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

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC.
March 6, 2006.

I hereby appoint the Honorable JOHN ARNBY CULBERSON to act as Speaker pro tempore on this day.

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

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. The Chair will lead the House in the Pledge of Allegiance.

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

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

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC.
March 6, 2006.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC.
March 6, 2006.

S. 1777.

I hereby appoint the Honorable JOHN ARNBY CULBERSON to act as Speaker pro tempore on this day.

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

COMMUNICATION FROM THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, Speaker pro tempore Thornberry signed the following enrolled bill on Friday, March 3, 2006, at 2:42 p.m.:

S. 1777, to provide relief for the victims of Hurricane Katrina.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC.
March 6, 2006.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC.
March 6, 2006.

That the Senate agreed to the amendment S. 1777.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, Speaker pro tempore Thornberry signed the following enrolled bill on Friday, March 3, 2006, at 2:42 p.m.:

S. 1777, to provide relief for the victims of Hurricane Katrina.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, DC.
March 6, 2006.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC.
March 6, 2006.

That the Senate agreed to the amendment S. 1777.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

WASHINGTON, DC.
March 6, 2006.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC.
March 6, 2006.

That the Senate passed without amendment H.R. 3770.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

WASHINGTON, DC.
March 6, 2006.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC.
March 6, 2006.

That the Senate passed without amendment H.R. 3825.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

WASHINGTON, DC.
March 6, 2006.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC.
March 6, 2006.

That the Senate passed without amendment H.R. 3899.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

WASHINGTON, DC.
March 6, 2006.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC.
March 6, 2006.

That the Senate passed without amendment H.R. 4053.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

WASHINGTON, DC.
March 6, 2006.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC.
March 6, 2006.

That the Senate passed without amendment H.R. 4132.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

WASHINGTON, DC.
March 6, 2006.

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC.
March 6, 2006.

That the Senate passed without amendment H.R. 4515.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.
COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:


Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on February 13, 2006, at 3:00 p.m.:

That the Senate passed without amendment H.R. 2113.

That the Senate passed without amendment H.R. 2346.

That the Senate passed without amendment H.R. 3439.

That the Senate passed without amendment H.R. 3548.

That the Senate passed without amendment H.R. 3368.

That the Senate passed without amendment H.R. 3256.

That the Senate passed without amendment H.R. 2894.

That the Senate passed without amendment H.R. 2630.

That the Senate passed without amendment H.R. 1287.

That the Senate passed without amendment H.R. 3703.

That the Senate passed without amendment H.R. 4295.

That the Senate passed without amendment H.R. 3187.

That the Senate passed without amendment H.R. 2436.

That the Senate passed without amendment H.R. 2594.

That the Senate passed without amendment H.R. 2436.

That the Senate passed without amendment H.R. 3548.

That the Senate passed without amendment H.R. 3439.

With best wishes, I am,

KAREN L. HAAS, Clerk of the House.

COMMUNICATION FROM CHAIRMAN OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

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


Hon. J. DENNIS HASTERT,
Speaker of the House of Representatives, The Capitol, Washington, DC.

DEAR MR. SPEAKER: Enclosed please find two resolutions approved by the Committee on Transportation and Infrastructure on February 16, 2006, in accordance with 40 U.S.C. §3307.

Sincerely,

DON YOUNG, Chairman.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker’s table and, under the rule, referred as follows:

S. 1445. An act to designate the facility of the United States Postal Service located at 520 Colorado Avenue in Arriba, Colorado, as the “William Post Office” to the Committee on Government Reform.

SENATE ENROLLED BILL SIGNED

The SPEAKER pro tempore, Mr. THORNBERY, announced his signature to an enrolled bill of the Senate of the following title:

S. 1774. To provide relief for the victims of Hurricane Katrina.

ADJOURNMENT

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

There was no objection.

Accordingly (at 12 o’clock and 5 minutes p.m.), under its previous order, the House adjourned until tomorrow, March 7, 2006, at 12:30 p.m., for morning hour debate.

EXECUTIVE COMMUNICATIONS, ETC.

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

4646. A letter from the Assistant Secretary of the Army, Department of the Army, transmitting a copy of the final Feasibility Report and Supplement 1 Final Supplemental Environmental Impact Statement for the St. Cloud and Dam, Tennessee, pursuant to Public Law 106-274, to the Committee on Transportation and Infrastructure.

4647. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Boeing Model 737-300, -700, -700C, and -800 Series Airplanes [Docket No. FAA-2005-23252; Directorate Identifier 049001-AAA; Amendment 99-07-39; AD 2005-129-03 (RIN: 2120-AA64)] received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4648. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Airbus Model A310-300, A340-200, and A340-300 Series Airplanes [Docket No. FAA-2005-23251; Directorate Identifier 020001-AAA; Amendment 99-14-11; AD 2006-25-29 (RIN: 2120-AA64)] received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4649. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Embraer Model EM-190, -195ER, -195, and -195PR Series Airplanes [Docket No. FAA-2005-23250; Directorate Identifier 039001-AAA; Amendment 39-14391; AD 2005-25-29 (RIN: 2120-AA64)] received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5644. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Pratt & Whitney PW6000 Series Turbofan Engines [Docket No. FAA-2005-25223; Directorate Identifier 020002-AAA; Amendment 99-14-12; AD 2005-25-09 (RIN: 2120-AA64)] received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5645. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Boeing Model 737-600-700, -800 and -900 Series Airplanes [Docket No. FAA-2005-21715; Directorate Identifier 049004-AAA; Amendment 99-14-14; AD 2005-25-23 (RIN: 2120-AA64)] received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5646. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Airbus Model A300 B4 Series Airplanes, Model A300 B4 Series Airplanes, Model A310-200 Series Airplanes, Model A310-800 Series Airplanes, and Model A300 B4-600, B4-603B, B4-607, B4-607A and B4-607C Series Airplanes, and Model C1-605R Variant F Airplanes (Collectively Called A300-600 Series Airplanes) [Docket No. FAA-2005-22382; Directorate Identifier 049001-AAA; Amendment 99-07-39; AD 2005-25-19 (RIN: 2120-AA64)] received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5647. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Boeing Model 737 Airplanes [Docket No. FAA-2005-19682; Directorate Identifier 049001-AAA; Amendment 99-14-11; AD 2005-25-11 (RIN: 2120-AA64)] received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

5648. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Airworthiness Directives; Boeing Model 737-700, -800 and -900 Series Airplanes [Docket No. FAA-2005-22381; Directorate Identifier 049001-AAA; Amendment 99-14-14; AD 2005-25-23 (RIN: 2120-AA64)] received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.
249. Also, a memorial of the House of Re- presentatives of the State of Illinois, relative to a resolution expressing opposition to H.R. 1295 and urging preservation of States’ Rights to private property and to control real lending; to the Committee on Financial Services.

250. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Reso- lution No. 13 memorializing the Congress of the United States to adopt legislation that would support policies to protect and encourage the preservation of Louisiana as a Great Lakes State; to the Committee on Energy and Commerce.

251. Also, a memorial of the Senate of the State of Michigan, relative to Senate Con- current Resolution No. 46 memorializing the Congress of the United States to pass the Family Education Reimbursement Act; to the Committee on Education and the Workforce.

252. Also, a memorial of the Senate of the State of Michigan, relative to Senate Reso- lution No. 43 memorializing the Congress of the United States to enact H.R. 593 to pro- vide the states with authority to regulate the flow and importation of solid waste coming from outside the country; to the Committee on Energy and Commerce.

253. Also, a memorial of the House of Re- presentatives of the State of Michigan, rel- ative to House Resolution No. 165 memorializing the Congress of the United States to support policies to protect and encourage the cultural autonomy of the people of Mac- edonia; to the Committee on International Relations.

254. Also, a memorial of the Senate of the Commonwealth of Massachusetts, relative to a Senate resolution supporting the United States Conference of Mayors’ Resolution and the “Mayors For Peace” Initiative; to the Committee on International Relations.

255. Also, a memorial of the House of Re- presentatives of the State of Michigan, rel- ative to House Resolution No. 165 memorializing the Congress of the United States to support policies to protect and encourage the cultural autonomy of the people of Mac- edonia; to the Committee on International Relations.

256. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Con- current Resolution No. 41 urging the Cong- ress of the United States to change the coastline by which the state receives tax and mineral revenue from three miles to twelve miles to be consistent with the states of Texas and Mississippi as it relates to the re- ceipt of federal tax and mineral revenue; to the Committee on Resources.

257. Also, a memorial of the Senate of the State of Louisiana, relative to Senate Con- current Resolution No. 30 memorializing the Congress of the United States to adopt S. 520 and H.R. 1070, the Constitution Restoration Act of 2005; to the Committee on the Judiciary.

258. Also, a memorial of the Legislature of Virgin Islands, relative to Resolution No. 1690 petitioning the Congress of the United States and the Department of Homeland Se- curity to amend 33 Code of Federal Regula- tions, Part 160 to exempt the Virgin Islands from the passenger information reporting re- quirements; to the Committee on Transporta- tion and Infrastructure.

259. Also, a memorial of the Senate of the State of Michigan, relative to Senate Con- current Resolution No. 34 urging the Great Lakes Regional Collaboration and the Cong- ress of the United States to implement the action plan to restore and protect the Great Lakes; to the Committee on Transportation and Infrastructure.

260. Also, a memorial of the House of Rep- resentatives of the Commonwealth of Penn- sylvania, relative to House Resolution No. 329 urging the Congress of the United States to amend the provisions of the law requiring applicants for hunting and fishing licenses to provide their Social Security numbers or other identifying numbers by exempting appli- cants age 16 and under; to the Committee on Ways and Means.

261. Also, a memorial of the House of Rep- resentatives of the State of Michigan, rel- ative to House Resolution No. 149 memorializing the Congress of the United States to increase efforts to protect our borders; to the Committee on Homeland Security.

### ADDITIONAL SPONSORS

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

- **H.R. 354**: Mr. BRADY of Pennsylvania, Mr. FATTAH, and Ms. BERKLEY.
- **H.R. 667**: Mr. BOOZMAN.
- **H.R. 713**: Mr. PAUL and Mr. PETERSON of Minnesota.
- **H.R. 1177**: Mr. HAYES, Mr. BISHOP of Utah, Mr. DAVIS of Kentucky, and Mr. OTTER.
- **H.R. 2178**: Mr. RYAN of Ohio.
- **H.R. 4547**: Mr. HAYES.
- **H.R. 4619**: Mr. GREEN of Wisconsin.
- **H.R. 4772**: Mr. GONZALEZ.
- **H.R. 4756**: Mr. CLAY and Mr. MORAN of Kansas.
- **H.R. 4842**: Mr. DAVIS of Alabama.
- **H.R. Con. Res. 346**: Ms. BERKLEY, Mr. SIMP- son, and Mr. ROYCE.
- **H. Res. 507**: Mr. STARK.

### PETITIONS, ETC.

Under clause 3 of rule XII, petitions and papers were laid on the clerk’s desk and referred as follows:

- 104. The SPEAKER presented a petition of the Chicago City Clerk, Illinois, relative to a resolution urging the Congress of the United States to exercise caution in decision to convert the USS Iowa and USS Wisconsin into museums; to the Committee on Armed Serv- ices.

- 105. Also, a petition of the City Commis- sion of Belle Glade, Florida, relative to Reso- lution No. 2488, urging the Congress of the United States to protect and enhance the Community Development Block Grant (CDBG) Program; to the Committee on Fi- nancial Services.

- 106. Also, a petition of the Common Council of the City of New Britain, Connecticut, relative to Senate Concurrent Resolution No. 13 memorializing the Congress of the United States to defeat cuts and defeat any future measure aimed at cutting critical expenditures that benefit low and middle income Americans in order to fund tax breaks for the wealthiest citizens; to the Committee on the Budget.

- 107. Also, a petition of the Legislature of Michigan, relative to Senate Con- current Resolution No. 2488 of 2005 requesting the Congress of the United States pass H.R. 3017, To Provide Certain Requirements For The Li- censing of Commercial Nuclear Facilities; to the Committee on Energy and Commerce.

- 108. Also, a petition of the Municipal Coun- cil of the Township of Edison, New Jersey, relative to Resolution R. 567-122005 sup- porting Senate Bill S. 925 and House of Rep- resentative Bill H.R. 87 known as the “Cross- roads of the American Revolution National Heritage Area Act”; to the Committee on Resources.

- 109. Also, a petition of the Henry County Board of Henry County, Illinois, relative to a proclamation supporting the passage of S. 2297 and H.R. 2960 to allow Diane Engstrom to become a permanent resident of the United States of America; to the Committee on the Judiciary.

- 110. Also, a petition of the Lauderdale Lakes City Commission, Florida, relative to Resolution No. 06-02 encouraging the Cong- ress of the United States to pass the Debris Removal Act of 2005; to the Committee on Transportation and Infrastructure.

- 111. Also, a petition of the City Commis- sion of the City of Hallandale Beach, Florida, relative to Resolution No. 2005-32 requesting the Federal Emergency Management Agency (FEMA) be removed from the Department of Homeland Security and returned to FEMA’s former independent status; jointly to the Committees on Homeland Security and Transportation and Infrastructure.
The Senate met at 1 p.m. and was called to order by the Honorable Jeff Sessions, a Senator from the State of Alabama.

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

Let us pray.

You have given us much, O God, not because You love us more than others but because You have entrusted us with a stewardship. Help us to faithfully use our gifts to bless others.

As Senators today do the work of freedom, may they invest their talents in uniting our Nation and world. Guide them toward those opportunities that will destroy barriers and remove walls. As they work to bring harmony from discord, may they live lives that lead to peace.

Lord, warm all our hearts with Your love. Enlighten our minds with Your truth, and fill our lives with Your power that we may live for You. We pray in the name of the Prince of Peace. Amen.

PLEDGE OF ALLEGIANCE
The Honorable Jeff Sessions 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 from the Senate from the President pro tempore (Mr. Stevens).

The legislative clerk read the following letter:

U.S. Senate, President pro tempore, Washington, DC, March 6, 2006.

To the Senate:

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

Ted Stevens, President pro tempore.

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

RECOGNITION OF THE MAJORITY
The Acting President pro tempore. The majority leader is recognized.

SCHEDULE
Mr. Frist. Mr. President, today, following my remarks and the remarks of the Democratic leader, we will start a period of morning business. We are expecting that around 2 o’clock today we will begin consideration of the lobbying reform bill. The two bills were reported last week—one by the Rules Committee and the other by the Homeland Security and Governmental Affairs Committee. We will proceed to the Rules Committee bill and offer a substitute amendment which is a combination of these pieces of legislation. I hope Senators will take advantage of the opportunity today to come down and give statements on lobbying reform.

This afternoon at 5:30 we have three votes on three district court judges. I am not certain we will need a rollcall vote on each of these. But at this point Senators should anticipate up to three rollcall votes at 5:30.

I should remind our colleagues that we have a cloture motion filed on LIHEAP, which was introduced by Senator Snowe. That cloture vote will occur tomorrow morning. I hope cloture will be invoked and we can complete that bill as quickly as possible and then return to the consideration of the lobbying reform legislation.

We will have votes over the course of the week. I anticipate it is going to be a busy week, requiring a lot of work on the lobbying reform, on LIHEAP, and other issues that come forward. There are 2 weeks remaining before our next recess. Another issue we will be dealing with this week is the budget. We will be dealing with that before we leave, and issues such as the debt ceiling as well will be dealt with before we leave—a whole range of issues. It will be a busy week as we go forward.

Let me turn to the Democratic leader—I have a brief statement on lobbying reform—if there are any thoughts or questions or comments about scheduling or issues.

Mr. Reid. Mr. President, we believe it will not be necessary to have a vote on the Puerto Rican judge. We will be able to do that by voice vote. There will be two votes. I am wondering if the leader has an indication as to tomorrow. What will happen after the cloture vote? Do we know yet?

Mr. Frist. Mr. President, we do not know yet. We will have some idea by later today. But I hope cloture will be invoked and that we can complete it as rapidly as possible.

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT
Mr. Frist. Mr. President, today the Senate is taking another step forward to make our Government more transparent and more accountable. It will be a very important debate on very substantive issues, issues that affect the operation of this body and our relationships to outside groups.

We will begin debate on the comprehensive lobbying and ethics reform legislation. Over the last few months, we have made steady progress.

The Senate was first to develop a plan. It was the first to establish a working group to examine the issue. It was the first to hold committee hearings and to have a markup—two markups. And today we will be the first to
bring a comprehensive lobbying reform package to the floor. I wish to in particular thank our colleagues from Pennsylvania, Senator Santorum, for his willingness to lead a lobbying reform working group. He has hosted meetings in his constituency the last several weeks and spent countless hours on this issue. We are where we are today in large part because of his commitment and his leadership. I wish to recognize him for that.

I also want to recognize the work of the chairman and chairwoman of our Rules Committee and Homeland Security and Governmental Affairs Committee, Chairman Lott and Chairman Collins. They have worked expeditiously, both in discussions and holding hearings and markups, so we could in response to my request have available for floor consideration today legislation that centers on commonsense reform. There will be a lot of debate and there will be a lot of discussion, but I think the issues have been laid out and laid out well. Those two chairmen will be co-managing the bill from our side of the aisle, since each of those committees brought forth that legislation from their respective committees.

So I understand how we expect to proceed, we will begin debate on S. 2349, the Legislative Transparency and Accountability Act. The first amendment offered will be a substitute, incorporating the joint text of both the bills reported by the Rules Committee and by the Homeland Security and Governmental Affairs Committee.

I have asked the two managers to move forward in as efficient a way as we possibly can in order to achieve that goal of completing this legislation this week. It is going to take a lot of hard work, a lot of working together, and a lot of cooperation in order to accomplish that. Chairman Lott and Chairman Collins are committed to this timeframe. I encourage all of our colleagues to work with them to ensure that we can accomplish this goal.

If Senators have amendments—and I recognize there will be a number of amendments—I urge them to discuss those amendments, the nature of those amendments, and make the language available as soon as possible with the managers. Let us keep amendments on the issue that is at hand, the issues surrounding lobbying, and avoid adding up the bill with unrelated amendments, which we call nongermane amendments, is not in anybody’s best interest. So let us stay on the bill as much as we possibly can.

