatives Eddie Bernice Johnson, Granger, and Daniel K. Tarullo, Georgetown University Law Center, both of Washington, D.C.; William M. Isaac, The Secura Group, New York, New York; and George G. Kaufman, Loyola University, Chicago, Illinois, on behalf of U.S. Shadow Financial Regulatory Committee.

WEATHER MODIFICATION RESEARCH AUTHORIZATION

Committee on Commerce, Science, and Transportation: Subcommittee on Science and Space and the Subcommittee on Disaster Prevention and Prediction concluded a joint hearing to examine S. 517, to establish a Weather Modification Operations and Research Board, after receiving testimony from Joseph H. Golden, University of Colorado Cooperative Institute for Research in the Environmental Sciences, Boulder; Michael Garstang, University of Virginia, Charlottesville, on behalf of the National Research Council; and Thomas P. DeFelice, Sykesville, Maryland.

NOMINATIONS:

Committee on Energy and Natural Resources: Committee concluded a hearing 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, after the nominees testified and answered questions in their own behalf.

AIR QUALITY STANDARDS

Committee on Environment and Public Works: Subcommittee on Clean Air, Climate Change, and Nuclear Safety concluded a hearing to examine the implementation of the existing particulate matter and ozone air quality standards, focusing on the competitiveness of the United States in the area of air quality standards, after receiving testimony from William Wehram, Acting Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Sam Olens, Atlanta Regional Commission, Marietta, Georgia, on behalf of the Atlanta Regional Commission; James D. Werner, Delaware Department of Natural Resources and Environmental Control, Dover; and Stephen Moret, Baton Rouge Area Chamber, Baton Rouge, Louisiana.

PORNOGRAPHY

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Property Rights concluded a hearing to examine the state interest in protecting children and families from pornography, after receiving testimony from Rodney A. Smolla, University of Richmond School of Law, Richmond, Virginia; Jill C. Manning, Brigham Young University, Provo, Utah, on behalf of the Heritage Foundation; Leslie Harris, Center for Democracy and Technology, Washington, D.C.; Richard R. Whidden, Jr., National Law Center for Children and Families, Fairfax, Virginia; and Pamela Paul, New York, New York.

REBUILDING VA GULF COAST FACILITIES

Committee on Veterans Affairs: Committee concluded a hearing to examine the rebuilding of Department of Veterans Affairs' facilities on the Gulf Coast, focusing on the impact on Veterans Affairs employees, and recovery efforts of the Veterans Benefits Administration and the National Cemetery Administration, after receiving testimony from R. James Nicholson,
Secretary, Jonathan B. Perlin, Under Secretary for Health, and Robert Lynch, Director, Veterans Integrated Service Network 16, all of the Department of Veterans Affairs.

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**House of Representatives**

**Chamber Action**

Public Bills and Resolutions Introduced: 19 public bills, H.R. 4291–4309; 1 private bill, H.R. 4310; and 9 resolutions, H. Con. Res. 295–296; and H. Res. 545–551 were introduced. Pages H10156–57

Additional Cosponsors: Pages H10157–58

Reports Filed: Reports were filed today as follows:

- H.R. 4146, to facilitate recovery from the effects of Hurricane Rita and Hurricane Wilma by providing greater flexibility for, and temporary waivers of certain requirements and fees imposed on, depository institutions, credit unions, and Federal regulatory agencies (H. Rept. 109–282);
- H. Con. Res. 267, expressing the sense of the Congress upholding the Makah Tribe treaty rights, with amendments (H. Rept. 109–283);
- H.R. 323, to redesignate the Ellis Island Library on the third floor of the Ellis Island Immigration Museum, located on Ellis Island in New York Harbor, as the “Bob Hope Memorial Library” (H. Rept. 109–284);
- H.R. 679, to direct the Secretary of the Interior to convey a parcel of real property to Beaver County, Utah (H. Rept. 109–285);
- H.R. 1096, to establish the Thomas Edison National Historical Park in the State of New Jersey as the successor to the Edison National Historic Site, with an amendment (H. Rept. 109–286);
- H.R. 1436, to remove certain use restrictions on property located in Navajo County, Arizona (H. Rept. 109–287);
- H.R. 1564, to authorize the Secretary of the Interior to convey certain buildings and lands of the Yakima Project, Washington, to the Yakima-Tieton Irrigation District (H. Rept. 109–288);
- H.R. 1972, to direct the Secretary of the Interior to conduct a special resource study to determine the suitability and feasibility of including in the National Park System certain sites in Williamson County, Tennessee, relating to the Battle of Franklin, with an amendment (H. Rept. 109–289);
- H.R. 3443, to direct the Secretary of the Interior to convey certain water distribution facilities to the Northern Colorado Water Conservancy District (H. Rept. 109–290); and

- H. Res. 505, requesting the President of the United States and directing the Secretary of State to provide to the House of Representatives certain documents in their possession relating to the White House Iraq Group, adversely (H. Rept. 109–291).