A final note. As we enter the debate—I think we will enter it—we are entering it in a tone of working together. It is not a partisan issue we are addressing. People expect us to work together to develop meaningful, non-partisan solutions but bipartisan solutions, and I hope that is what we will be addressing. Ethics is not a partisan issue. The rules apply, as they should, to every Senator and every staff member, regardless of party or stripe. No one gets a special exception. That is the spirit in which we should approach this bill.

The rules we operate under are bipartisan. The reforms indeed are and should be as well. This Administration is made up of Bushies and of course the public servants we are obligated to protect the integrity of this fantastic, magnificent institution, and most importantly to represent the genuine interests of the voters—which is our responsibility—who sent us here.

It is time for us to reexamine the rules so that bad apples are exposed before they spoil the whole lot. That is why I have brought this bill to the floor now so we can address it right up front early on in this session. Taking these steps will go a long way to lifting the cloud that threatens to obscure all of our other efforts to offer meaningful reforms and solutions to the problems we now face and that face all Americans.

The issue is something very personal to me. I still consider myself a citizen legislator, coming here for a period of time and going back home. It causes me to reflect on my first vote as a Senator. It was on the Congressional Accountability Act, an act that ensures that Congress abides by the laws it passes.

I believe deeply that we serve the people—not the other way around, and that it is our duty and responsibility to keep the trust of the people and their confidence in our body. Once again, I ask my colleagues to join together and deliver meaningful reforms, not only to fulfill our commitment to the American people but to protect and preserve the honor of this great institution we all have the privilege of serving.

I yield the floor.

HONEST LEADERSHIP AND OPEN GOVERNMENT ACT

Mr. Reid. Mr. President, in recent months, the public has been shocked and outraged over stories dealing with abusive and, I believe, criminal practices that have occurred in government—by lobbyists, senior administration officials, Members of Congress, and even congressional staff. A number of these participants in these schemes that breached the public trust have pled guilty—Republican spokesperson Jack Abramoff, former staffer for the recent House Republican Majority Leader Michael Scannel, Republican Member of Congress Duke Cunningham, and one of his coconspirators, Michael Wade. Others are under indictment, including President Bush’s political appointee David Safavian.

The guilty pleas, indictments, and documents released to date suggest wrongdoing or improper behavior by many others, including a former Deputy Secretary of the Interior, other former aides to the recent House Republican majority leader, former aides to Republican Senators; Grover Norquist, a close ally of the White House; Ralph Reed, long-time political operative for the Republicans—in fact, he has been State chair of at least one State party—and, of course, the heads of two other groups closely associated with the Republican Party.

The American people understand these are not one or two isolated incidents. They understand this is a clear pattern of wrongdoing—wrongdoing that can only be explained by an alarming sense of impunity. The public understands these individuals felt that they were above the law. They felt they could ignore the rules. They felt government was not there to serve the people’s interest but to serve their own special interests or the interests of some of their cronies.

The public has seen a Republican culture that has distorted government priority and grown into the greatest government scandal since Watergate. So we begin today in this debate, it is important to realize this wrongdoing often violated existing laws and congressional ethics rules. It is already illegal to offer or accept a bribe. It is already illegal to defraud your clients. It is already illegal to lie to a grand jury. The rules already prohibit Members from taking trips that have no real business purpose and are just excuses for a golf outing. So much of what went on was already criminal or certainly clearly unethical. The problem, in many cases, was not in the rules. It was in the culture that allowed everyone to believe they could ignore the rules.

But in some cases it was clear, the rules have shortcomings. So even though a number of the things that people did clearly violated the rules the rules exist, in some of these cases it was clear that the rules had shortcomings and we needed to beef them up. In these areas, we need to expand disclosure and tighten rules that have been abused. We also need to find a way to restore public faith in the integrity of our Federal Government.

The best way to do this is to show the public we take seriously that we care about the public interest and that we will act aggressively and swiftly to change the culture in the Nation’s Capital.

That is why I am satisfied with what my Democratic colleagues have been able to do to date and call my rules that will shortly be before the Senate. As soon as we returned from the winter recess, we, as a caucus, acted decisively.

We unveiled sweeping reform principles and backed them with legislation. It is one thing to address this issue through legislation. To call legislation that offer no details; it is another to put reform to paper and to use a reform bill that has supported virtually the entire
Democratic caucus. That is what we did.

The Honest Leadership Act fundamentally changed the debate on ethics and lobbying reform. It is hard to draft legislation. I called upon my staff, one of my most senior persons, someone who was the chief of staff of the Commerce Committee under Senator Hollings, Kevin Kayes. He has worked hard. Saturday nights, Sunday nights, a lot of energy given to him. I acknowledge the hard work that he has done on this legislation. I appreciate it very much.

We put on paper what we thought was the best thing for this institution. The Honest Leadership Act, Open Government Act, fundamentally changed the debate on ethics and lobbying reform. Democrats stood united. United we said: We are not going to let this process drag on and hope that people get distanced. We are going to seize the initiative and begin to change the culture that we find in Washington. Democrats established the baseline for reform by getting caucus-wide support for a comprehensive reform bill. Democrats raised the stakes on this issue and forced the Senate to deal with this in a meaningful way.

We have had a number of participants in the Democratic side of the aisle. This is not in the order of how hard they have worked, but I express my appreciation—because they have all worked hard—to Senator Dodd, Senator Lieberman, the ranking members of the Rules and Government Operations Committees. I appreciate the work of Senator Feingold who has been involved in these issues for many years. And a new Senator, Mr. Obama, has done such a good job of expressing himself to the American people. And a new Senator, who has been involved in these issues for many years. That is what we are doing today which will be united into one conference report. We have tried to deal with this in a meaningful way. I am hopeful in continuing the debate on ethics training for congressional staff and will require disclosure of lobbyists' disclosure available on the Internet. We put on paper what we thought was the best thing for this institution. We have been given a tremendous responsibility. But it is a real privilege.

I am confident we can clean up the situation we now have in Washington so we can get on with the Nation's business. America deserves a government as good as its people. Together, America can do better.

RESERVATION OF LEADER TIME

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

MORNING BUSINESS

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

Mr. REID. I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. SPECTER pertaining to the introduction of S. 2369 are located in today's RECORD under Statements on Introduced Bills and Joint Resolutions.)

The PRESIDING OFFICER (Mr. Roberts). The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, what is the pending business?

The PRESIDING OFFICER. We are in morning business, with Senators permitted to speak therein for up to 10 minutes.

In fact, much of what Democrats supported in S. 2180 has been included in the bills that will come before the Senate today which will be united into one bill. What are some of the things we have done? I will not mention all of them, but I will mention some. Slow the revolving door by making government jobs and lucrative private sector employment. Revoke floor privileges for former member lobbyists. A former Member has to decide, if they want to come to the Senate, they are not going to be able to if they to be lobbyists. That is unfair to some who also are lobbyists who certainly never used the floor in any negative way. I think I can say that for most all.

We have to do away with what is wrong and with what appears to be wrong. This legislation will be in the Senate in less than an hour and it eliminates gifts paid for by lobbyists, not just disclosure gifts. There will be severe financial penalties on privately funded travel. This legislation will stop dead-of-night legislating by making conference reports available on the Internet. This legislation will require more frequent and more detailed lobbyists' disclosure available on the Internet. And there is increased civil rights penalties for violations.

This legislation required ethics training. It will require ethics training for congressional staff and will require disclosure of lobbyists' disclosure available on the Internet. We have tried very hard. There are some groups, quite frankly, that there is not enough we could ever do, no matter what we do would never be enough. But it is important to recognize while there may be some outside groups who think we have not done enough, we have done a lot. During this debate, I hope we remain honest with the American people about an important point. When we approve this legislation, in conference we will—we will not have put the Abramoff scandal behind us. Indeed, it is likely that future indictments and additional revelations will end any confusion on this point. The only way we put the Abramoff and other scandals behind us and restore the public faith in government is by each and every one of us, all 100 of us, and our staffs, conducting ourselves and operating this institution with the highest level of integrity.

This legislation will set parameters that will be easier to follow. The costs of corruption are high, and it is the American people who pay for it. What has happened in Washington has eroded the ability of our Government to meet the needs of our people.

Look at this administration's response to Hurricane Katrina and the growing national unease about our security, both here and abroad. Just imagine if Duke Cunningham and his coconspirators had not succeeded in spending tens of millions of taxpayers dollars to give their cronies bogus contracts, that money could have been used to pay for body armor, port security, or some other critical need. This is only one example.

The culture of corruption distorts our priorities and frustrates efforts to address the real needs of Americans, these Americans who are trying to cope with high natural gas prices to heat their homes, high fuel prices for the cars, concerns about their own retirement security, and a growing sense that they are having to work harder and harder to maintain even their current standard of living. Each one of us came here to serve the American people. We have been given a tremendously difficult responsibility. But it is one we all sought. Of course, it is a real privilege.

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

The legislative clerk proceeded to call the roll.

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

(The remarks of Mr. SPECTER pertaining to the introduction of S. 2369 are located in today's RECORD under Statements on Introduced Bills and Joint Resolutions.)

The PRESIDING OFFICER (Mr. Roberts). The Senator from Maine is recognized.

Ms. COLLINS. Mr. President, what is the pending business?

The PRESIDING OFFICER. We are in morning business, with Senators permitted to speak therein for up to 10 minutes.
Ms. COLLINS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. LOTT. 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. LOTT. Mr. President, are we still in morning business?

The PRESIDING OFFICER. Yes.

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006

Mr. LOTT. Mr. President, I ask unanimous consent that the Senate begin consideration of Calendar No. 367, S. 2349, the lobbying reform legislation. I further ask consent that following the reporting of the bill, I be recognized in order to offer a substitute amendment, and following that action, the bill be open for debate only during today's session.

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

The clerk will state the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2349) to provide greater transparency in the legislative process.

AMENDMENT NO. 2907

Mr. LOTT. Mr. President, I call up the substitute amendment which is at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Mississippi [Mr. LOTT] proposes an amendment numbered 2907.

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

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

(The amendment is printed in today's Record under "Text of Amendments.")

Mr. LOTT. Mr. President, I am pleased to see that my colleague from the Rules Committee, Senator Dodd, is here. He is the ranking member on the Rules Committee. We have done a lot of work together over the years, going to all the way back to our days on the Rules Committee in the House. It is always a pleasure to do business with him.

I am also pleased to see the distinguished chairman of the Homeland Security and Governmental Affairs Committee in the Senate, Senator Collins, who has been doing outstanding work there, with a greatly expanded committee, with jurisdiction over almost everything that is moving these days. She is doing a wonderful job.

Again, I am pleased to see both of my colleagues and we begin debate on this very important issue involving the rules of the Senate and lobbying reform legislation. I think one of the important things to note at the very beginning is that this legislation from both the Rules Committee and the Homeland Security and Governmental Affairs Committee was reported as bipartisan legislation, and it is legislation that will absolutely ensure greater transparency and accountability in the legislative process.

There are those in Washington—me included—who have been concerned of late by how much partisanship there is in Washington and in the legislative process, and it has reached unprecedented levels. But I believe it is also possible for us to not have everything be that partisan. So that is why I think the way these two bills have been reported is so remarkable because the Rules Committee had a full debate and amendments were offered. Some were passed, some were rejected, some were accepted, and some were ruled out of order. When we got to final passage, Senators on both sides of the partisan aisle felt it was important and there was not a single dissenting vote.

Also, the Governmental Affairs Committee—if I may refer to it that way in shorthand—reported it with only one "no" vote after having a full discussion about what and why we needed to do that and it was not easy to deal with. So I hope the spirit of bipartisanship can carry to the floor when we take up the amendments.

This afternoon's proceeding will be somewhat abbreviated because we have to take out some time for discussion about judicial nominees and votes, and we do have some further action with regard to the low-income energy assistance issue. However, when we get back to these bills tomorrow and are ready for amendments, I hope Senators will come over and we can get a time agreement and we will have a good discussion and votes. Perhaps even some amendments can be accepted, depending on what they are, and we can get this process back on track this week is over. I think that would be very good for the institution, and it needs to be done.

I do think this is an important effort. I have looked at what the Rules Committee did and what came out of the Rules Committee in the last week. This will be the third time I have been involved in a process of changing the rules or looking at what we might need to do after a difficult time in our history. I think there are rules changes that we need, we should do, could do, that would make common sense, and would be fair.

This is an issue where it is very easy to lose control emotionally or get involved in a tremendous process of self-flagellation and condemnation. I don't want to do that, but there are some places where there are legitimate concerns or appearances of impropriety which we can improve.

Senator Dodd and I talked on the phone, we met, and we came up with some important points, and I think we have come up with a pretty good bill. We need to go forward, have a full discussion, take up serious amendments that will be offered, and get this job done. I look forward to working with Senator Collins and making this a bill with both committees are comfortable.

Mr. President, I ask unanimous consent that my section-by-section analysis of the bill be printed in the Record.

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

SECTION-BY-SECTION SUMMARY OF THE LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006 (S. 2349)

(Reported by the Senate Committee on Rules and Administration, February 28, 2006)

Section 1. Short Title: The Legislative Transparency and Accountability Act of 2006.

Section 2. Out of Scope Matters in Conference Reports: New Point of Order against...
out of scope matters in Conference Reports. Point of Order can be waived by 60 votes. If the Point of Order is sustained, the offending material is deleted from the Conference Report and returned to the House for its consideration.

Section 3. Earmarks: Creates a new Standing Rule (XLIV) dealing with earmarks. Earmarks are prohibited if they identify the non-Federal entity to receive assistance. “Assistance” is defined to include budget authority, contract authority, grants, money, and other expenditures including tax expenditures or other revenue items.

This new Standing Rule requires that all Senate bills or conference reports include a list of all earmarks in the measure; an identification of the Member who proposed the earmark; an explanation of the essential government purpose of the earmark. The bill or Conference Report, including the list of earmarks, must be available to the Senate and to the general public on the Internet for at least 24 hours before its consideration.

Section 4. Conference Report Availability: Provides for the implementation of the requirement. Conference Reports may be available to the general public for at least 24 hours before its consideration. Requires the creation of a new Senate website capable of posting such material.

The effective date of this Section is set as 60 days after the date of enactment of the Act.

Section 5. Floor Privileges for Former Members: Amends Standing Rule XXIII of the Standing Rules of the Senate to eliminate floor privileges for former Members, former Senate Officers, and former Speakers of the House who are either registered lobbyists or employed by an entity for the purpose of influencing the legislation, defeat, or amendment of any legislative proposal. Permits the Committee on Rules and Administration to issue regulations allowing floor privileges for such individuals for ceremonial functions or events designated by the Majority or Minority Leader.

Section 6. Gifts and Meals: Amends Standing Rule XXXV to ban gifts from registered lobbyists or foreign agents. An exception is provided for meals, retaining the current financial limits. A provision is added requiring that within 15 days of receiving a meal, a Member must post on the Senate website the value of such meals and refreshments provided to themselves and their staff, and the person who paid for the meal.

Section 7. Travel, Incentive Programs for Earmarks: Subsection (a) amends Standing Rule XXXV to require pre-clearance approval of the Senate Select Committee on Ethics to receive transportation or lodging provided by a third party, other than travel sponsored by a governmental entity. The person providing the transportation and lodging shall certify that the trip was not financed, in whole, or in part by a registered lobbyist or foreign agent and that the person sponsoring the trip did not accept direct, indirect, or third-party funds from a registered lobbyist or foreign agent earmarked to finance the trip.

Subsection (b) amends Standing Rule XXXV to require that a Member or employee of the Senate report the sponsor of an airplane, other than an aircraft that is owned, operated, or leased by a governmental entity, file a publicly available disclosure report with the Senate Ethics Committee no later than the day after the date, destination and owner or lessee of the aircraft, the purpose of the trip and the persons on the trip except the persons flying the aircraft. Such a report is required to be filed electronically no later than the day after the employment terminates. This provision would be effective 60 days after the date of enactment.

Section 8: Post-Employment Restrictions: Amends Standing Rule XXXVII to conform the post-employment registered lobbyist restrictions on Senate staff earning 75 percent of the rate of pay of a Member with the restrictions that are imposed on former Senators. Such staff would be prohibited from lobbying the Senate for one year after their employment terminates. This provision would be effective 60 days after the date of enactment.

Section 9: Public Disclosure of Employment Negotiations: Amends Standing Rule XXXVII to require that a Member who is engaged in negotiated employment negotiations, prior to the election of the Senate’s successor, must file a public disclosure statement with the Office of the Secretary of the Senate regarding such negotiations within three business days after the commencement of such negotiations.

Section 10: Lobbying by Family Members: Amends Standing Rule XXXVII to provide that if a Member’s spouse or immediate family member is a registered lobbyist or employed by a registered lobbyist, staff employed by the Member are prohibited from having any official contact with the Member’s spouse or immediate family member.

“Immediate Family Member” is defined as the son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, or stepsister of the Member.

Section 11: Unlawfully Using Public Office to Influence Hiring Decisions: Amends Standing Rule XXIII to prohibit a Member or employee of the Senate from seeking, accepting, or using influence or the threat of influence related to employment decisions. This provision would be effective 60 days after the date of enactment.

Section 12: Sense of the Senate on Scope of Restrictions in The Act: A Sense of the Senate Resolution that any restrictions imposed by this Act on Members and employees of Congress should apply to the Executive and Judicial branches.

Section 13: Effective Date: Provides that the Act shall take effect no later than 60 days after the date of enactment.

Mr. LOTT. Mr. President, let me go through the Rules Committee bill and talk about some of the more important aspects. I won’t go into all the details because Members will have a chance to review what we reported last Tuesday, and now it’s before the Rules Committee. When I complete my comments, Senator Collins or Senator Dodd will be ready to speak. We will be able to make it very clear what we have done. Some of these things do need to be explained a little bit.

First of all, with regard to earmarks, we do know that there has been an explosion of so-called earmarks. This is with every ounce of energy in my body. If we need to have a better disclosure, I do think we need to think about how we do these earmarks, have some rules that make it clear who is doing what and for whom. So that is what we have tried to do with this legislation.