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Recess: The House recessed at 10:32 a.m. and reconvened at 4:20 p.m.

Journal: Agreed to the Speaker’s approval of the Journal by voice vote.

Agreed by unanimous consent to vacate the request for yea and nay votes on H.R. 3665 and H.R. 1953, subsequently votes were taken by voice vote.

Pages H10151

Suspensions: The House agreed to suspend the rules and pass the following measures which were debated earlier in the Legislative week:

**Veterans Housing and Employment Improvement Act of 2005**: H.R. 3665, amended, to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide adaptive housing assistance to disabled veterans residing temporarily in housing owned by a family member and to make direct housing loans to Native American veterans;

Agreed to amend the title so as to read: “A bill to provide adaptive housing assistance to disabled veterans residing temporarily in housing assistance to disabled veterans residing temporarily in housing owned by a family member, to make certain improvements in veterans employment assistance programs, and for other purposes.”; and

**San Francisco Old Mint Commemorative Coin Act**: H.R. 1953, to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco, otherwise known as the “Granite Lady”.

Pages H10151

Meeting Hour: Agreed that when the House adjourns today, it adjourn to meet at 6 p.m. on Monday, November 14th, and when the House adjourns on Monday, it adjourn to meet at 10:30 a.m. on Tuesday, November 15th, for Morning Hour Debate.
Calendar Wednesday: Agreed to dispense with the Calendar Wednesday business of Wednesday, November 16th.

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 10 a.m. and adjourned at 4:43 p.m.

Committee Meetings

WORKPLACE RELIGIOUS FREEDOM ACT OF 2005
Committee on Education and the Workforce: Subcommittee on Employer-Employee Relations held a hearing on H.R. 1445, Workplace Religious Freedom Act of 2005. Testimony was heard from Representatives Souder and McCarthy; and public witnesses.

RIGHT TO REPAIR
Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protections held a hearing entitled “Right to Repair: Industry Discussions and Legislative Options”, Testimony was heard from James Kohm, Associate Director, Bureau of Consumer Protection, Division of Marketing Practices, FTC; and public witnesses.

OVERSIGHT—IMPORT-BANK
Committee on Financial Services: Subcommittee on Domestic and International Monetary Policy, Trade, and Technology and the Subcommittee on Oversight and Investigations held a joint hearing entitled “Oversight of the Export-Import Bank of the United States”. Testimony was heard from James H. Lambright, Chairman and Acting President, Export-Import Bank of the United States; and public witnesses.

BRIEFING—MEDICAL COUNTERMEASURES FOR NUCLEAR ATTACK
Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack met in executive session to receive a briefing on medical countermeasures for nuclear attack. The Committee was briefed by departmental witnesses.

PUBLIC DIPLOMACY—AROUND-THE-WORLD REVIEW
Committee on International Relations: Held a hearing on An Around-the-World Review of Public Diplomacy. Testimony was heard from Karen P. Hughes, Under Secretary, Public Diplomacy and Public Affairs, Department of State.

BROADCASTING BOARD OF GOVERNORS AND ALHURRA TELEVISION
Committee on International Relations: Subcommittee on Oversight and Investigations held a hearing on Broadcasting Board of Governors and Alhurra Television. Testimony was heard from Kenneth Y. Tomlinson, Chairman, Board of Broadcasting Governors; Mouafac Harb, News Director, Alhurra Television Network; and a public witness.

STREAMLINED PROCEDURES ACT

HOW ILLEGAL IMMIGRATION IMPACTS CONSTITUENCIES
Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held an oversight hearing entitled “How Illegal Immigration Impacts Constituencies: Perspectives from Members of Congress.” Testimony was heard from Representatives Bonilla, Pearce and Gutiérrez.

Hearings continue November 15.

FOREST EMERGENCY RECOVERY AND RESEARCH ACT
Committee on Resources: Subcommittee on Forests and Forest Health held a hearing on H.R. 4200, Forest Emergency Recovery and Research Act. Testimony was heard from Dale Bosworth, Chief, Forest Service, USDA; Lynn Scarlett, Assistant Secretary Policy, Management, and Budget, Department of the Interior; and public witnesses.

NEPA LITIGATION
Committee on Resources: NEPA Task Force held a hearing on NEPA Litigation: The Causes, Effects and Solutions. Testimony was heard from former Senator J. Bennett Johnston of Louisiana; and public witnesses.

MISCELLANEOUS MEASURES
Committee on Resources: Subcommittee on National Parks held a hearing on the following bills: H.R. 413, Bleeding Kansas National Heritage Act; H.R. 452, To authorize the Secretary of the Interior to conduct a study to determine the suitability and feasibility of designating the Soldiers’ Memorial Military Museum located in St. Louis, Missouri, as a unit of the National Park System; and H.R. 1307,
Musconetcong Wild and Scenic Rivers Act. Testimony was heard from Representatives Ryun of Kansas, Clay and Garrett; Janet Snyder Matthews, Associate Director, Cultural Resources, National Park Service, Department of the Interior; and public witnesses.

ROLE OF SOCIAL SECURITY RESEARCH IN DISASTER PREPAREDNESS AND RESPONSE
Committee on Science: Subcommittee on Research held a hearing on the Role of Social Science Research in Disaster Preparedness and Response. Testimony was heard from public witnesses.

Joint Meetings
TRANSPORTATION/TREASURY/HUD/JUDICIARY/DC
Conferees met to resolve the differences between the Senate and House passed versions of H.R. 3058, making appropriations for the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and independent agencies for the fiscal year ending September 30, 2006, but did not complete action thereon, and recessed subject to the call.

NEW PUBLIC LAWS
(For last listing of Public Laws, see DAILY DIGEST, p. D 1111)
H.R. 1409, to amend the Foreign Assistance Act of 1961 to provide assistance for orphans and other vulnerable children in developing countries. Signed on November 8, 2005. (Public Law 109–95)
S. 172, to amend the Federal Food, Drug, and Cosmetic Act to provide for the regulation of all contact lenses as medical devices. Signed on November 9, 2005. (Public Law 109–96)

COMMITTEE MEETINGS FOR FRIDAY, NOVEMBER 11, 2005
(Committee meetings are open unless otherwise indicated)
Senate
No meetings/hearings scheduled.

House
No Committee meetings are scheduled.

CONGRESSIONAL PROGRAM AHEAD
Week of November 14 through November 19, 2005

Senate Chamber
On Monday, at 2 p.m., Senate will resume consideration of S. 1042, National Defense Authorization. Senate will consider the conference report to accompany H.R. 2419, Energy and Water Appropriations, with one hour for debate, and at 5:30 p.m., vote on adoption of the conference report.
On Tuesday, Senate will continue consideration of S. 1042, National Defense Authorization, with a vote on, or in relation to, Warner/Frist Amendment No. 2518, to be followed by a vote on, or in relation to, Levin Amendment No. 2519, to be followed by votes on or in relation to, certain second-degree amendments, followed by a vote on Graham Amendment No. 2515, as amended, followed by a vote on final passage of the bill.
During the balance of the week, Senate will consider any other cleared legislative and executive business, including appropriation conference reports, when available.

Senate Committees
(Committee meetings are open unless otherwise indicated)
Committee on Agriculture, Nutrition, and Forestry: November 17, to hold hearings to examine the role of United States agriculture in the control and eradication of avian influenza, 10 a.m., SR–328A.
Committee on Appropriations: November 16, Subcommittee on Legislative Branch, to hold hearings to examine the progress of the Capitol Visitor Center construction, 10:30 a.m., SD–138.
Committee on Armed Services: November 15, business meeting to consider certain military nominations, 9:30 a.m., SR–222.
November 15, Subcommittee on Airland, to hold hearings to examine defense acquisition issues related to tactical aviation and Army programs, 2:30 p.m., SR–222.
Committee on Banking, Housing, and Urban Affairs: November 15, to hold hearings to examine the nominations: of Ben S. Bernanke, of New Jersey, to be a Member and to be Chairman of the Board of Governors of the Federal Reserve System, 10 a.m., SD–106.
November 14, Full Committee, to hold hearings to examine the nominations of J. Thomas Rosch, of California, and William E. Kovacic, of Virginia, each to be a Federal Trade Commissioner, 2:30 p.m., SD–562.
November 15, Full Committee, to hold hearings to examine public policy options for encouraging alternative automotive fuel technologies, 10 a.m., SD–562.