Some people will come to the floor—and I presume somebody might even offer an amendment—and say that earmarks are prohibited. I will fight with every ounce of energy in my body. Some people might say that should be better left to the executive branch. Why? Why should some bureaucrat who lives in Maryland or Virginia—and I say that term lovingly—who works at HUD or the Department of Transportation or the Department of Defense—it doesn’t matter what department—how do they know more about what is needed in terms of roads or housing or National Guard in my State of Mississippi or more than the Senator from Maine knows about what the needs are in her State? So I think it is ludicrous to maintain only the executive branch is pure.

By the way, do you think the executive branch does not have earmarks? The distinguished Presiding Officer noted an earmark for Pascagoula is not really an earmark. It is something clearly understandable and identifiable, and I am perfectly willing to call it that. It for their constituents or anybody else who would like to take a look at it.

With regard to the executive branch, I have seen articles that point out some of the earmarks. For example, in the Department of Energy, the Office of Management and Budget always picks their projects they like, that the Corps of Engineers would do, but not others which might involve locks and dams or flood control projects. So it is of Congress to do it but not the executive branch.

What about what the Constitution says? Article I, section 9 of the Constitution, which deals specifically with spending, states:

"No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law..."

So it is not up to the President alone. Congress has always had the final say on this issue of appropriations, and I am sure Senator Byrd would have something to say about this.

Again, there is a limit to what is reasonable, and I think we have kind of
lost a grip in that area. We do need to have some controls. It needs to be open and fair. It needs to be identified in the record.

I have become more and more concerned particularly about the practice where information added in conference reports that were not considered by committee or in either body, whether it is language in a tax bill or appropriations bill or a highway project in an authorization bill, and there is no way to really address it. That is why in the Rules Committee—I worked with Senator Feinstein in particular, and Senator Hagel, and Senator Dodd—developed a procedure that will allow Members to remove items from conference reports that were never considered by either body.

Under the committee’s bill, if a point of order regarding the item is sustained, the offending provision would be removed, but the entire conference report would not fail. It would then be sent back to the House, minus the offending provisions.

I emphasize again, think about what was happening. The Senate did not include a provision. The House did not include a provision. They go to conference. Of a session, it is an omnibus appropriations bill, and, voila, all these things show up in a tax bill or an omnibus appropriations bill. If it comes back to the floor of the Senate on short notice, with maybe a couple of hours to review it, if you make a point of order and you succeed, the entire conference report is taken down and it has to start over again, not just go back to the House for final action. That is a scary situation.

I remember attending a meeting one time where some language was being discussed that had not been in either bill that meant billions of dollars. I remember going back and saying to my then-chief of staff, Dave Hoppe, that this provision should not allow this sort of thing to happen. Under this provision, if you garner the super-majority 60 votes, it cannot be taken out. I actually preferred a simple majority. More and more around here everything takes a super-majority, not a simple majority. I thought 51 votes would have been sufficient. But in the committee, keeping the 60-vote test prevailed. I hope it is not abused.

The bill also requires that committee and subcommittee identify the sponsor of all earmarks so the Senator from Kansas will have to fess up that he has a project in an authorization bill, a tax bill, or an appropriations bill. He will have to indicate the amount and what it is for. It will have to be disclosed in the bill that comes back.

Finally, to get greater transparency to the process, conference reports cannot be considered unless they are available within the Senate and on the Internet at least 24 hours before Senate consideration. There are those who thought it should be 48 hours. When we get to the end of a session, even 24 hours is a leap. We can always shorten that by unanimous consent. But to have some modicum, minimum amount of time to review these conference reports, to me, makes sense, and it is fair.

So I think what we have done with regard to the so-called earmarks—and we define what an earmark is in the bill because my distinguished colleague from Mississippi questioned what an earmark is, and the language clearly did not define what the term is or excluding appropriations. We clarified that. I think this is good language.

I have already spoken to our counterparts in the House. They think this is progress. I think the idea that we are going to put into some way earmarks would be going way too far.

The next issue that our committee dealt with is the issue of gifts. Under our language, no gifts will be allowed. I don’t regret to have to be worms or staff, or if it is from a foreign agent. The committee took the suggestion of some of the witnesses who testified before the committee and excluded meals from the definition of gifts. You can still have your meal, but you would have to disclose it.

The current rule is retained on the value of the meal, but Members would have to disclose that meal within 15 days on the Senator’s Internet site. They would have to say if they had a meal and with whom they had a meal, or if you ordered in Dominos, you can mention that. The last time I mentioned another restaurant, my son said: Dad, I do sell for Dominos; could you put in a plug for Dominos? You have to disclose that on the Internet.

We can get into lowering the limit on gifts or meals or raise it? What are we doing here? Let’s just go cold turkey. I don’t worry about whether some cheap tie is worth $65 instead of $48. Let’s say no gifts from lobbyists or registered agents. I don’t know Senators who get gifts. I really don’t know any. And it is preposterous, any way, that you would be getting gifts from a registered lobbyist. So no gifts.

The bill also deals with third-party-funded travel. The committee rejected the idea of banning third-party-funded travel. I am sure there will be amendments in this area. We believe there is a useful educational value associated with most of these endeavors. However, in recognition that congressional travel can be abused, the committee adopted tough pre-clearance requirements for any such travel.

The committee bill requires that non-governmental third-party-funded travel must be pre-cleared and approved by the Ethics Committee. It was alleged that this is no different from the current situation. No, now it is advisory. It is permissible. They can review it. They pretty much generally do review it and say this is OK. This would require pre-clearance and approval.

In order to qualify for Ethics Committee approval, the sponsor of the trip will have to certify to the Ethics Committee that the trip is not financed, directly or indirectly, by lobbyists. In addition, a detailed trip itinerary would have to be provided to the Ethics Committee, along with a written determination by the Senator that the trip is non-financed. Consistent with official duties, does not create an appearance of use of public office for private gain, and has a minimal or no recreational component before the committee could approve the trip. We are not saying they couldn’t have a recreational component. If a Member plays a round of golf, the Member would have to pay for that.

Not later than 30 days after the trip is completed, a Senator would have to file with the Ethics Committee and Secretary of the Senate a description of the meetings and events attended during the trip and the names of any registered lobbyist who accompanied the Senator during the trip. Such information would also have to be posted on the Senator’s Internet Web site.

Will it be a hassle? Sure. Is it something we can do and should do? Yes. We are going to have to do this.

With regard to flights on private planes, in an effort to broaden transparency, the committee bill requires that the name of the aircraft must be disclosed, along with the names of the people traveling on the aircraft and the purpose of the trip. The disclosure rules will also apply when a Member uses a private aircraft in a campaign for reelection.

We addressed the question of postemployment restrictions. The bill tightens postemployment restrictions for high-paid staff by conforming the lobbying ban on senior staff with the ban on former Member lobbying. Therefore, senior staff will not be allowed to lobby the Senate for 1 year, and all registered lobbyists would have to pay for that.

With regard to floor privileges, the committee addressed an issue about which some people have expressed concern: former Members lobbying on the Senate floor. I don’t think this is a real problem, and I have never experienced it in my 16 years here. The committee believed that former Members who are registered lobbyists should not be seen to have an advantage in meeting with Members on the floor of the Senate; therefore, the committee bill bars former Members from the Senate, ex-Secretaries at Arms of the Senate, and former Speakers who are registered lobbyists to access the Senate floor. Exceptions could apply for
ceremonial events and events designated by the leaders. Again, I emphasize that former Members would be allowed to come, unless they are registered lobbyists. If they are registered lobbyists, they would not be able to come to the floor, and it would apply to the former offices of the Senate and Speakers of the House.

(Mr. CHAMBLISS assumed the Chair.)

Mr. ROBERTS. Mr. President, would the Senator yield?

Mr. LOTT. Mr. President, I would be happy to yield to the distinguished Senator from Kansas.

Mr. ROBERTS. I wanted to explain this tie that the Senator from Mississippi has maligned. I don't know if I could seek a parliamentary ruling. Is that a violation of rule XIX, degrading the tie of a Senator?

The PRESIDING OFFICER. In the opinion of the Chair, it is not a violation of the rules.

Mr. ROBERTS. This was a tie, if the Senator will continue to yield, that was given to me by my wife.

Mr. LOTT. Mr. President, was this a gift?

Mr. ROBERTS. It was given to me by my wife, it cost under $50, and it is the color of the ever-optimistic and fighting Wild Cats of the Kansas State University, and I thought it was a pretty nice tie to go with this dark suit. Should I change that under the banner of the Rules Committee, even by members of the Senate from Kansas, I ask unanimous consent that my disparaging remarks about his tie be expunged from the Record.

Mr. ROBERTS. I would appreciate that, but it didn't cause me much of a problem at all.

Mr. LOTT. Mr. President, I hope this is not an indication of the tenor of the debate that is going to occur this week. I think that a little humor is fine, but I also think a little action is required in this area, and I promise to patch up my friend's feelings as soon as I get through here before the Senate.

Speaking of public disclosure of employment negotiations, the committee addressed a potential conflict of interest situation where a Member is negotiating for a private sector job while still acting in his official capacity.

This was an amendment that I believe was offered by Senator SANTORUM in the Rules Committee, it was not in our committee chairman's mark, but the committee discussed it and agreed that this is an area which should be adopted. It requires public disclosure of any such negotiations. The rule would not apply if the Member's successor has already been elected. Once an election has occurred for a successor, even though you might be back in what we call a private sector position, you would be able to have such negotiation, but you wouldn't have to fulfill the public disclosure statement. Obviously, as long as you are in this body, you shouldn't have negotiations with somebody about employment when you are leaving. If you do, you may, of necessity— it may happen accidentally, but if you do, you ought to at least disclose it.

Mr. President, a tie of the Senator's family, has been in question and an issue in recent years. The committee adopted a rule that directly impacts family members who are registered lobbyists. The rule bars a Member's spouse or any immediate member of the family from lobbying the Member's staff, and we have a definition of what 'immediate family member' is. We also have a provision with regard to unlawfully using public office to influence hiring decisions. The committee voted to amend the standing rules to prohibit a Member from threatening to take or withhold any official act in an effort to influence a private sector hiring decision. The committee approved this amendment, fully knowing, full disclosure law, 18 U.S.C. section 201, it makes it a felony punishable by as long as 15 years in jail for a Member to try to influence such a hiring decision by threatening to take or withhold an official act. But the committee was even though it might be covered by law, that the Rules should be very clear in this particular area. I questioned, and others commented on the fact that if you recommend a former staff member to an agency affiliated, capable young man or woman, certainly you can continue to do that. It is where you infer or suggest that you are going to withhold or do something as punishment if certain hiring actions are not taken.

In conclusion, I believe the committee acted and produced a fair and balanced bill. I know some Members would like to ban all privately funded travel. Others will want to talk more about whether we are sufficiently policing ourselves.

I believe our Ethics Committee over the years has done a good job. I served several years on the Ethics Committee. Unfortunately, it was an extremely active time. During that period, we had the so-called Keating 5: we had a couple of Senators who had unintentionally, but still very importantly, leaked some information with regard to the Intelligencer Committee. We had a very active Senate, and it was worked up to it. And there have been other examples. I have no doubt that the current members of the Ethics Committee, which is evenly divided, are doing a good job. Part of their problem is us: our rules sometimes are not clear or they are ambiguous. They do need to be tightened up. We need to be more specific. And I am working with Chairman VOINOVICH to try to get some of those identified so that we can have some ethics rules changed.

Mr. President, I have a little throat problem here, so let me stop at this point and say that I hope we can go forward expeditiously and in a fair way this week and address this very important issue of rules changes and lobby reform. I think we can do it in a bipartisan way and have a bill ready to go to conference by the end of this week.

I yield the floor.

Mr. DODD. Mr. President, let me begin these comments by thanking, first of all, my colleague from Mississippi, Senator LOTT, who chairs the Rules Committee, and the other members of the committee, Democrats and Republicans alike, who worked over the past number of days to put together a Rules Committee bill.

The Rules Committee, for those who are interested in following this in detail, has jurisdiction over a couple of matters: the conduct of Members specifically and campaign finance reform issues. We don't have jurisdiction over lobbyists per se, except to the extent they are engaged in business with Members of Congress, with Members of this body. So our bill was specifically tailored to deal with Member conduct vis-a-vis lobbyists and, in some cases, spilled over a little bit into the campaign finance reform area, which I will address in a couple of minutes.

I wish to underscore the points Senator LOTT has made about the cooperative spirit with which the Committee dealt with its business. We worked, and we had a good working session. In fact, we had a number of sessions, actually, the markup, you try to come to some consensus. The Democratic leader, Senator HARRY REID, when I asked him what sort of a bill he would like to put together, his first words were: A bipartisan bill. So we made that effort, and as a result of not an extensively long markup but one that went on for several hours where, as Senator LOTT has pointed out, there were amendments that were agreed to and some disagreed to, and others made out of order, but we put together a bill that certainly was forward, and it was supported by all members of the Rules Committee, even by members who had amendments that were rejected. We felt strongly that it was important that we try to act as unanimously as possible, and we did so.

So today we gather here in this Chamber for the full consideration of that bill, plus the bill that was authored by the distinguished Senator from Maine, Ms. COLLINS, and my colleague from Connecticut, Senator LIEBERMAN. This may be a unique situation about to occur here where the co-managers of this legislation will be the two Senators from the same State. My colleague from Connecticut, Senator LIEBERMAN, is the ranking Democrat on the Homeland Security and Governmental Affairs Committee. In fact, I watched their markup the other day on C-SPAN, and it was very healthy and productive and, I thought, a very comprehensive discussion of their jurisdiction. These matters involve the role of lobbyists and their activities as they relate to Members as well but a bit different from the Rules
Committee. I congratulate them and members of their committee as well for a very thoughtful conversation.

I also commend Tim Johnson and George Voinovich, who are the vice chairman and chairman respectively of the Senate Ethics Committee. It has been a long time since there has been an ethics problem that has not come to light, and there is no more thankless job in many ways than to be a member of the Ethics Committee, but they have done a remarkable job, in my view. They don’t advertise what they do. Their meetings are not even necessarily publicized, but cause they deal with these sensitive matters of allegations raised against Members of this body. But all of us who have watched them over the last number of years, along with the other members of that committee and their previous chairs, respect immensely the work they do. I suspect you are going to be hearing from members of that committee during this debate and discussion as they report to this full body on their activities.

So today the full Senate begins the process of considering legislation to bolster congressional accountability, make the legislative process fair, more transparent, and to regulate more tightly the relationships between Members of Congress, the executive branch officials, and lobbyists.

It is imperative that we act on this bill to help restore the confidence of all Americans in the legislative process and the laws we write. That confidence has been eroded by recent lobbying scandals involving Members of Congress, the executive branch officials, and lobbyists.

We are still waiting for the majority to unveil their lobbying reform priorities. Had we waited by 40 members of the Democratic caucus and represents a tough but appropriate response to the lobbying scandals and represents a tough but appropriate response to the legislative branch to examine these issues but should consider whether they should apply to our colleagues who serve in the executive and judicial branches as well.

Let me share a little bit of history. In the early 1930s, Congress held hearings on lobbying abuses with very little result at all, and in 1938 the Foreign Agents Registration Act was enacted, followed by the 1946 Federal Regulation of Lobbying Act, the scope of which the Supreme Court soon narrowed. In addition, the Lobbying Disclosure Act of 1995 and the new Senate gift and travel rules followed.

It is clear that real, enforceable ethics reforms do work. Ethics reforms have over the years worked to improve the way Congress operates. Conflict of interest rules, earned-income limits, lobbying disclosure laws, the McCain-Feingold law and honoraria ban—in which I took my oath to play a role in—and other key provisions have helped ensure greater transparency and accountability in the U.S. Congress. But we must do more, and we will in these coming days.

As the ranking member of the Rules and Administration Committee, with jurisdiction over elements of this bill that affect the treatment and obligations of Members of Congress, I have worked with my good friend, Chairman Lieberman, and colleagues on both sides to craft a bill on issues within our jurisdiction. That bill has now been married on the floor with legislation from the Homeland Security and Governmental Affairs Committee, chaired by the distinguished Senator from Maine and the ranking member from my home State of Connecticut, Senator Lieberman. These bills address the Lobbying Disclosure Act changes within its jurisdiction. Ultimately, we can craft an omnibus bill that will command broad bipartisan support and will be signed into law by President Bush. I think we have already come a ways in that direction. I have appreciated the cooperative posture of Chairman Leahy in developing this measure which was reported unanimously, as I mentioned earlier, by the Rules Committee. There were a number of amendments offered in the committee to strengthen the measure, and some were accepted and some rejected.

My colleague went down this list, but it is important that my colleagues know what we were able to include. I
mentioned some of the reforms here: the ban on gifts from lobbyists, the requirements of additional reporting on meals as well. I might point out to my colleague from Mississippi, I suspect we may have already in effect, just established rules on meals. Looking at the language in our own committee, the idea that people are going to be reporting every few days a $20 meal—I suspect most may decide it is not worth going through that. In fact, I may very well take a point, to just make that a total ban on the meals altogether and avoid going through the process of having to list them on the Internet, which is what in effect we have accomplished in that provision of the bill.

The bill would also prohibit travel paid for by lobbyists and require prior approval of travel by the Ethics Committee. The bill requires for the very first time the disclosure of who people parachute in a provision, particularly in a conference report. That had been neither considered by the House nor the Senate and ends up mysteriously in a conference report, that ought to be of some help.

We eliminate floor privileges for former Members, officers, and Speakers of the House if they become lobbyists. It may be that of a fine point, a knick-knack if you will, but I think it is a good step forward. We also require conference reports to be available 24 hours prior to the consideration on the Internet.

We also include a new point of order against the out-of-scope provisions. I mentioned that already. The bill would also include conference reports to be available 24 hours prior to the consideration on the Internet.

Again, some of these conference reports are mammoth. They would make "War and Peace" look like light reading when you see them. So having them for 24 hours is certainly going to be of some help.

It may shock Members or others to find out that these bills in many cases were not even printed at all. In some cases I remember over the years when we actually considered them. Nonetheless, I think that is a good step forward as well.

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If our colleagues from California, Senator Feinstein, played a very critical role, with Senator Lott, in drafting the original provisions in the incorporating Rules Committee bill, I think most Members believe if the matter was not in the House or Senate and ends up in the conference report, that ought to be subject to a point of order and come out of order, we may be making sure on this point—I have heard my colleagues speak eloquently about it—we should be making sure the point of order would prevail so you don’t have just a simple majority but require a supermajority vote to allow that to occur.