November 16, Full Committee, to hold hearings to examine the Magnuson-Stevens Fishery Conservation and Management Reauthorization Act of 2005, 10 a.m., SD–562.

November 16, Subcommittee on Consumer Affairs, Product Safety, and Insurance, to hold hearings to examine protecting the consumer from flooded and salvage vehicle fraud, 2:30 p.m., SD–562.

November 17, Subcommittee on Aviation, to hold hearings to examine aviation safety, 10 a.m., SD–562.

November 17, Full Committee, business meeting to consider pending calendar business, 2:30 p.m., SD–562.

Committee on Energy and Natural Resources: November 15, to hold hearings to examine a status report on the Environmental Protection Management programs of the Department of Energy, 10 a.m., SD–366.

November 15, Subcommittee on National Parks, to hold hearings to examine S. 431, to establish a program to award grants to improve and maintain sites honoring Presidents of the United States, S. 505, to amend the Yuma Crossing National Heritage Area Act of 2000 to adjust the boundary of the Yuma Crossing National Heritage Area, S. 1288, to authorize the Secretary of the Interior to enter into cooperative agreements to protect natural resources of units of the National Park System through collaborative efforts on land inside and outside of units of the National Park System, S. 1544, to establish the Northern Plains National Heritage Area in the State of North Dakota, S. Con. Res. 60, designating the Negro Leagues Baseball Museum in Kansas City, Missouri, as America's National Negro Leagues Baseball Museum, S. 748 and H.R. 1084, bills to authorize the establishment at Antietam National Battlefield of a memorial to the officers and enlisted men of the Fifth, Sixth, and Ninth New Hampshire Volunteer Infantry Regiments and the First New Hampshire Light Artillery Battery who fought in the Battle of Antietam on September 17, 1862, and H.R. 2107, to amend Public Law 104–329 to modify authorities for the use of the National Law Enforcement Officers Memorial Maintenance Fund, 2:30 p.m., SD–366.

November 16, Full Committee, business meeting to consider pending calendar business, 11:30 a.m., SD–366.

Committee on Environment and Public Works: November 16, to hold an oversight hearing to examine transportation fuels of the future, 9:30 a.m., SD–406.

November 17, Full Committee, to hold hearings to examine the degree to which the preliminary findings on the failure of the levees are being incorporated into the restoration of hurricane protection, 9:30 a.m., SD–406.

Committee on Foreign Relations: November 14, Subcommittee on International Economic Policy, Export and Trade Promotion, to hold hearings to examine a clean technology solution relating to U.S.-International climate change approach, 3 p.m., SD–419.


November 16, Full Committee, to hold hearings to examine the new currency of foreign policy, focusing on the high cost of crude, 9:30 a.m., SD–419.

November 17, Subcommittee on African Affairs, to hold hearings to examine cross-continental progress relating to African organizations and institutions, 2:30 p.m., SD–419.

Committee on Homeland Security and Governmental Affairs: November 15, Subcommittee on Federal Financial Management, Government Information, and International Security, to hold an oversight hearing to examine the current nuclear situation in Iran and the U.S. response, focusing on the relationship between Iran’s pursuit of nuclear weapons and its status as a state sponsor of terrorism, 3 p.m., SD–342.

November 16, Full Committee, to hold hearings to examine how government can learn from the private sector’s response to Hurricane Katrina, 10 a.m., SD–342.

November 17, Full Committee, to hold hearings to examine regulations for the National Security Personnel System, 10 a.m., SD–342.

Committee on Indian Affairs: November 17, to hold oversight hearings to examine issues relating to In Re Tribal Lobbying Matters, Et Al, 10 a.m., SH–216.

Committee on the Judiciary: November 15, to hold hearings to examine judicial nominations, 2:30 p.m., SD–226.

November 16, Full Committee, to hold hearings to examine The Streamlined Procedures Act relating to habeas reform, 9:30 a.m., SD–226.

November 16, Subcommittee on Administrative Oversight and the Courts, to hold hearings to examine issues relative to creating new Federal judgeships, 2:30 p.m., SD–226.

November 17, Full Committee, to hold hearings to examine recent developments in assessing future asbestos claims under the FAIR Act, 2 p.m., SD–226.

Select Committee on Intelligence: November 16, to receive a closed briefing regarding intelligence matters, 2:30 p.m., SH–219.

November 17, Full Committee, to hold closed hearings to examine the nomination of Dale W. Meyerrose, of Indiana, to be Chief Information Officer, Office of the Director of National Intelligence, 10:30 a.m., SH–219.

November 17, Full Committee, closed business meeting to consider certain intelligence matters, 2:30 p.m., SH–219.
House Committees

Committee on Agriculture, November 15, hearing to review recent litigation on Forest Service firefighting and forest health efforts, 2 p.m., 1500 Longworth.

November 16, hearing to review issues related to the prevention, detection, and eradication of avian influenza, 10 a.m., 1300 Longworth.

Committee on Education and the Workforce, November 16, hearing on U.S. Immigration Policy and Its Impact on the American Economy, 10:30 a.m., 2175 Rayburn.

November 17, Subcommittee on Education Reform, hearing on Combating Methamphetamines through Prevention and Education, 10 a.m., 2175 Rayburn.


November 17, Subcommittee on Oversight and Investigations, hearing entitled “Thoroughbred Horse Racing Jockeys and Workers: Examining On-Track Injury Insurance and Other Health and Welfare Issues”, 1 p.m., 2322 Rayburn.

Committee on Financial Services, November 15, Subcommittee on Domestic and International Monetary Policy, Trade, and Technology, hearing on Increasing Efficiency and Economic Growth Through Trade in Financial Services, 2 p.m., 2128 Rayburn.

November 16, Subcommittee on Housing and Community Opportunity, hearing entitled “Addressing Seniors’ Housing Needs”, 2 p.m., 2128 Rayburn.


November 16, to consider the following: H. R. 3934, To designate the facility of the United States Postal Service located at 80 Killian Road in Massapequa, New York, as the ‘Gerard A. Fiorello Post Office’; H. R. 4101, To designate the facility of the United States Postal Service located at 170 East Main Street in Patchogue, New York, as the ‘Lieutenant Michael P. Murphy Post Office Building’; H. R. 4107, To designate the facility of the United States Postal Service located at 1826 Pennsylvania Avenue in Baltimore, Maryland, as the ‘Maryland State Delegate Lena K. Lee Post Office Building’; H. R. 4108, To designate the facility of the United States Postal Service located at 3000 Homewood Avenue, Baltimore, Maryland, as the ‘State Senator Verda Welcome and Dr. Henry Welcome Post Office Building’; H. R. 4109, To designate the United States Postal Service located at 6101 Liberty Road in Baltimore, Maryland, as the ‘United States Representative Parren J. Mitchell Post Office’; H. R. 4152, To designate the United States Postal Service located at 320 High Street in Clinton, Massachusetts, as the ‘Raymond J. Salmon Post Office’; H. Con. Res. 218, Recognizing the centennial of sustained immigration from the Philippines to the United States and acknowledging the contributions of our Filipino-American community to our country over the last century; H. R. 4295, To designate the facility of the United States Postal Service located at 12760 South Park Avenue in Riverton, Utah, as the ‘Mont and Mark Stephensen Veterans Memorial Post Office Building’; and an Investigative Report, Investigation into Rafael Palmeiro’s March 17, 2005 Testimony at the Committee on Government Reform’s Hearing: “Restoring Faith in America’s Pastime: Evaluating Major League Baseball’s Efforts to Eradicate Steroid Use”, 1 p.m., 2154 Rayburn.

November 16, Subcommittee on Federal Workforce and Agency Organization, hearing entitled “Mitigating the Impact of High Gas Prices on Federal Employees and Other Workers”, 2 p.m., 2154 Rayburn.

November 17, Subcommittee on Government Management, Finance and Accountability, hearing entitled “15 Years of the CFO Act—What is the Current State of Federal Financial Management?”, 2:30 p.m., 2247 Rayburn.


November 17, Subcommittee on Prevention of Nuclear and Biological Attack, hearing entitled “International Efforts to Promote Nuclear Security”, 1 p.m., room to be announced.

Committee on International Relations, November 15, Subcommittee on Africa, Global Human Rights and International Operations, hearing on In Defense of Human Dignity: The 2005 International Religious Freedom Report, and to mark up H. Con. Res. 190, Expressing the sense of the Congress that the Russian Federation should fully protect the freedoms of all religious communities without distinction, whether registered and unregistered, as stipulated by the Russian Constitution and international standards, 10:30 a.m., 2172 Rayburn.