If it is that important, if the Member believes he had to put it in—and there may be such circumstances, by the way then the supermajority vote is appropriate. We have been around long enough to know what happens. We will pass an appropriations bill here, the House will do it, and then some event will occur, a hurricane, and then all of this suddenly will be bogging. So you want to put something in the bill. If it is on that level, then I suspect a supermajority of my colleagues will approve it. Nonetheless, real efforts are being made and our Rules Committee bill certainly that.

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Finally, Senator Ben Nelson of Nebraska offered an amendment, which was adopted, expressing the sense of the Senate that restrictions should apply to the executive and judicial branches as well. My hope would be we would do that.

My colleague from Mississippi has gone over a lot of this. The point being, we had an underlying bill. There were amendments offered. We strengthened the bill. This is not a perfect bill, but it is a step forward, I think, with the efforts made with the Homeland Security bill under the leadership of Senator Collins, we made a major step forward.

I anticipate some of those amendments that were rejected in our committee or ruled out of order may be offered on the floor. I may offer one or two of those amendments myself.

The most comprehensive amendment to work with colleagues on our side on behalf of the Democratic Leader, Senator Reid, which took key elements of the sweeping reform bill he developed in consultation with our Caucus, the Honest Leadership Act. That bill has not had the chance to have that debate thus far, and set a standard for real reform. It was rejected by the Committee on a party-line vote, which I regret, but some of its provisions were eventually adopted in Committee.

I know that additional key elements of this measure will be offered by various colleagues in the coming days. I suspect there will be some amendments to the government affairs committee report of this bill, some of which were rejected in Committee, some withheld for the Floor debate.

That is at it should be. Many Members will have ideas to improve the bill here on the Floor, and I am committed to working with colleagues on our side to ensure their ideas get a full and fair hearing and, where necessary, a vote. Although the combined rules/government affairs committee bill offers a good framework, it is clear that the bill can and should be improved.

Efforts to strengthen this bill will be the focus of amendments by Members on our side going forward, both here on the Floor and in conference.

I won’t try to summarize in detail what is in the new bill, which merges the provisions of the Rules Committee and Government Affairs bills. Our distinguished colleagues on the Homeland Security and Government Affairs Committees, Senator Lieberman, Chair of the committee, and my colleague from Connecticut, Senator Lieberman will be describing the provisions of their bill in detail. I ask consent that a brief section-by-section summary of the Rules Committee provisions be printed in the RECORD at the conclusion of my remarks.

The PRESIDENT. Without objection, it is so ordered.

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The PRESIDENT. Without objection, it is so ordered.

I have heard my colleagues speak eloquently about it—such circumstances. I think the perception is such that a total ban on the meals might offer, at some point, to just make that a total ban on the meals altogether and avoid going through the process of having to list them on the Internet, which is what in effect we have accomplished in that provision of the bill.

The bill would also prohibit travel paid for by lobbyists and require prior approval of travel by the Ethics Committee. The bill requires for the very first time the disclosure of who people parachute in a provision, particularly in a conference report, that had been neither considered by the House nor the Senate and ends up mysteriously in a conference report.

If you try to take them out of that bill, by the way, when it comes back to the Senate, the entire bill in which they are located falls. None of us necessarily wants that to occur. Therefore a lot of these provisions have stayed in over the years. This is the reform being talked about here.

Our colleague from California, Senator Feinstein, played a very critical role, with Senator Lott, in drafting the original provisions in the incorporating Rules Committee bill. I think most Members believe if the matter was not in the House or Senate and ends up in the conference report, that ought to be subject to a point of order and come out of order, we may be making sure on this point—I have heard my colleagues speak eloquently about it—we should be making sure the point of order would prevail so you don’t have just a simple majority but require a supermajority vote to allow that to occur.

If it is that important, if the Member believes he had to put it in—and there may be such circumstances, by the way then the supermajority vote is appropriate. We have been around long enough to know what happens. We will pass an appropriations bill here, the House will do it, and then some event will occur, a hurricane, and then all of this suddenly will be bogging. So you want to put something in the bill. If it is on that level, then I suspect a supermajority of my colleagues will approve it. Nonetheless, real efforts are being made and our Rules Committee bill certainly that.

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It may shock Members or others to find out that these bills in many cases were not even printed at all. In some cases I remember over the years when we actually considered them. Nonetheless, I think that is a good step forward as well.

We eliminate floor privileges for former Members, officers, and Speakers of the House if they become lobbyists. It may be that of a fine point, a knick-knack if you will, but I think it is a good step forward. We also make it clear that efforts to influence employment practices of private entities on the basis of partisan considerations are a violation of Senate rules. Again, this is going back to the so-called K Street project.

My colleague from Illinois, Senator Durbin, raised this issue. There are already existing laws in the Criminal Code which prohibit certain of these activities. But my colleagues on the committee felt if it is already existing law we ought to make it clear, as well, that part of the rules of this place ought to be such that you cannot negotiate, on the basis of partisan politics, employment for people. I congratulate my colleague from Illinois for offering this language to address the K Street project.
gift rule to prohibit gifts from lobbyists. The Rules Committee-reported bill exempts meals from this prohibition, but does require that members and staff disclose any meals paid for by lobbyists, according to existing dollar limits.

This provision does not go far enough, in my opinion. While I recognize that much business is transacted over meals, members and staff can afford to pay for their meals at such meetings. If we are taking the step of banning the coffee and candy from lobbyists, we should also ban the coffee and desserts.

Finally, let me say a few things about what I think is the elephant in the room on reform efforts. And that is the need to enact comprehensive reforms of the way we organize and finance campaigns in this country.

As I have said, gift and lobby reforms do matter, and are important. But while it is clear serious reform of the way we regulate access and the way lobbying allies do business is needed, these changes alone won't address the core problem: the need for campaign finance reform which breaks once and for all the link between legislative favoritism and fundraising and influence.

Rell, my Republican Governor, offered some as well. So it is not without promise, and it is the only other al-

ternative we have, without amendment to the Constitution, to make an effort to try to reduce the kind of campaign spending problems we have.

My preferred approach would include a combination of public funding, fee or reduced campaign spending limits, and other key reforms. Others will have different views and approaches. I appreciate that Chairman Lott has recently responded positively to my urging of a hearing in our Committee on comprehensive campaign reform.

I have finessed the first step in a longer process of developing a comprehensive reform bill, although it may be difficult to actually enact such reform in this election year. It took us years to enact the McCain-Feingold law. Hopefully, it will not take as long to enact a more comprehensive bill for public financing.

But let me offer a caution on this point. While I am equally committed to seeing Congress act to respond to the lobbying scandals of recent months and address the role of special interest and lobbyist money in campaigns, I believe we must move these reforms and campaign finance reforms on separate and independent tracks.

Real reform of campaign finance reform is more complex than reform of lobbying rules. We must not slow lobbying reform by tacking on unrelated campaign finance measures, which many on both sides would see as a poison pill.

Chairman Lott and I had a sort of tacit agreement that we would work to keep such campaign finance provisions off this bill in Committee. I would hope we can adopt the same approach throughout this process. I suspect that will be difficult to achieve, since there will be those who see to use this bill for partisan advantage. But I urge my colleagues, in the interest of enacting bipartisan lobbying reform, that we keep this bill focused on the issues of the day. The so-called "so-called reform" or the "so-called compromise" would prevent us from addressing the real financing scandals, is necessary to return control of the process to the people to whom it belongs. That is what government of the people, by the people, and for the people has meant for 200 years.

So, I end where I began, that is, with the concern about the confidence of Americans in Congress, our credibility, and the credibility of the legislative process being at stake. Let us not fool ourselves that these issues will ultimately be resolved without a fundamental overhaul of our campaign finance. I know when we eventually have this debate, the same tired arguments we have heard year after year in defense of the current system:

Citizen funding is "welfare for politicians"; we spend more on toilet paper than we do on campaigns; and political money equals speech.

That is ridiculous. Some will argue that we must not curtail the first amendment rights of citizens, including the wealthiest Americans, to engage in the political process. I say let us have that debate. I support it.

I think most Americans would agree that the price of funding campaigns with clean money—so-called "disinterested" money—is a small price to pay to restore the confidence in our system.

Comprehensive campaign finance reform like that we are long with efforts to address the recent lobbying scandals, is necessary to return control of the process to the people to whom it belongs. That is what government of the people, by the people, and for the people has meant for 200 years.

Some of us have pressed for comprehensive campaign reform for years. Current scandals offer a once-in-a-generation opportunity to address this issue in ways that both meet public demands for reform and the tests laid out by the Supreme Court since the Buckley decision.

The American public is way ahead of us on this issue. Too many people believe the interests of average voters are usurped by the money and influence of lobbyists, powerful individuals, corporations, and interest groups. Too many believe their voices go unheard, drowned out by the din of special interest favor seekers.

Our system derives its legitimacy from the consent of those we govern. That is put at risk if the governed lose faith in the system's fundamental fairness and its capacity to respond to the most basic needs of our society because narrow special interests hold sway over the public interest.

Some Americans would agree that the price of funding campaigns with clean money—so-called "disinterested" money—is a small price to pay to restore the confidence in our system. Comprehensive campaign finance reform like that we are long with efforts to address the recent lobbying scandals, is necessary to return control of the process to the people to whom it belongs. That is what government of the people, by the people, and for the people has meant for 200 years.

Some will argue that we must not curtail the first amendment rights of citizens, including the wealthiest Americans, to engage in the political process. I say let us have that debate. I support it.

I think most Americans would agree that the price of funding campaigns with clean money, uninterested money, is a small price to pay to restore that confidence in our political process, and to return control of that process to the governed. It is time for the Senate to come forward with fresh, bipartisan ideas on how we finance our campaigns.

I thank the majority and minority leaders and the chairs and ranking members of both of these committees for their courtesies in bringing this legislation forward. I certainly look forward to working with my colleagues who support it.
over the next several days to conclude this process with a sound, strong piece of legislation.

We are here because of scandals that have wracked this town over the last number of days and weeks. We need to try to address those issues with this legislation. I believe we can.

Again, my compliments to my friend and colleague from Mississippi for his leadership, to Senator COLLINS of Maine, my colleague from Connecticut, Senator LIEBERMAN, and the respective members of these two committees—and to Tom JOHNSON and George VOINNOCH for the wonderful job they have done as leaders of our Ethics Committee in this body over the years.

With that, I yield the floor. I hope the chairman will maybe make such a proposal, but I suggest that we are going to be looking for amendments quickly. We are prepared to have time agreements on these amendments to allow for an adequate discussion of the proposal and votes, if they are so needed. But if you will let us know what they are, we will help move this process along.

I want this debate to end this week. I think it can be done by Thursday. My goal is to end by Thursday. I ask the leaders to stay in session during the evenings, if we have to, to get the job finished. I hope that is not necessary.

Let us get amendments offered. Let us know what is on your mind, and we will line it up and see if we can’t pass this bill by the end of the day on Thursday.

EXHIBIT 1
SUMMARY OF S. 248, RULES COMMITTEE-REPORTED LOBBYING REFORM MEASURE
Reported unanimously 11–0 (with remaining 7 members voting in favor by proxy)
Sec. 1: Title: Legislative Transparency and Accountability Act of 2006
Sec. 2: Out of Scope Matters in Conference Reports—provides for a point of order to be made against individual offending provisions, rather than to the conference report
if the point of order is sustained, the Senate will recede and concur with a further amendment (debattable question), which if agreed to, shall return the bill to the House for its concurrence.
provides that the point of order may be waived by a vote of 2/3 of the members (daily closure)
Sec. 3: Earmarks (as amended by Sen. Feinstein)—creates a new Rules XLIV on earmarks; defines an earmark to be a provision that specifies the location of a non-Federal entity to receive assistance and the amount of the assistance, with assistance defined as being budget authority, contract authority, loan authority, and other expenditures, tax expenditures, or other revenue items; requires that all earmarks in any Senate bill, Senate amendment, or conference report, including an appropriation bill, be non-Federal, and that any appeal of a ruling of the Chair also requires a 3/5 vote to overturn.
Sec. 4: Available of Conference Reports on the Internet—amends Rules XXVIII to require that a conference report must be publicly available on the Internet for 24 hours prior to consideration; requires the Secretary of the Senate to develop an website for such purpose. Sec. 5: Elimination of Privileges—amends Rule XXIII to eliminate floor privileges for an ex-Senator, ex-Officer, and ex-Speaker of the House who is a registered lobbyist or foreign agent who is in the employ of or representative of any party or organization for the purpose of influencing the passage or defeat of any legislative proposal; allows the Rules Committee to provide regulations on exceptions for the rule for ceremonial functions.
Sec. 6: Ban on Gifts From Lobbyists—amends Rule XXXV to ban gifts from a registered lobbyist or foreign agent; except for meals, which are allowed, under the current dollar amount limits, but must be publicly disclosed on a Member’s website within 15 days of the meal.
Sec. 7: Travel Restrictions and Disclosures—amends Rule XXXV to prohibit transportation or lodging to be paid for by a registered lobbyist; requires advance approval for the trip by the Ethics Committee; requires members to submit a certification to the Ethics Committee, provided by the sponsor of the trip, certifying that: the trip was not paid in whole or in part by a registered lobbyist or foreign agent and the sponsor did not accept funds from a registered lobbyist or foreign agent specifically earmarked for this purpose; requires members to submit to the Ethics Committee, certifying: a detailed itinerary of the trip; a determination that the trip is primarily educational; is consistent with the official duties of the Member, officer, employee; does not create an appearance of use of public office for private gain; and has a minimal or no recreation component; 30 days after completion of travel, the member, officer, or employee must file with Ethics Committee and the Secretary of the Senate a description of the meetings and events attended by the lobbyist or foreign agent accompanied by the member, officer, or employee (unless such disclosure would jeopardize the safety of the individual or advance national security); receive a certification or receipt of the information on the Member’s website; amend Rule XXXV to require the disclosure of any flight on a non-commercial aircraft, excluding a flight on an aircraft owned, operating, or leased by a government entity taken in connection with the duties of the member, officer, or employee; report to the Senate, the date, destination, and owner or lessee of the aircraft, purpose of the trip, and persons on the trip (excepting the pilot); amend FEC to require disclosure of similar information for flights taken by a candidate (except for the President or Vice President) during the reporting period; amend Rule XXXV to require the Secretary of the Senate to publicly disclose all filings and require Members to post such filings on their official website within 30 days of travel.
Sec. 8: Post Employment Restrictions—amends Rule XXXVII to prohibit highly compensated employees from lobbying the entire Senate, effective 60 days after enactment.
Sec. 9: Public Disclosure by Member of Employment History—amends Rule XXXVII to require that a Member shall not directly negotiate prospective private employment until after the election for his or her successor has been held, UNLESS such Member files a statement with the Secretary of the Senate, for public disclosure, regarding such employment within 3 business days, including the name of the private entity(ies) and the date negotiations commenced.
Sec. 10: Prohibit Official Contract by a Lobbyist Spouse or Immediate Family of Member—amend Rule XXXVII to prohibit a spouse or immediate family member of a Member who is a registered lobbyist, or is employed or retained by a registered lobbyist to influence legislation, from having official contact with the personal, committee, or leadership staff of that Member; immediate family member means son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, or stepsister of the Member.
Sec. 11: Influencing Hiring Decisions (Sen. Durbin’s amendment)—amend Rule XLIII to prohibit a Member from taking, withholding, or offering or threatening to take official act or the official act of another with the intent of influencing on the basis of partisan political affiliation an employment decision on practice of a private entity.
Sec. 12: Sense of the Senate on Executive and Judicial Branch Employees (Sen. Nelson)—express the sense-of-the-Senate that any applicable restrictions on Congressional branch employees should apply to the Executive and Judicial branches.
Sec. 13: Effective Date; date of enactment, except as otherwise provided.

The PRESIDING OFFICER (Mr. BURNS). The Senator from Maine.
Ms. COLLINS. Mr. President, let me begin by applauding both Senator Dodd and Senator Lott for their work on the membership part of this bill, and for the outstanding statements explaining the provisions and urging us to act.

Senator LOTT mentioned that the Rules Committee bill was reported last Thursday, and that we came out of our Homeland Security Committee was reported with only one dissenting vote. That is a remarkable show of bipartisanship. But to my colleagues in the Senate, it is probably more remarkable to see two Senate committees working together very carefully, outlining the jurisdiction of each committee and working in concert to produce a comprehensive and well-balanced piece of legislation.

Title I of this bill is the Rules Committee bill; title II is the Homeland Security bill.

Today the Senate begins consideration of the first significant lobbying reform legislation in a decade. The bills we are debating today and over the course of this week represent the good work of their sponsors, Senator McCaIN and Senator LIEBERMAN—and Senator LOTT and Senator DODD as well—and the hard work of the two committees I have mentioned.

The committee I am privileged to chair, the Homeland Security and Governmental Affairs Committee, marked up the Lieberman bill this past Thursday. The committee reported out the
measure, as I mentioned, on a 13-to-1 vote.

The issue we take up today is serious, and it is pressing. Recent scandals involving Jack Abramoff and Representative Duke Cunningham have brought Congress’s need to strengthen the laws and rules governing disclosure, and to ban practices that erode public confidence in the integrity of government decisions. That is what this debate is all about.

We are to tackle the tough issues facing our country, whether it is entitlement reform or other vital issues, the public must have confidence that our decisions are not tainted by special interests and are not subject to undue influence. I want to emphasize that all of us here today recognize that lobbying, whatever done on behalf of the business community and environmental organizations or children’s advocacy groups or any other cause can provide us with very useful information that allows but does not dictate our decisionmaking process. Indeed, lobbying is a right guaranteed by our Constitution—the right to petition our government. But, unfortunately, today the image of lobbying has grown in many cases the reality on the public’s confidence—in the political process cannot be underestimated.

I think it is also important to emphasize, however, that the vast majority of people in Washington, the vast majority of elected officials care deeply about their constituents and this country, and are making decisions which they believe are in the best interests of both. Nevertheless, we in Congress have an obligation to strengthen the crucial bond of trust between those of us in government and those whom government serves.

At the committee hearing last month on lobbying reform, we heard from several of our colleagues. We heard from business and labor organizations that engage in lobbying. We heard from a representative of a lobbyist organization, and from public policy experts. I mention this because I want my colleagues to understand that we have a wide-ranging hearing that reached out to people with various views on how we could reform our lobbying disclosure laws. The package before the Senate, the comprehensive package of bills, represents the culmination of what we have learned.

Again, I thank Senators McCAIN and LOTT for their leadership in the development of this bill, along with the ranking members of Homeland Security, Senator LIEBERMAN and Senator DODD. We have crafted a bipartisan package.

I also want to thank Senator RICK SANTORUM for convening a bipartisan working group to help us find some common ground on the principles that underlie both bills.

Before describing the details of the bill we reported last Thursday, I want to point out that the committees addressed only those issues within our jurisdiction—Lobbying Disclosure Act and the Ethics in Government Act, and congressional organization. But here on the floor we have married the two bills to produce a comprehensive package.

Let me quickly run through some of the major provisions of what is now title II of the bill we are debating.

The first section of this bill, title II, will enhance the lobbying disclosure provision. It will require quarterly filings rather than the present semiannual filing, and it ensures that the information is made available to the public on the Internet.

To facilitate this effort, it specifies that lobbyists must submit their filings within 2 business days of receiving the information. This will ensure that the public information is widely available on a more timely basis. So our goal here is to have an easily accessible, transparent, and searchable database available on the Internet so that the public is aware and able to access these reports.

To ensure timely disclosure, the substitute doubles the maximum penalty for noncompliance to $100,000.

To increase public confidence and enforcement of the disclosure requirements, the bill introduces a requirement that lobbying disclosure reports be submitted to the Justice Department for enforcement. The enhanced disclosures will make the process of lobbying far more transparent to the public.

I note that the committee also adopted an amendment that would require the disclosure of the so-called “grassroots lobbying efforts.” I did not support this amendment because of my concern that we don’t want to chill any effort to educate citizens to contact their members of Congress, but I nevertheless appreciate the efforts of the sponsors of the amendment—Senators LIEBERMAN and LEVIN—to address some of the legitimate concerns and to craft it in a way that is far more focused than the original provisions in the underlying bill that was before our committee.

Section B of what is now title II focuses on enforcement of congressional staff lobbying provisions. In so doing, there have been concerns about the enforcement effort.

We have included provisions that will include auditing and oversight of lobbyists’ disclosure filings by the comptroller general who will also provide recommendations on how compliance could be improved and to identify needed resources and authorities.

This section of the bill would also provide for mandatory ethics training for Members of Congress and congressional staff. It also includes a sense-of-the-Senate resolution that there should be greater self-regulation within the lobbying community. I am thinking of the kinds of self-regulatory organizations—SROs, as they are often called—such as the securities industry, for example, employs.

Subtitle C of our bill, now title II, addresses the revolving-door problem, whereby Members of Congress and high-ranking staff leave Government for jobs focused on the institution they had once served. We made essentially two changes in this provision of the law.

First, we doubled the cooling-off period that applies to Members of Congress who become lobbyists. We require a 2-year cooling-off period rather than the 1-year that is in current law. The second important change we make is we prohibit those high-ranking former congressional staffers from lobbying the entire Senate—not just the office in which they once worked. Those are two significant provisions strengthening the revolving-door provisions of July 1, 2006. This is not a big, long-standing commission to strengthen confidence in the integrity of decisions by ensuring there is not undue special access by people who have inside information. Those are important provisions.

I point out in response to a comment made by Senator DODD that we do extend these provisions to high-ranking members of the executive branch who are covered now by the revolving-door provisions of the Ethics in Government Act.

The next subtitle of the bill creates a commission to strengthen confidence in Congress. This is a proposal included at the recommendation of my friend and colleague, Senator NORM COLEMAN. It would establish a commission to review and make some additional recommendations if needed. The commission would report its initial findings and recommendation to Congress by July 1, 2006. That is a very long-standing commission. It is a commission that is expected to act quickly, where we take a look at the whole area and report back.

I am very proud of the hard work of the Senate Committee on Homeland Security and Governmental Affairs on this issue. We have produced a strong bill, a strong bill that significantly increases the disclosure, that toughens the revolving-door provisions, and that will make a real difference in increasing the oversight of ethics and lobbying.

However, we need to take another look at a provision that did not get included in the bill that was included in the mark that Senator LIEBERMAN and I put forward but was deleted as a result of an amendment. That is a provision to create an Office of Public Integrity within the congressional branch. I take pride in the work that was done to bring that before the House, but let me say that proposal by no means is an indication of disrespect for or lack of appreciation of the Senate Ethics Committee. We know the Senate Ethics Committee has a very difficult job and does a good job. The members who serve on it are individuals of great integrity. It addresses a problem of perception.
It is difficult for the public to trust us to set our own rules, investigate violations, act as jury and judge—which is what the current system is now. So we carefully crafted a proposal intended to strike a better balance while still recognizing the important role of the Ethics Committee. Regrettably, there was a lot of confusion about this provision in committee because it resembles a provision that has been introduced on the House side. But I believe and I modified that provision and came up with our own proposal that ensured that the Ethics Committee was involved in every step of the process. We will have a further debate on that issue, but I raise it now for the benefit of my colleagues.

Again, we can make a real difference by passing this bill which marries the two bills that were reported by the Rules Committee and the Homeland Security Committee. The Senate has a very important opportunity to make Government more transparent and accountable. At the end of the day, the public is going to view this legislation and ask one question: Does it promote more public trust and confidence in the decisions we make? I hope when we have the final vote on this bill, we will see the same kind of strong, bipartisan support the legislation enjoyed in both the rules and the Homeland Security Committee.

The PRESIDING OFFICER. The Senator from Kentucky.

Mr. MCCONNELL. I ask I be permitted to speak as in morning business.

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

The remarks of Mr. MCCONNELL pertaining to the introduction of S. 2370 are located in today’s RECORD under “Statements on Introduced Bills and Joint Resolutions.”

Mr. LIEBERMAN. Mr. President, I rise to express my strong support for the Senate’s lobbying Transparency and Accountability Act which was reported out of the Homeland Security and Governmental Affairs Committee last Thursday and which forms a significant part of the combined Homeland Security Rules Committee bill that we are starting to consider today.

It is a pleasure to join in an unusual foursome, co-managing these two bills. It is always a pleasure to work with Senator LOTT and Senator DODD of the Rules Committee. And I am also delighted to work with the chairman of the Homeland Security Committee, Senator COLLINS.

With these two bills we now have the opportunity to vote on what I believe is the most significant lobbying and ethics reform in a generation. That means we in Congress now have a once-in-a-generation opportunity to help restore our tattered reputation with the American public by moving swiftly and strongly to enact these proposals into law.

By ensuring full transparency for the legislative process and those who work within it, this legislation will directly answer many of the questions that have been raised about the relationship between Members of Congress and lobbyists, about the role of money in public debate and deliberations, and about whether results in Washington go to the highest bidder or to the greatest public good.

This bill draws back the curtain to let the sun shine directly and brightly on the lobbyist-lawmaker relationship for all to see, clearly and easily. I thank my good friends, colleagues, and partners, Senators MCCAIN and COLLINS, for the work they have done to bring the legislation to the Senate. Senator MCCAIN, along with his Committee on Indian Affairs, and its ranking member, Senator BYRON DORGAN, conducted a hard-hitting investigation into the activities of the disgraced lobbyist, Jack Abramoff, helping to expose his criminal activities—in particular, his odious exploitation of Indian tribes. That investigation led to involvement, Senator MCCAIN then introduced the Lobbyist Transparency and Accountability Act, which I proudly cosponsored. Then Chairman COLLINS took up the banner in our committee and, back in the McCain’s bill, we of the Rules Committee, drafted legislation and quickly brought it before the committee for markup. The bill we debate today is the product of those efforts.

Senator Democratic Leader HARRY REID and Senator BARACK OBAMA of Illinois have played critical leadership roles in pushing reform forward by introducing very strong legislation, the Honest Leadership Act, which earned the support of 41 Members of the Senate and really helped lay the groundwork for us here today. The backing of virtually the entire Democratic caucus helped move this significant legislation to the floor, and I am proud of that. In fact, this proposal from our committee contains most of the proposals laid out in the Honest Leadership Act. I look forward to supporting amendments to restore other provisions of the Honest Leadership Act that were left out of the legislation before us today.

Finally, thanks to Senator RUSSELL FEINGOLD of Wisconsin, who history will note was the first in this 2-year session to introduce lobbying reform legislation. He did it last year. Senator FEINGOLD is always a reliable ally when it comes to raising the public interest above special interests.

The abuses to which these bills respond, I want to stress, are the exceptions to the rule. Almost always lobbyists comply with the law and provide Congress with valuable knowledge and expertise. Whether they represent corporations, unions, trade associations or nonprofits, or the public interest groups that have actually lobbied us to pass this legislation, lobbyists are instrumental to the work that goes on here on Capitol Hill.

The Founding Fathers recognized the importance of such work when they enshrined, in the very first amendment to our Constitution, the right of all people “to petition the government for redress of grievances.” We have to remember this when we legislate in this critically important and constitutionally elevated area. Lobbyists and the people they work for are exercising a constitutional right, and we have to, therefore, be careful, as we have been in this bill, to respect that right.

Nothing in the bill that has come out of the Homeland Security and Governmental Affairs Committee, or the Rules Committee, for that matter, improperly intrudes on the people’s right to be represented in Washington. But there is an equivalent right of the public to a functioning form of government, and that must also be respected.

That is precisely what our bill does, by building on previous efforts in this area. The Supreme Court, long ago, made clear that the first amendment’s protection of the right of the Government did not confer a right to do so in secret. In the 1954 case of United States v. Harris, the Court upheld the constitutionality of lobbying disclosure requirements and said that the disclosure requirement is constitutional with the first amendment. Let me read a passage from that decision:

Present day legislative complexities are such that individual members of Congress cannot be expected to explore the myriad pressures to which they are regularly subjected. Yet the full realization of the American ideal of elected representatives depends to no small extent on their ability to properly evaluate such pressures. Otherwise, the voice of the people may all too easily be drowned out by the voice of the special interest groups seeking favored treatment while masquerading as proponents of the public weal. This is the evil to which the Lobbying Act was designed to help prevent.

Those words could not be truer today, when millions and millions of Americans, whether they realize it, are represented in our Nation’s capital in one way or another by those of us who are privileged to have been elected as Members of Congress. Whether they are teachers or steel workers, whether they are law enforcement officers or seniors, whether they are veterans or veterinarians, small business owners or big business executives—and the list of categories in this richly and extraordinarily pluralistic society could go on—people from all walks of American life—millions and millions of them—depend on the representation in this city. That is lobbying.

In fact, as I suggested before, some of the strongest proponents of lobbying reform are registered lobbyists themselves, lobbying Congress to enact reform such as those we are discussing today for the honor of their profession and, I might say, for the honor of Congress.

The number of lobbyists in Washington has exploded over the past decade. These are interesting numbers. The Congressional Research Service reported that over 30,000 people were registered as lobbyists in 2004, and that is
an 86-percent increase over the number of registered lobbyists in 2000. The industry receives and spends enormous sums of money.

According to the Center for Public Integrity, $3 billion—$3 billion—was spent on lobbying activities in 2004. That is the last full year for which records are available. And that is double the sum that was spent 6 years before. That is big money. Add to these numbers the recent scandals and the perception among Americans that business is being done in Washington as cash exchanging hands under tables or in back room deals, and we have a public cynicism that weighs down on this institution of ours and lobbying as a profession. It is a reality we have to recognize. And in these two measures brought before this Chamber by these two committees, we have a way to lift that weight.

So we find ourselves in a place where the current lobbying disclosure requirements are self-evidently inadequate, and ethics rules governing Members' interactions with lobbyists need to be tightened, especially with respect to gifts from lobbyists.

The Washington Post last December said that 80 Members of Congress and their staff were listed as having appeared to have accepted entertainment from a particular company, BellSouth, which exceeded congressional gift limits. Public knowledge of gifts exceeding the limits is rare because no disclosure requirements exist at this point. We are on a kind of honor system. And these provisions would change that.

So let me take a moment or two to talk about the measure that is before us to deal with these shortcomings, not just to respond to the cynicism brought on by the latest lobbying scandal—the Abramoff scandal—but to respond thoughtfully to shortcomings in the law, as well as the ethical standards, to respond to deficiencies identified by the members of the Rules Committee and the Homeland Security and Governmental Affairs Committee.

The first thing the legislation from our committee would do is bring the lawmaker-lobbyist relationship into the age of the Internet. We mandate that lobbyist disclosure statements be made publicly available on a searchable Internet database, linked to the Commission's database of campaign contributions. We also require that disclosures be made quarterly instead of semiannually, as is now the case. Both of those measures will add significantly to the public's ability to monitor lobbyist-lawmaker interactions.

When combined with the Rules Committee's bill, we virtually see the elimination of gifts from lobbyists to Members of Congress and ensure that those sums, number that still an available are fully disclosed. The Rules Committee bill bans all gifts, other than meals, from lobbyists to Members of Congress and their staff and requires Members to disclose on their Web sites any meals they do consume through the hospitality of a lobbyist. We, in turn, through our committee, have provided what might be called the "belt" to the Rules Committee's "suspenders" by ensuring that lobbyists must, for the first time, disclose all gifts worth over $20.

So the Homeland Security and Governmental Affairs Committee can regulate by law the behavior of lobbyists. And the House, which we believe regulates the Members of the Senate. These two bills together will ensure a very significant curtailment of these gifts and clear knowledge for the public for those gifts that are still given—remembering that the current rules prohibits any Member from accepting gifts worth more than $100 a year from a lobbyist. But disclosure has not been required up until this time for our gift rules.

The Homeland Security and Governmental Affairs Committee bill will increase the number of other ways. Lobbyists will, for the first time, have to disclose when they play any role in arranging travel for Members of Congress and executive branch officials. Lobbyists would have to disclose the cost of any trips, itemize expenses, and disclose all lobbyists and Members in the traveling party.

Again, this is a reaction to the notorious trips sponsored by Mr. Abramoff. He did not necessarily pay for those trips, but he was clearly organizing them and using other entities to pay for them, while avoiding the kind of detailed disclosure that our proposal would require.

We also require more disclosure about lobbyists' political campaign activities. Contribution of $200 or more to candidates, leadership PACs or parties—as well as fundraising events hosted or sponsored by lobbyists—would have to be reported on an annual basis under the Lobbying Disclosure Act. These disclosures are now available on FEC databases, but the database is not easy to search. Chairman Collins and I believe this additional reporting requirement is a minimal requirement justified by the additional public disclosure.

To those who had concerns that the initial formulation of this provision unfairly forced employees who are registered lobbyists to report payrolls to employers who they gave campaign contributions to, thus perhaps chilling their constitutional rights, let me assure you that the committee heard your concerns and responded. We no longer require that disclosure through employer newsletters, instead mandate direct disclosure from each lobbyist. We also make clear that the contributions that must be disclosed are the same ones already provided by campaigns to the FEC.

Our proposal takes another step forward to require lobbyists to disclose payments for events that honor Members of Congress or executive branch officials. We do not prohibit such contributions, but in the public interest we require that they be disclosed. This would include payments to organizations, such as charities, that are founded or controlled by Members of Congress.

Our proposal would increase incentives to comply with the law by doubling the civil penalty for noncompliance under the Lobbying Disclosure Act. The government could fine you $50,000 to $100,000. For the first time, we prohibit lobbyists, by statute, from providing gifts or travel that do not comply with congressional ethics rules. This is a critical reform because, until now, there has been nothing in the law to stop lobbyists from giving Members or staff gifts that skirt congressional limits, as long as the Members and staff were willing to accept them. That is, the rules govern the behavior of Members and staff, but there is currently no law regarding the behavior of lobbyists. With this reform, lobbyists would continue that kind of behavior at their own, very serious legal peril.

Our proposal would also make greater demands on those who move back and forth between public service and lobbying. To avoid conflicts of interest, we would increase from 1 year to 2 the amount of time a former Member of Congress or a former high-level executive branch official must wait before lobbying his or her former colleagues. For congressional staff, we expand the 1-year cooling-off period to 2 bar lobbying not just of the staffers' former office but of the entire Congress in which the staffer worked. Again, if the revolving door spins more slowly, so too will abuses.

I wish to take a few moments to address what has become a controversial portion of our legislation but, as Senator Collins indicated—though she did not support this amendment in committee—should not be seen as quite that controversial. One may agree or disagree, but I want people to understand clearly what we have done. Our committee, on a good, strong bipartisan vote accepted in markup an amendment offered by Senator Levin and myself in direct response to the Abramoff scandal that ignited the reform drive that brings us together today. Mr. Abramoff directed his clients to pay millions of dollars, the record shows, to grassroots lobbying firms controlled by himself and his associates. Michael LLCs were then in large part directed back to Mr. Abramoff in the form of payments, fees—one might say kickbacks. I believe if disclosure requirements had been in place, Mr. Abramoff and Mr. Abramoff's LLCs would not have been able to pull off this scam.

In the past decade, orchestrated, paid-for, so-called grassroots campaigns have been a staple and important part of many lobbying campaigns. That said, but I would pay with this. The question is whether we ask for some minimal disclosure equal to the disclosure requirements on lobbyists other
than grassroots lobbyists. Last year, for example, it was hard to miss the ads paid for by lobbyists urging voters to contact their Members of Congress to vote either for or against Social Security privatization. In the first 2 months of 2006 alone, trade associations and interest groups have already spent over $92 million on television advertising. The nomination of Justice Alito, asbestos litigation reform, implementation of the Medicare Part D, and proposals related to telecommunications regulation all have generated massive media campaigns aimed at inspiring constituent calls, letters, and e-mails to Members.

Our proposal on this matter would, for the first time, require the disclosure of money received and spent by professional grassroots lobbying firms—that is, grassroots efforts paid for by lobbyists to generate major media campaigns, mass mailings, and large phone banks with the intent of influencing Members of Congress or the executive branch.