November 16, full Committee, hearing on the U.S.-India Global Partnership: How Significant for American Interests?, 10:30 a.m., 2172 Rayburn.

November 17, Subcommittee on Africa, Global Human Rights and International Operations, hearing on Getting to Yes: Resolving the 30-Year Conflict over the Status of Western Sahara, 1:30 p.m., 2172 Rayburn.

November 17, Subcommittee on the Western Hemisphere, hearing on Democracy in Venezuela, 10:30 a.m., 2172 Rayburn.

Committee on the Judiciary, November 15, Subcommittee on the Constitution, oversight hearing on the Voting Rights Act: Sections 6 and 8—Federal Examiner and Observer Programs, 12:30 p.m., 2141 Rayburn.
November 15, Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing on Federal Jurisdiction Clarification Act, 4 p.m., 2142 Rayburn.

November 15, Subcommittee on Immigration, Border Security, and Claims, to continue oversight hearings on How Illegal Immigration Impacts Constituencies: Perspectives from Members of Congress, (Part II), 10 a.m., 2141 Rayburn.


Committee on Resources, November 17, Subcommittee on Energy and Mineral Resources, hearing on the Outer Continental Shelf Natural Gas Relief Act, 2 p.m., 1324 Longworth.

November 17, Subcommittee on National Parks, oversight hearing on the National Parks Service’s efforts to combat the growth of illegal drug farms in national parks, 10 a.m., 1334 Longworth.

November 17, NEPA Task Force, hearing on NEPA: Lessons Learned and Next Steps, 10:30 a.m., 1324 Longworth.

Committee on Rules, November 15, to consider H.R. 1065, United States Boxing Commission Act, 5 p.m., H–313 Capitol.

Committee on Science, November 16, hearing on Ongoing Problems and Future Plans for NOAA Weather Satellites, 10 a.m., 2318 Rayburn.

November 17, hearing on Environmental and Safety Impacts of Nanotechnology: What Research is Needed?, 10 a.m., 2318 Rayburn.

Committee on Small Business, November 17, hearing on Building a Wall Between Friends: Passports to and from Canada?, 9 a.m., 2560 Rayburn.

Committee on Transportation and Infrastructure, November 15, Subcommittee on Railroads, hearing on Current Governance Issues at Amtrak, 10 a.m., 2325 Rayburn.

Committee on Ways and Means, November 15, to mark up H.R. 4297, To provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006, 5 p.m., 1100 Longworth.

November 16, Subcommittee on Select Revenue Measures, hearing on individuals tax proposals, 2 p.m., 1100 Longworth.

Permanent Select Committee on Intelligence, November 17, executive, briefing on Global Updates/Hotspots, 9 a.m., H–405 Capitol.

Joint Meetings

Conference: November 14, meeting of conferees on H.R. 3010, making appropriations for the Departments of Labor, Health and Human Services, and Education, and Related Agencies for the fiscal year ending September 30, 2006, 6:30 p.m., H140.
Next Meeting of the SENATE
2 p.m., Monday, November 14

Senate Chamber

Program for Monday: Senate will resume consideration of S. 1042, Department of Defense Authorization. At 4:30 p.m., Senate will consider the conference report to accompany H.R. 2419, Energy and Water Appropriations, with one hour for debate, and at 5:30 p.m., vote on adoption of the conference report.

Extensions of Remarks, as inserted in this issue

Green, Al, Tex., E2307
Harris, Katherine, Fla., E2325
Hart, Melissa A., Pa., E2333
Hastert, J. Dennis, Ill., E2329
Herseth, Stephanie, S.D., E2335
Higgins, Brian, N.Y., E2333
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Kelly, Sue W., N.Y., E2394
Kildee, Dale E., Mich., E2325
Lewis, Jerry, Calif., E2348
Lungren, Daniel E., Calif., E2335
McCollum, Betty, Minn., E2336, E2338
McHenry, Patrick T., N.C., E2340
Marshall, Jim, Ga., E2329
Mica, John L., Fla., E2329
Moore, Owen, Wisc., E2334

Next Meeting of the HOUSE OF REPRESENTATIVES
6 p.m., Monday, November 14

House Chamber

Program for Monday: The House will meet in pro forma session at 6 p.m.

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