Let me say that again because I want my colleagues particularly to be clear about what this provision does and does not ban. It does not ban outright grassroots lobbying of any kind in any way. That would be wrong. Grassroots lobbying is another important way for people to get involved in the process and let us in Congress know how they feel. Hence, we strongly oppose any effort to inform the public and prevent the kinds of abuses that the record now shows Mr. Abramoff was involved in through grassroots lobbying firms—the disclosure of the amount of money spent on this type of lobbying when it is done in professional campaigns. The controversy over this provision is, in my opinion, unreasonable because our bill will not inhibit any grassroots lobbying in any way. In fact, Senator Levin and I took extra steps from the origin of the legislation to ensure that our proposal applies only to the larger professional efforts involved in grassroots lobbying.

For example, if the grassroots lobbying effort spends under $25,000 per quarter—in other words, less than $100,000 a year—it will not have to report at all. They are exempt. Money spent on communications directed at an organization’s own members, employees, officers, or shareholders is also exempt from disclosure. So, an organization could retain a firm to communicate with its own members around the country and that would not have to be disclosed. And 501 (c)(3) organizations that already report grassroots expenses to the IRS will be allowed to report that same number under the Lobbying Disclosure Act, minimizing any alleged paperwork or accounting burden on these organizations. And while this may be self-evident, we have added words in the amendment to make clear that nothing is required for voluntary efforts by the general public to communicate their own views to Federal officials or encourage other members of the general public to do the same.

Ten years ago, when Congress passed the Lobbying Disclosure Act, Senator Levin unsuccessfully fought for a grassroots lobbying disclosure provision. At that time he said such a proposal would help the public have a more accurate picture of who is spending money in Washington. Disclosure of paid grassroots lobbying is a long time past due.

Let me stress again, the reform we are debating here does nothing to abridge the rights of all the people to petition their government. Its purpose is simply to bring the grassroots lobbying community out of the shadows and to ask it to make the same simple disclosure that all other lobbyists are required to put in writing—nothing more and nothing less than what other lobbyists are required to disclose.

During the markup in our Homeland Security Committee, some Senators and members of the committee asked whether the so-called 527s would be covered by this provision. The 527s are already required by law to disclose far greater amounts of information to either the IRS or the Federal Election Commission. The 527 groups are required, for example, to disclose the names of anyone who contributes more than $200 a year, and they must state the purpose of the contributions over a $500. Let’s put to rest the notion that we are doing something about 527 groups here, because we already require far more of them than we are asking of grassroots lobbyists.

Another question raised in the committee was about whether a broadcaster, in particular a leader of a religious group, would be subject to grassroots disclosure requirements for urging his or her audience on radio or television to go to Congress about a particular issue. Of course not. This bill requires disclosure only by paid lobbyists acting on behalf of a client.

I have described what I think are my colleagues particularly to be clear about what this provision does and does not ban. That was another reason why Senator Collins and I submitted the Office of Public Integrity proposal. I believe this proposal is an important part of lobbying reform at this once-in-a-generation moment. We have put forth strong measures, supported by the Senate from the Committee on Rules and our committee, to enact increased disclosure, greater transparency, the virtual prohibition on gifts to Members of Congress, and the elimination of any gifts without full disclosure. But I believe a better enforcement mechanism is a critical last component of true lobbying reform legislation. That is why some of us in the Senate will be offering amendments here on the floor so that the committee would have helped restore the confidence of the American people. The ethics process, frankly, is in the other body of Congress has been dysfunctional. I do believe we have a strong Ethics Committee in the Senate, and that the reason the reform is not more robust in our proposal. We offered our proposal to increase the staff and professional support of our Ethics Committee and to create an independent place where investigations of complaints can be made. And I do believe there is a need to make sure that the ethics regulation of Members of Congress involves self-protection. That is the purpose of our proposal.

In addition to restoring public trust in the ability of Congress to police itself, the Office of Public Integrity that we proposed was designed to act as a monitor, reviewer, and watchdog of filings under the Lobbying Disclosure Act. Currently, lobbying disclosure filings for 527s are covered by this provision. Currently, lobbying disclosure filings for 527 groups are required, for example, to disclose the names of anyone who contributes more than $200 a year, and they must state the purpose of the contributions over $500. The 527s are already required by law to disclose far greater amounts of information to either the IRS or the Federal Election Commission. The 527 groups are required, for example, to disclose the names of anyone who contributes more than $200 a year, and they must state the purpose of the contributions over $500. Let’s put to rest the notion that we are doing something about 527 groups here, because we already require far more of them than we are asking of grassroots lobbyists.

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I have described what I think are very powerful provisions in this legislation to increase disclosure, to increase the transparency of the lobbyist-lawmaker relationship, and to slow down the revolving door between government service and law. In particular, some corporate interests frequently say this legislation is not strong enough because our committee did strike from the bill a provision Chairman Collins and I made for an Office of Public Integrity that would have been a first-class independent congressional office. The legislation would have given the Office of Public Integrity the power to investigate complaints and issue subpoenas. I want to talk about that in a moment. The fact is, even without that provision, which I still support, this is a very strong, transformational lobbying reform proposal.

The enforcement provision Senator Collins and I advocated in the committee would have helped restore the confidence of the American people. The ethics process, frankly, is in the other body of Congress has been dysfunctional. I do believe we have a strong Ethics Committee in the Senate, and that the reason the reform is not more robust in our proposal. We offered our proposal to increase the staff and professional support of our Ethics Committee and to create an independent place where investigations of complaints can be made. And I do believe there is a need to make sure that the ethics regulation of Members of Congress involves self-protection. That is the purpose of our proposal.

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

The assistant legislative clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum be suspended.

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

Mr. LOTT. Parliamentary inquiry. Mr. President: We are still on the rules and lobby reform legislation?

The PRESIDING OFFICER: The Senator is correct.

Mr. LOTT. Mr. President, I do feel a need to put some statement in the RECORD about the issue of public financing of campaigns that was raised by my distinguished colleague from the Rules Committee, Senator DODD, earlier today. He talked about how he believes this is something we need to do, and he wanted to have some hearings in the Rules Committee on the public financing of campaigns, and I agreed that we would find a time to do that. It is always good to have a hearing and see how laws that are on the books are actually working or not working, so I will be glad to do that.

I thank Senator DODD and other members of the Rules Committee for the fact that we held the line. There were two or three amendments that were considered or were offered dealing with campaign finance law, and Senator DODD spoke against them. I ruled them out of order, and then we went on. So it was a cooperative effort, once again, that I am very proud of.

The day may come when we want to revisit campaign finance reform laws or the issue of public financing of campaigns, but this is not that day. I wish to make it clear that public financing of Senate and House races is totally a nonstarter as far as this Senator is concerned. Every year, the American people cast their vote on public financing of campaigns, but this is not that day. I wish to make it clear that public financing of Senate and House races is totally a nonstarter as far as this Senator is concerned.

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My attitude was, look, we fought the good fight, we held it off for years, it finally passed, it is the law. Let's at least see how it is going to work. It has only had one election cycle. I want to see how this system works.

I worked with Senator McCAIN and Senator FEINGOLD in a bipartisan way saying: Well, wait a minute, we just barely got this thing done, let's see how it really works. I think it is going to be better than I thought it would in some respects and worse in others. For instance, what we have seen is that soft money that used to go to the parties, which I believe is where it should have gone, has oozed over into other areas.

That is why the Rules Committee last year voted to do real campaign finance reform when we adopted the 527 reform bill. That bill has languished on the calendar ever since because for some reason we can't get clearance to call it up, I guess. I don't know whether our leadership is really opposed to calling it up or whether the Democratic leadership has resisted, but the fact is that we reported it out of the Rules Committee on a bipartisan vote and it is on the calendar, it is waiting. I hope that at some point we could consider that 527 freestanding, or if we ever have a hearing on campaign finance reform, 527 will be an important part of it. If we really want to do something that would affect how our campaigns are conducted this fall and in 2008, this is the place where we ought to do it.

These 527s involve a huge amount of money, mostly from rich people. They wind up in our campaigns against Republicans or against Democrats, and always seem attacking, and with no real disclosure of where this big money comes from. We know a lot of it on the Democratic side comes from I guess...
“moveon.org,” or George Soros. We also know that on our side of the aisle, we have the Swift Boat Veterans that ran negative ads funded with 527 money against Senator KERRY when he was running for President.

There is just the beginning. Both parties are going to do this more and more, the amount of money is going to go up, it is the worst kind of sewer money, and it is going to embarrass both of us. We need to get a grip on this stuff because they are not reporting, they are not disclosing, and they are not subject to any limits on contributions. So I would hope that we would find a way to deal with this, and I can assure my colleagues that I am going to withhold campaign finance reform, but if anybody offers a serious campaign finance reform amendment, I will second degree it with 527 because I believe we ought to be doing this anyway.

What we will require is that you have to register with the FEC. If you are involved with campaigns, why would you have to disclose what you are doing in a campaign? Now, is that a tragedy?

We included in the language in the Rules Committee bill that is on the floor now that somebody said: Well, you know, if you require this group to disclose, that is an unfair punishment. Excuse me? To disclose and report your contributions and expenditures is punishment? I don’t understand that. That is what I believe we ought to be doing here. The American people have a right to know how we raise our money, where we raise our money from, how much it is, and if it is to be reported early and regularly. Let them decide. If they don’t like the way you raise your money, they can vote against you. That is the way to do it.

So these 527s are unregulated, not even registered with the FEC, and it also should be required that they be subject to hard money limits on what can be donated. So I believe the real danger is in this so-called 527 area.

The bill we reported provides exceptions for 527s whose annual receipts are less than $25,000, which consists solely of State or local candidates or officials, or whose activities exclusively relate to State or local elections and ballot initiatives.

There is justification for these exceptions when small amount of money are involved in trying to encourage people to vote on ballot initiatives and so forth. But the exceptions do not apply if a 527 organization transmits a public communication that promotes, supports, attacks, or opposes a Federal candidate in the year prior to the Federal election, or conducts any voter drive in connection with an election in which a Federal candidate appears on the ballot.

The bill would also require that at least 50 percent of the 527 organization’s administrative overhead expenses would have to be paid for with hard money.

The time has come to put an end to this shift of power from political parties. By the way, what are they for? Political parties are legitimate arms to encourage people to run for office, to encourage people to get out and vote. They were getting soft money contributions which were not going directly to candidates, but I heard, oh no, that is bad. Now it goes to these shadowy 527s that are setting the agenda in our election process.

I think this is a very dangerous area. I have told Senator Dodd, and I will keep my word. I do not intend to offer an amendment on this. I hope the leadership would take that legislation up and separate, separate from this bill. But if we get into a whole movement into the campaign finance reform, instead of the rules of the Senate with regard to gifts and traveling and so forth, this would be one of the issues that would come up. I wanted to put that into the RECORD.

HURRICANE KATRINA

Mr. President, I seem to no other Senator wishing to speak. I wish to switch over to another area. I urge my colleagues to begin to think about another issue that I think is very critical. This, once again, relates to my part of the country and my home State with regard to disaster recovery.

I have a long experience in dealing with disasters—five hurricanes, two tornadoes with major consequences, two ice storms, and a flood. I have been dealing with disasters since 1969 when Hurricane Camille hit my home area. I thought it was the worst disaster I ever seen or the country would ever see. Yet we see now that Hurricane Katrina dwarfed Hurricane Camille.

Going back to 1969, we had not quite come to the thinking we have now, where the Federal Government is going to do everything for us. People on the Mississippi gulf coast were on their backs. We had been devastated by that hurricane. We didn’t know how we were going to deal with it. The President of the United States flew into Gulfport, MS, and said, We will not forget you. Then they called in the Office of Emergency Preparedness, an independent agency accountable only to the President of the United States and headed by a military officer. He came down, set up offices, and it worked. Dealing with Hurricane Camille and the cleanup and the aftermath was the best after a disaster I have ever seen. The people there were very surprised and appreciated and appreciated what happened in the cleanup after that hurricane.

Now, 40 years later it is worse, not better. What happened? Why, 40 years later, have we not learned the lessons from previous disasters and the cleanup after those hurricanes so we would do a quick, efficient, effective job after hurricanes? One of my very bright young staff members said it is because it has been 40 years of accumulated bureaucracy. But I think it is maybe something more than that. Over the years we have evolved in emergency preparedness for natural disasters and the recovery afterward. We have gone through a number of changes in names and a number of changes in locations. We have had some good heads of the emergency entity and some not so good heads.

I remember the head of the emergency preparedness organization under President Clinton was a gentleman named James Lee Witt from Arkansas. He was excellent. He did a wonderful job. My dealings with him after one of the hurricanes in the 1990s could not have been any better. So it does partially depend on who the leader is at these entities.

But I remember sitting in the Leader’s conference room when we were setting up this huge, new behemoth, the Department of Homeland Security. We were discussing how big was it going to be, what agencies and departments were going to merge into that big, new department. I remember we had quite a lengthy discussion on the Coast Guard because they wanted to put the Coast Guard in Homeland Security and some of us did not like that. Senators INOUYE and STEVENS and others put some language in there about the Coast Guard being in that department, so eventually we went along with it. I am not sure it was a good idea, but obviously the Coast Guard has done a good job since the hurricane and generally does a good job.

Then it came up how we were going to put the emergency management agency in this new Department of Homeland Security—FEMA. I remember I raised questions, I said wait a minute, I am not sure we want to wrap this agency in this huge bureaucracy. I am afraid they will get pushed aside or underfunded or neglected. Preparation for terrorist attacks and homeland security is very different from preparation for natural disaster and recovery after a disaster.

But I was told no, they are totally related. When you are working on preparation for terrorism, homeland security, it definitely relates to emergencies of a natural disaster and the aftermath.

I said OK. And we did it; we created this monstrous department now that is so big, and has been going through the throes of organization and management. We have had some good heads in that, and we have not. We have had some good heads like Chertoff. It is difficult to do what they have been doing. But I must say, we were wrong. We should not have put FEMA in the Department of Homeland Security.

What has happened is that some of the people with FEMA, who are experienced heads, said: You know, we are going to get overrun. This is not going to be so good. So the more experienced, qualified hands—I think a lot of them left. I found after Hurricane Katrina...
the agency was rife with bureaucracy. The chain of command—I don’t know where it is. I guess it is nonexistent.

It is underfunded. There are inadequate funds, and it is undermanned. I think six of the nine regional positions of leadership are “acting” people; temporary.

I think we made a huge mistake when we moved FEMA into the Department of Homeland Security. I found repeated over the past 6 months they couldn’t deal with debris removal. The degree of bureaucracy is mind boggling. Congress has to act. Treasury has to release the money, OMB has to say it is OK. The money goes to FEMA and then over to Corps of Engineers and the Corps of Engineers gives it to the big contractor in Florida who gives it to the local contractors who give it to the small guy. By the time it gets to the guy who is actually moving the debris, he is getting $5 a cubic yard while the big contract is probably $21. It is a totally unworkable situation.

I found also when you talked to the leadership here in Washington, they may be saying the right thing and want to do the right thing, but it doesn’t get to the FEMA person on the ground. They don’t get the word. Or if they get the word, they ignore it. I don’t know who they work for. I could cite so many horror stories you wouldn’t believe it. It makes me cry to even think about it.

I have introduced legislation to do what I thought we should have done in the first place, and that is to have FEMA as a separate, independent agency, reportable only to one person, and that person is the disaster czar. It is the President of the United States.

For instance, I watched the talk shows on Sunday. There was some complaining that the head of FEMA was going around the head of the Homeland Security Department to talk directly to the President. Why, of course. Why not? Why would you have to report through layers and layers and layers, chain of command, to get to the big guy? It is ridiculous. The guy in charge of the disaster situation and recovery and cleanup and all that should be talking to the President of the United States. He should be directly involved—not in minutia, by the way, but in the grand picture. When you are dealing with disaster, somebody has to be in charge, giving orders.

I think I am going to be joined in this effort by other Senators from the region, including hopefully Senator Landrieu and Senator Vitter and my colleague from Mississippi. I know Senator Clinton of New York has similar legislation. I invite my colleagues to support this legislation and have it come out of the Homeland Security and Governmental Affairs Committee. If it doesn’t in a reasonable period of time, the first time you have an opportunity to offer this legislation, it will be offered as an amendment. I don’t want to surprise people with it. I want you to think about it.

Believe me, the current bureaucracy has not worked. You don’t want to get hit with this if you are from a coastal area, or an area prone to tornadoes or earthquakes or forest fires. You are going to need quick, decisive, unbureaucratic, adequately funded response. The degree of bureaucracy is very short to make sure the job is actually done.

I will be back on the Mississippi gulf coast this coming weekend. I will see how we are doing. But I think it is not enough to complain about what has happened. I am not trying to fix blame; I want to know how it is going to be better next week. I want to know how it is going to be better next year. My house will not be rebuilt in my hometown this year, but I am going to rebuild it. And the next time we have a hurricane, I hope we could get the Corps of Engineers to bulldoze the stranded houses that have effectively been destroyed in quicker than this time.

I wanted to put that on the record and encourage my colleagues to think about this. At some point you quit complaining and start taking action. You start dealing with the problems. Quite often, you know what I have found, the problem is not the bureaucracy or the department or the President or the Governor of some State—it is us. It is the way we write the laws—convoluted, unworkable laws that we put on the books. This is one case where we made a mistake. Let’s fix it.

This legislation will put back an independent, freestanding agency, and that would be the right thing to do.

Mr. President, I believe we do have some votes. We will have, two or three votes, I believe the leader said, at approximately 5:30. I believe there will be some Senators who are coming over to speak on behalf of these judicial nominations between now and then.

For now I observe the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. CHAMBLISS. 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.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the hour of 5 p.m., having arrived, the Senate will proceed to executive session for consideration en bloc of Executive Calendar Nos. 517, 518, and 519, which the clerk will report.

The bill clerk read the nominations of Timothy C. Batten, Sr., of Georgia, to be United States District Judge for the Northern District of Georgia; Thomas E. Johnston, of West Virginia, to be United States District Judge for the Southern District of West Virginia; and Aida M. Delgado-Colon, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

Mr. CHAMBLISS. Mr. President, I rise in support of the nomination of Timothy C. Batten, the President’s nominee to be U.S. district court judge for the Northern District of Georgia. The Committee on the Judiciary wisely recommended that we consent to his nomination, and I join the committee in urging a favorable vote by all of my colleagues in this body.

Mr. Batten was nominated by President Bush on September 29, 2005, after Senator S. Sessions, and I conveyed Mr. Batten’s name for appropriate consideration. Mr. Batten is a native of Georgia and a resident of Atlanta. He graduated with honors from the Georgia Institute of Technology and cum laude from the University of Georgia School of Law. Since his graduation from law school, he has been with the Atlanta law firm of Schreeder, Wheeler & Flint. He specializes in commercial litigation representing both plaintiffs and defendants and has substantial trial experience.

Mr. Batten has distinguished himself among Atlanta lawyers and is held in high regard by judges before whom he has appeared, as well his colleagues at the bar, including opposing counsel.

Tim Batten is a devoted husband and father and brings to the Federal bench not only a wealth of legal experience but a dedication and commitment to the rule of law which is an essential qualification for any person who would serve in the Federal judiciary.

I know Tim personally. I am as excited as I can be about Tim being nominated by the President, and I look forward to his confirmation. I urge my colleagues to support his nomination. I look forward to his service on the Federal bench in the Northern District of Georgia.

I yield the floor.

Mr. ISAKSON. Mr. President, I rise in favor of the confirmation of the nomination of Mr. Timothy Batten, the U.S. district court for the Northern District of Georgia.

In doing so, I give sincere thanks to our selection committee and review committee in Georgia which interviewed all the potential candidates for this judgeship. My three appointees: Jimmy Franklin, Dr. Ron Carlson, and Mr. Ingram, have done well in donating countless thousands of hours to see to it that the very best nominees were sent forward to the White House. I extend my thanks to them.

I extend my thanks to all those who submitted their names, and, in particular, Mr. Tim Batten, who has been selected by the President of the United States for this judgeship.

I urge my colleagues in terms of the judiciary confirmation process, offering oneself for a Federal judgeship in this country is not a walk in the park.
It is not a picnic. We are very fortunate in this country to have men and women of the caliber and the standing of Tim Batten who are willing to make the sacrifices for public service and offer themselves to serve this country. Tim and his beautiful wife Elizabeth and their six children are truly an American success story. With his confirmation and the vote by this Senate tonight, we will be adding to the U.S. district court a competent, dedicated individual, dedicated to the rule of law, the proper role of this country, and the Constitution of the United States of America.

As the junior Senator from the State of Georgia, I am happy and honored to commend to the entire Senate Mr. Timothy Batten as the next district judge in Georgia.

Mr. Batten was born in Atlanta, GA, received his undergraduate degree at the Georgia Institute of Technology in 1981, and his juris doctorate degree at the University of Georgia in 1984. He has practiced law in Georgia since 1981, and his professional career at the firm of Schreeder, Wheeler & Flint. He and his wife Elizabeth have six children. I know Mr. Batten is very well qualified for the responsibilities he is about to undertake. I know that as the Members of this Chamber have considered his nomination they have learned that he will be a jurist who understands the value and strength and the power of the Constitution of the United States of America, and a jurist who will rule based on the law, not legislation based on the position. Mr. Batten has exceptional qualifications, and I have every confidence that Mr. Batten is equal to the position he has been nominated for.

I ask unanimous consent that personal information on Mr. Batten be printed in the RECORD. There being no objection, the material was ordered to be printed in the RECORD, as follows:

**TIMOTHY C. BATTEN, SR.**

**Birth:** May 23, 1960, Atlanta, Georgia.

**Legal Residence:** Georgia.

**Marital Status:** Married, Elizabeth Parkman Batten, six children.


**Bar:** 1984, Georgia.


**Office:** Schreeder, Wheeler & Flint, LLP, 1600 Candler Building, 127 Peachtree Street, NE, Atlanta, Georgia 30303–1865, 404–681–3450.

**To be United States District Judge for the Northern District of Georgia.**

**Mr. ISAKSON.** I yield the floor and suggest the absence of a quorum.

**THE PRESIDING OFFICER.** The clerk will call the roll.

**Mr. SPECTER.** 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. SPECTER. Mr. President, very briefly, we are about to proceed to a vote on three judicial nominees. In my judgment, they are all well-qualified. There is no contest. One of the nominees, Thomas Edward Johnston, currently serves as the U.S. Attorney for the Northern District of Virginia. He has been nominated for the District Court for the Northern District of West Virginia and has an excellent academic and professional background.

Timothy C. Batten has been nominated for the District Court for the Northern District of Georgia. He has been an active practitioner with the Schreeder, Wheeler & Flint law firm for the past 22 years. Again, I believe this nomination is not controversial.

Aida M. Delgado-Colon has been nominated to be a judge on the U.S. District Court for the District of Puerto Rico. She has been a magistrate judge since 1989 and has served with the Department of Justice, the District Court for the District of Puerto Rico, the Office of the Federal Public Defender for Puerto Rico, and as an adjunct professor at Pontifical Catholic University.

That is a very brief statement of these three nominees.

I yield to my distinguished ranking member, Senator LEAHY.

**The PRESIDING OFFICER.** The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the distinguished senior Senator from Pennsylvania. I note that two of the nominees, one from West Virginia and another from Georgia, are represented in the Senate for West Virginia with two Democratic senators, both of whom support the nominee. Georgia has two Republican senators, both of whom support the nominee. They have been moved very quickly.

I mention this because the nominees are the 229th, 230th, and 231st judges nominated by President Bush to be confirmed. It shows when the White House works with Members of both parties how quickly they get filled. It is an indication when the White House takes time to work with Members of both parties to fill the judgeships, they move rather quickly.

This evening we will see three more judges nominated by President Bush for life-time appointments to the Federal courts confirmed. With these confirmations, the total number of the President’s judicial appointees rises to 231, including the confirmations of Supreme Court Justices Roberts and Alito. This is an impressive number, considering the time that was needed to devote to the 23 Supreme Court vacancies over the last year—President Bush made a series of three nominations for the successor to Justice O’Connor—and the administration’s slow pace of nominations for much of this year.

Tonight’s nominees come from West Virginia and Puerto Rico. Thomas Johnston of West Virginia has the support of his two home-State Democratic Senators. Thomas Batten of Georgia has the support of his two home-State Republican Senators. The nominee from Puerto Rico was not opposed in the Judiciary Committee. These nominees, the 229th, 230th and 231st judges nominated by President Bush to be confirmed, show once again the White House’s lack of cooperation with the Senate, as the nominees from both parties, vacancies on the Federal bench can quickly be filled. It is when the White House refuses to consult with the Senate, or having mentioned nominees’ names, ignores the advice of the Senate, or chooses to pick a fight for partisan purposes, that we have trouble.

Considering how hard the Judiciary Committee has worked to uphold its part in the process of confirming judges, it is unfortunate that the President is not fulfilling the commitments he made to be a uniter and to complete his work in advance of vacancies. Even after these three nominees are confirmed, there will still be more than 50 vacancies in the courts of appeals and district courts. Despite the fanfare with which the President announced that he would be sending nominations for upcoming vacancies in advance and in no event later than 180 days after a vacancy, there are at least 24 current vacancies, nearly half, for which there is no nominee at all. Some of those 24 vacancies have been sitting empty more than a year. Over and over the White House has missed the deadline the President established for himself, and today, of the 24 vacancies waiting for nominees, 10 are already more than 180 days old.

If the White House would eliminate its partisan political and ideological litmus tests from the judicial nominations process, and focus only on qualifications and consensus, the job of selecting nominees and our job of considering them for confirmation would be much easier. As tonight’s confirmations demonstrate, Democrats in the Senate have been cooperative.

I congratulate these nominees and their families on their confirmations.

**The PRESIDING OFFICER.** The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, I believe we are scheduled to vote at 5:30. My watch says 5:30.

**The PRESIDING OFFICER.** Under the previous order, the hour of 5:30 having arrived, the Senate will proceed to the vote on the nominations.

Mr. SPECTER. 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, Will the Senate advise and consent to the nomination of Timothy C. Batten, Sr., of Georgia, to be United States District Judge for the Northern District of Georgia? The clerk will call the roll.

**The legislative clerk called the roll.**

**Mr. McCONNELL.** The following Senators were necessarily absent: the Senator from Texas (Mrs. Hutchison), the
The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to a vote on the nomination of Thomas E. Johnston, of West Virginia, to be United States District Court Judge for the Southern District of West Virginia.

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

The PRESIDING OFFICER. Is there a sufficient second? There is a sufficient second.

The yeas and nays were ordered.

The PRESIDING OFFICER. The question is, will the Senate advise and consent to the nomination of Thomas E. Johnston, of West Virginia, to be United States District Court Judge for the Southern District of West Virginia?

On this question, the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the Senate will vote on the nomination of Aida M. Delgado-Colon, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

The question is, Will the Senate advise and consent to the nomination?

The nomination was confirmed.

The PRESIDING OFFICER. The President will be immediately notified of the Senate’s action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. The Senate will now resume legislative session.

ORDER OF PROCEDURE

Mr. INHOFE. Mr. President, I ask unanimous consent that the Senate now resume consideration of S. 2320, the LIHEAP funding bill, and that the Kyl amendment be temporarily set aside so I may offer a first-degree amendment. It is amendment No. 2898. I further ask that following my statement on the amendment, the Senate then proceed to a roll call for morning business, with Senators permitted to speak for up to 10 minutes each.

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

MAKING AVAILABLE FUNDS FOR THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM. 2006

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

A bill (S. 2320) to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes.

Pending:

Kyl/Ensign amendment No. 2899, to make available funds included in the Deficit Reduction Act of 2005 for allotments to States for the Low-Income Home Energy Assistance Program for fiscal year 2006

AMENDMENT NO. 2898

(Purpose: To reduce energy prices)

The PRESIDING OFFICER. The clerk will report the amendment.

The assistant legislative clerk read as follows:

The Senator from Oklahoma (Mr. INHOFE) proposes an amendment numbered 2898.

Mr. INHOFE. 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 printed in today’s RECORD under “Text of Amendments.”

Mr. INHOFE. Mr. President, this is simply what I have called the energy price reduction amendment. Each year proponents of LIHEAP funding complain that energy prices have increased and therefore more assistance is needed. Yet subsidizing high prices does nothing to lower prices. Increasing the funding for today’s LIHEAP without acting to reduce the price of energy tomorrow is not an acceptable solution.

Home energy prices are excessively high because of two simple facts, two critical reasons: First, the demand for energy has increased along with the economic output. However, because natural gas is regarded as an environmentally preferable fuel, demand for natural gas has increased dramatically as more of it is used for electricity generation. We have gone through this with coal-fired plants. We have tried to have major advancements in clean coal technology, which we are doing right now. But right now, the one thing that is environmentally pure is natural gas and, for that reason, that demand is up. Second, with the rise in demand, the market should have responded with a corresponding increase in supply. 
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I have here a chart, and this is from the Energy Information Administration. Domestic production of natural gas has actually declined. Not many people understand this, that the supply has actually declined. So not only do we have an increase in demand, but the supply has actually declined in this chart. I want my colleagues to recognize that I am reporting clear facts. I am ignoring partisan rhetoric, relying on recognized, unbiased experts from the EIA, not from the New York Times, not from the industry representatives. The EIA’s consumer guide, “Residential Natural Gas Prices: What Consumers Should Know,” states that:

One of the most significant factors why prices are so high is due to weak production, noting that production decreased by only 6 percent in 2004, declining below the 2002 level and reaching the lowest production levels since 1999.

The fact is that demand has increased and production levels have not. As a result, our constituents—the very same residents desperate for LIHEAP assistance—are facing artificially high natural gas prices.

This chart is from the EIA. It illustrates how much residents of each of our States are paying for natural gas. Now I would encourage my colleagues to look and see what it is, and look at one of the higher elevations. It is from $16 in some of those areas, all the way down to—I can’t read it from here, but you can see it. It is such a disparity as you go around the Nation, and I think people need to know what their constituents are being forced to pay.

EIA has shown that production of natural gas has decreased dramatically. The National Petroleum Council, which is a nonpartisan entity charged by the Secretary of Energy, concluded that significant gas resources were effectively off limits for various reasons. The American Gas Association, a strong supporter of increased LIHEAP funding, came to the same conclusion. Both entities called for a better, more efficient process for producing natural gas.

My amendment provides a more certain process for energy-related decisionmaking on public lands. It requires the Secretary to act on an energy-related application within 120 days. If the application is not approved, then the Secretary must inform the applicant as to the reasons and allow the applicant to modify its application.

What is happening here is that these applications to produce on these lands, public lands, sit there and there is never any action. Certainly they should be shorter than 120 days, but that should be adequate.

Further, it clarifies existing practice and requires that a reviewing court accord a rebuttable presumption to the Secretary’s determination that an energy project as mitigated does not have a significant environmental impact. The recently enacted Energy bill included significant energy efficiency improvements. In fact, it included so many that EIA modified its energy projections in some ways to incorporate the new law.

My amendment would improve natural gas efficiency through the EPA’s Natural Gas Star Program. This is a cost-effective way of reducing emissions. It is part of the idea by having the gas being voluntarily complied with. Under my language, the EPA would be authorized to provide grants to identify and use methane reduction technologies, and the Administrator would be required to conduct methane emission reduction workshops in oil and gas-producing States. The less gas that is leaking means more gas is available to consumers. It is a no-brainer.

The lack of sufficient domestic refining capacity has been pointed out, and that significant media attention. The public understands that tight capacity translates into higher prices of motor fuels.

Yet some LIHEAP proponents might not realize that home heating oil, which the Northeast desperately needs, as you can see on this chart, is a middle distillate along with diesel fuel. Therefore, according to the Congressional Research Service:

Because the residential and transportation sectors are in competition for the same part of the barrel, any unusual circumstances affecting the price and supply of one of these fuels affects the supply and price of the other. Increasing refining capacity not only lowers the price of motor fuels but reduces the price of home heating oil as well.

Although States have a significant role in permitting existing or new refineries, they face particular technical and financial constraints when faced with these extremely complex facilities. It wasn’t long ago that I authored the Gas Price Act, and it was one that never even made it out of my committee, yet dramatically reduced the cost of refining. Right now we are at 100-percent refining capacity. As I said, we are already 100-percent refining capacity now, and that was before Katrina, I might add.

On the subject of liquefied LNG, I was astonished to learn that a number of the Members of the Massachusetts House delegation inserted a provision in the transportation bill in the dark of the night—I know this, I was the author of that bill—it happened in the middle of the night before it was taken up the next morning, to the detriment of the Northeast region. They slipped in a provision that blocks the construction of an already approved LNG terminal by maintaining an old bridge schedule for $2 billion because it has been classified as a navigational hazard. This short-sighted stunt by a few Members means that the Northeast region will be deprived of supply that would reduce wholesale natural gas prices by up to 20 percent—up to 20 percent. It was an LNG already accepted terminal in Massachusetts.

My amendment repeals that offensive provision so harmful to the entire Northeast. Bipartisan Members, voting for this amendment means you are voting to help the LIHEAP beneficiaries. This is something that makes so much common sense and something that is hard to understand here in Washington, DC. We
have to do something about increasing the supply of natural gas as well as home heating oils through the refining capacity as well as doing something to affect the supply.

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

The assistant legislative clerk proceeded to call the roll.

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

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

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, there will now be a period for morning business with Senators permitted to speak for up to 10 minutes each.

The Senator from Iowa.

HONORING A. ERNEST FITZGERALD

Mr. GRASSLEY. Mr. President, a patriotic civil servant is going home. Mr. A. Ernest Fitzgerald has finally called it quits. His 42-year career, including Navy service in World War II, came to a close on Friday, March 3. He has walked out of the Pentagon for the last time. He has retired.

Although Mr. Fitzgerald’s first name is Arthur, most of us know him fondly under the name of Ernie. Ernie is probably the most famous whistleblower of all time, and I think of him as the father of all whistleblowers, the chief whistleblower. He set an example for all of the whistleblowers who have followed in his footsteps.

Ernie is a man of great courage and integrity.

I dreamed for a long time that someday some certified whistleblower would be honored by a President, even this President, at a Rose Garden ceremony. Ernie is a perfect candidate for such a Rose Garden ceremony, but I don’t think that he is going to get that honor. It may never happen. At least it may not happen in my lifetime. But of course I believe it should happen because that would be the right thing to do, to send a signal from the highest levels of Government all the way to the bowels of the bureaucracy that patriotic people who are willing to blow the whistle on something that is wrong in Government would be honored for being that patriotic person.

Courageous souls such as Ernie Fitzgerald make our Nation and our Government strong and better. They help to strengthen and keep the public trust. They help to make the Government transparent and accountable, and that is exactly what the citizens of this country want and what the citizens of this country ought to expect.

That is why we must always help whistleblowers such as Ernie Fitzgerald. Being a whistleblower is a tough business. They need our constant support and protection because within the bureaucracy they are treated like a skunk at a picnic. Those, such as Ernie, who have stepped forward and put their careers and reputations on the line in the defense of truth in Government deserve the highest honor. They help to make the Government stronger and better. They help make our Nation and our Government deserve the highest honor. They help to make the Government stronger and better. They help make our Nation and our Government deserve the highest honor. They help to make the Government stronger and better. They help make our Nation and our Government deserve the highest honor. They help to make the Government stronger and better. They help make our Nation and our Government deserve the highest honor. They help to make the Government stronger and better. They help make our Nation and our Government deserve the highest honor. They help to make the Government stronger and better. They help make our Nation and our Government deserve the highest honor. They help to make the Government stronger and better. They help make our Nation and our Government deserve the highest honor.

In a moment I want to explain how that happened. But first I wish to speak briefly about what Ernie did because he was always a source of inspiration to this Senator. Early in my Senate career, I heard about Ernie Fitzgerald. His work convinced me that I needed to get involved in oversight, generally, and at that time specifically oversight of the Defense Department, oversight of the Pentagon. Ernie’s work, along with the taxpayers’ report by the name of Chuck Spinney, was a huge contribution. They were the inspiration behind my historic amendment to freeze the Defense budget that was approved by the Senate in May of 1985. Ernie was the inspiration behind my efforts to put the brakes on the spare parts overpricing.

Ernie was also the inspiration behind my efforts to expose and clean up the Department of Defense books of account and broken accounting practices. Ernie was the inspiration behind so many whistleblower protection laws that are now on the books.

Ernie’s unwavering devotion to saving the taxpayers’ money has always been an inspiration to this Senator. Ernie never lost sight of this lofty and honorable goal, not for one second. And he would pursue it to the end of the Earth, if that is where it took him. To Ernie, saving the taxpayers’ money was never just a goal. It was much more than that. It was more like a calling to him. It was a matter of faith to him, keeping faith with the taxpayers, stopping waste of taxpayers; money was a religion to Ernie Fitz-

gerald. Ernie was the inspiration behind the Joint Review of In-
ternal Controls at the Defense Department.

Ernie had fellowship with the taxpayers. He did everything in his power each day to ensure that not a penny was wasted and every cent was properly accounted for.

Ernie followed his calling in a place called the Pentagon—not exactly what I would call a taxpayer-friendly envi-
en. But that didn’t phase Ernie one bit.

The Pentagon brass is praising him today as he leaves the Pentagon for good, but they hammered him relentlessly for what he was and for what he did. The Pentagon is the place where Ernie dug in his heels, took his stand, and kept the faith.

The most fateful day in the life of Ernie Fitzgerald was November 13, 1968. That was the day Ernie appeared before Senator Proxmire’s Joint Economic Committee to testify on the C-5 transport aircraft program. He was an official witness of the U.S. Air Force. And Ernie did the unthinkable—he com-

promised truth.

For speaking the truth, Ernie paid the ultimate price: He got fired, he got blackballed, and he was put on the offi-
cial hit list. His career was over. And that was November 13, 1968. For speaking the truth—that is what it was all about, just speak the truth—about a $2 billion cost overrun on an airplane that somehow people wanted to cover up. As most of us know, though, Ernie got his job back, but it took him 12 years to get his job back. That is how much whistleblowers are appreciated in the bureaucracy at the Pentagon, or anyway. And when he said, it was not given back willingly; it had to be taken back. It took a court order signed by U.S. District Judge William B. Bryant on June 15, 1982. That is 14 years after he appeared to talk about the $2 billion cost overrun.

Judge Bryant’s order made Ernie the Management Systems Deputy of the Air Force. It was a high-sounding title with far-reaching responsibilities. On paper, it looked like a perfect fit. Unfor-

fortunately, Ernie was never given the authority to perform the job specified in the court order. The “over-dogs,” as Ernie Fitzgerald called them, effecti-
vely isolated him then and the 25 years since. As far as I know, the only time Ernie was able to go to his line was when he was officially detailed to my staff for short periods of time.

The last such project was 1997–1998 when Ernie worked with my staff on what I called the Joint Review of In-
deral Control over-dogs at the Defense Depart-
ment. Ernie had examined several hundred invoices from an office in the Pentagon where fraud had occurred. They followed those invoices step by step through the entire cycle of transactions from purchase order to payment by the Treasury. They found overpayments, underpayments, errone-
ous payments, and even potentially fraudulent payments. No one payment had been done correctly.

One of the biggest problems uncovered had to do with “remit” addresses. Remit addresses are so important be-

cause that is where the money goes and the staff found people handing out remit addresses also had authority to put addresses on checks going out the door. That was a major violation of the separation-of-duties principle. It left the door wide open to fraud.

Ernie helped us close that door.

Despite constant bureaucratic roadblocks, Ernie went to his cubbyhole-
size office day in and day out for all those 25 years. Each day, he did what he could to keep the faith and honor his commitment to those taxpayers.

Then came another fateful day: September 12, last year. That was the day Judge Bryant struck down Ernie's court order after those 25 years, pulling the plug on Ernie's court order, precipitating another crisis in Ernie's life and bringing us to this place in time. I feel like we have arrived at a very important point in time. We made it to the Rose Garden this time, but we came pretty close. So we are making progress. Maybe next time.

Earlier, I promised to explain how we came close to the Rose Garden. On Monday, February 27, this year, the inspector general at the Defense Department presented our most famous whistleblower, Ernie Fitzgerald, with the Distinguished Service Medal. I do not know if anything like this has ever happened before. As I said a moment ago, Ernie is retiring with honor and dignity. One person has made all this happen: Mr. Tom Gimble, acting inspector general at the Department of Defense. After Judge Bryant struck down Ernie's court order after those 25 years, it was readily apparent that Ernie was in another tight spot. However, Ernie was willing to retire under the right conditions.

Tom Gimble, as acting inspector general, seized the initiative. He took charge of the negotiations between Ernie and the Air Force. He kept them moving in the right direction. He did everything he could to ensure that Ernie was treated fairly and given the full protection of the law. Under his able leadership, those negotiations were brought to a successful conclusion.

Mr. Gimble effectively brought Ernie in under the protective umbrella provided by the Office of Inspector General. He gave Ernie a safe haven in the IG's building—a place to work. He had Ernie's entire collection of official records moved to that secure facility. With his team of document specialists provided by Mr. Gimble, Ernie was able to get the job done. All of his records now have been shipped to the National Archives—400-plus boxes in all. In time, Ernie's papers will be open to the American people. They will be able to judge Ernie's work for themselves.

From the beginning of this process to the very end, all sorts of little kinks kept popping up all along the way. But Mr. Gimble was always there ready to step in and help iron them out. Mr. Gimble is the first inspector general to personally reach out to Ernie and help him in such meaningful ways.

Mr. Gimble stands before all my colleagues and say thank you from the bottom of my heart for what you did to help Ernie in these closing days of his career—after 42 years working for the Federal Government. I thank you for doing what inspector generals should do. You did that.

And Ernie Fitzgerald, I thank you, too, for what you did and for your courage and dedication to make our Government stronger and better and to help restore the public trust. I salute you as a person who more Americans ought to follow, that one person determined to make a difference can, in fact, make a difference.

I yield the floor.

I suggest the absence of a quorum. The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006—Continued

Mr. FRIST. Mr. President, I ask unanimous consent that the Senate resume consideration of S. 2349, the lobbying reform legislation, further that the substitute amendment be agreed to, and that it be considered as original text for the purpose of further amendment.

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

The amendment (No. 2907) was agreed to.

MORNING BUSINESS

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

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

CONTRIBUTIONS OF JACK HANNA

Mr. FRIST. Mr. President, from the tender days of his youth growing up in Knoxville, Jack Hanna knew he was destined to work with animals. His commitment seemingly knew no limits as he would eagerly climb aboard public buses to nurture his budding interest by working at a local animal clinic for a meager $10 a week. Yet back then, even he probably couldn't sense that his unique passion would one day blossom and inspire him to a career as an acclaimed author, television host and animal conservationist who would touch the lives of millions.

After stops at Muskingum College and then Florida, it wouldn't be long before the man now affectionately nicknamed "Jungle Jack" was serving as executive director of the Columbus Zoo in Ohio. When he first arrived, the zoo was in poor shape. Attendance sagged, and the animal habitats were outmoded.

Yet overtime, molded by his steady hand, the zoo was gradually revitalized and restored. And with Hanna at the helm, the Columbus Zoo grew into the world-class facility it is today. He maintains a relentless travel schedule—wearing a beaten path to exotic locales all over the globe. But no matter whether he is visiting with the bears and whales in the frigid arctic or the cheetahs in the lonesome wild of Africa, he remains fueled by a genuine love of animals and a deep passion for sharing the majesty of nature with children and adults in communities throughout the world.

No matter whether an animal prowls, stomps, slithers or crawls, Jack Hanna treasures the opportunity to share its unique importance with any and all who will listen. He is a fervent advocate for conservation, and his efforts have broadened the horizons of untold millions of readers, listeners and viewers.

While Jack Hanna is no stranger to big name stages—he is a regular on mainstream media shows like "Good Morning America" and "The Late Show with David Letterman"—it is not the fame or excitement that has drawn him onto TV and into the homes of millions of Americans. Rather, it is the opportunity to educate people across the Nation about the magic and wonder of the animal kingdom.

He rejects the notion of his celebrity, insisting he serves only as an "ambassador for animals in the wild."

Not surprisingly, Hanna's altruism extends far beyond animal interests. He is passionate about addressing the needs of the human condition as well. He has shown a true commitment to helping communities in some of the most impoverished and war-torn regions of the world. During a recent taping in Rwanda, he reminded fans that "if you don't help the people first, you won't be able to help the animals, either."

Just last December he made a point of halting his manic travel schedule to share his love of animals with patients at the Walter Reed Medical Center right here in suburban Washington, DC. His eager and youthful style was a tremendous hit among the troops. The visit shared the healing presence of animals and buoyed some of our Nation's finest men and women's spirits.

The Knoxville News Sentinel aptly describes Jack as "a whirlwind of activity, always on the go." But looking beyond his busy exterior, it is clear to all that Jack Hanna is a man of deep humility and genuine compassion.

His work has heightened appreciation for untold numbers of animal species from all regions of the world. And his efforts have enriched the lives of humans and animals alike. He is a special individual and an embodiment of the Tennessee volunteer spirit.

NOMINATION OF JUDGE JACK ZOUHARY

Mr. D'EWINE. Mr. President, I rise today to speak in strong support of the nomination of Judge Jack Zouhary, whom the President has nominated to be U.S. District Court Judge for the
Northern District of Ohio. Judge Zouhary currently is serving on the Lucas County Common Pleas Court. His service there has been outstanding and is an excellent indication of the type of judge he will be on the Federal bench.

I would like to share with my Senate colleagues just a few of the numerous admirable qualities that make Judge Zouhary such an outstanding nominee. Both as a professional and as a person, he is exactly the sort of individual we want to be serving on the Federal bench.

Judge Zouhary grew up in Toledo. He is a first-generation American, whose parents immigrated from Lebanon to the United States and instilled in their son a respect for the values of education, religion, and community service. After graduating as the valedictorian of his high school, he attended Dartmouth College, where he received his undergraduate degree before returning to hometown to earn his law degree from the University of Toledo College of Law. Judge Zouhary then embarked on what would become a long and accomplished legal career—a career with 30 years of legal experience, his integrity, and his intelligence, his commitment to the ideals of civility and professionalism also is exemplified by his membership in the Toledo Rotary Club, as well as his participation in a broad array of other charitable activities, ranging from pro bono work for a local church to service at a community soup kitchen.

Judge Zouhary has certainly distinguished himself on the bench. He has worked diligently to clear a very large backlog of cases from his crowded docket and has made a good deal of headway in that effort. Most important, attorneys who have appeared before him—criminal and civil, prosecution and defense—speak in glowing terms of his talent, fairness, and excellent judgment temperament.

With Judge Zouhary’s impressive record as a legal professional and community leader, it should come as no surprise that the American Bar Association was unanimous in giving him the highest possible rating—well-qualified.

Judge Zouhary is in every way an outstanding nominee, who will serve the people of Ohio and of this country well.

Mr. President, I strongly support the nomination of Judge Jack Zouhary as a Federal District Court judge for the Northern District of Ohio.

I thank the Chair and yield the Floor.

**HONORING OUR ARMED FORCES**

**MARINE CORPORAL ANDRE L. WILLIAMS**

Mr. DEWINE. Mr. President, I rise today to pay tribute to a fellow Ohioan—an honorable young man who lost his life while protecting the freedom of others. Whether it was during the war or during peace, our service men and women paid the ultimate sacrifice.

Corporal Andre L. Williams died on July 28, 2005, when his convoy came under attack with small arms fire from enemy forces in Western Iraq. He was 23 years old.

Mr. President, Corporal Williams was a brave Marine from the Columbus-based Reserves’ Lima Company, 3rd Battalion, 25th Regiment unit. Born on August 9, 1981, in Galloway, OH, Andre—fondly referred to as “Dray” by his friends and family—lived the lives of many Marine CPLs, with his love of the Marine Corps, his heroism, and his talent for drawing.

Andre was friendly, level-headed, and sensitive to those around him. He was always willing to help resolve disputes between the people he cared about. According to his friend Harry Cuccio, “It didn’t matter what kind of mood you were in, if he was smiling you were smiling.” Many people described Andre as a guy who never lost his smile. His mother, Mary, recalled that her son “loved to make other people laugh and make them feel good.” She also said that “if there was anything he could do to make someone’s life better, that’s what he would do.”

Mr. President, Andre Williams was an ambitious and determined young man, with a talent for drawing and a love for OSU football and the Cincinnati Bengals. Graduating from Westland High School in 1999, he hoped to attend college after his service in Iraq, and one day open his own successful night club.

Andre’s brave spirit and unyielding patriotism compelled him to join the Marines after the September 11 terrorist attacks. He felt a strong duty to protect his country and his family—especially his young daughter, Lea Lea, and young son Domineque Juan.

Andre was loved by his family and by many close friends, evidenced by the over 300 people who attended his funeral service. It was standing room only, with friends and family, as well as his mother’s close friend, Ron Cunningham, expressing his appreciation for Andre’s friendship. This is what he had to say:

I would like to give thanks for Dray being such a good friend to me and to so many other people. He was a great person, and I am glad that he was a part of my life. He was very close to me, my family, and to my cousin who served with him in Iraq. You’re a true hero and friend. It hurts, but I know you’re in a good place and don’t worry, I’ll see you again.

Teresa Norris, mother of one of Andre’s best friends, Gary Norris, and his proclaimed “second mother,” offered thanks for Andre’s heroic actions and reminisced about the special times they used to spend together. She has this to say:

Dray, you are a true Hero, and will always be my Hero. How I will miss that beautiful smile, and our long talks. You will never be forgotten, honey. I am honored to have been a part of your life and will keep you a part of mine forever. We love you and always will.

Mr. President, I would like to conclude with my remarks with a poem that was posted on an Internet website in
tribute to Andre. It is written by
Tinsha Tolber of Galloway, OH:

Though fallen, you are not forgotten.
Rembered . . .

In every American flag across the Nation.
In every battle bays cry.
And, although freedom is supposed to be free,
you have paid the ultimate price for
the people like me.
The government rewards you with a flag and
a Purple Heart, but we pray for your
families that have been torn apart.

Rest in peace, Dray, knowing you are re-
membered.

Mr. President, Andre leaves behind a
loving family to cherish his memory:
parents Mary and Robert; siblings
Josha, Kevin, Rob, Robert, Brian,
Robyn, and Roshonda; ex-wife Kirsten
and children, Lea Lea and Dominique
Juan. My wife Fran and I continue to keep
them in our thoughts and prayers.

MARINE CORPS NAVAL BASE CORONADO

Mr. President, I rise today to pay
tribute to a valiant, young, Williams-
burg, OH, Marine named Cpl Nicholas B.
Erdy, 21, killed in Iraq on May 11,
2005. He was 21 years old.

A 2002 graduate of McNicholas High
School, Nicholas—Nick to family and
friends—was dearly loved by all who
knew him. Nick was a true Titan—
that was courageous, that he never
complained, and that he had a
knack for making his friends and fam-
ily laugh. He also just loved being a
Marine.

Nick’s father, Bill, says that his son
used to help him with his landscaping
business, with talk of possibly working
there full-time when he was older. But,
after high school graduation, it was
clear exactly what Nick wanted to do.
He wanted to become a Marine.

A movie buff who loved his “muscle”
car, Nick had always wanted to be in
the military. He built forts as a child
and read books on weapons and war
strategy, including the exploits of
school football coach, John Rodenberg, said
“Nick was a great kid, really focused
on everything he was doing . . . He [al-
ways] had a plan. He knew he wanted to
get into the armed forces. He was fo-
cused on serving his country.”

Indeed, Nick was unalteringly de-
ovoted to the Marines and to our coun-
try. Even his favorite holiday, not sur-
prisingly, was the Fourth of July. 

Mr. President, when Nick was, as
former football coach, Patrick
McCracken decided to put Nick in the
game and see if he could turn things
around.

Mr. President, when Nick’s body was
brought home, the funeral procession—
stretching two dozen vehicles long—

passed under an arch formed by two
ladder trucks from the Miami Town-
ship and Goshen fire departments. As
the hearse rolled by, hundreds of people
clapped and waved American flags.

Elizabeth Hoskins, of Milford, was
holding a homemade sign that read
simply, “Nick’s Our Hero.”

Andrew Clements watched the fu-
nal procession as well. Though he
knew Nick for less than a day, he

knew this was the man he had and had this to say:

“I never had the privilege of meeting Nick,
but over the past few days I feel like I have.
He’s simply a hero to everyone. I stood out-
side McNicholas High School while Nick’s fu-
neral was happening. The faces on the people
said it all. Nick Erdy will never be forgotten.

Father Pat Crone of St. Xavier
Catholic Church described well Nick’s
selfless nature and how his life made a
difference to so many in so many ways.

This is what he said:

Nick is a blessing. We can celebrate this
day, because it so important—because Nick
was doing things so important. Freedom is
important. A young man, who could have
had a plan. He knew he wanted to
go into the armed forces. He was fo-
cused on serving his country.”

A resolution by the Ohio House of Represen-
tatives aptly tells us about Nick’s life by stating:

“It is certain the world is a better place, his
having been in it.”

Without question, the world is a bet-
ter place for Nicholas Erdy having been in it.
Nick was the model of what we
doing things so important. Freedom is
important. A young man, who could have
been here. . . . It would have been so great . . .
but you did your job. . . . You got your friends
home safely and laid to rest as a hero. . . .
You are a hero Nick Erdy and miss you
eyou every day. . . . You just better make sure

Yes, Mr. President, Nick Erdy and
Dustin Derga are certainly both Ameri-
Can heroes.

My wife Fran and I continue to keep
Nick’s parents Jane and Bill, his sister
Erin, his fiancée Ashley, and the rest of
his family in our thoughts and in our
prayers.

THREE DECADES OF WATER LEADERSHIP

Mr. CRAPO. Mr. President, today is a
significant day in the agriculture in-
dustry in southeast Idaho. Effective
and judicious water management is
critical to communities in Idaho. Allo-
cation of this scarce resource, particu-
larly to the extensive irrigation sys-
much of the last decade, requires a vi-
sion of the future, application of valu-
able experience and lessons learned in
the past, and an appreciation of the
wide spectrum of water users. Today,
Ron Carlson, Snake River Watermaster of
District No. 1, is retiring after over 30
years of service to southeast Idaho.

Ron revolutionized irrigated agri-
culture in Idaho, bringing it into the
20th century with the introduction of computerized accounting and data
collection in 1978 and the creation of the

Water Bank, a formal water renting
process. Ron ushered in technological
advances into irrigated agriculture that
gave water administrators the ca-
pability to create a model of river
flows and reservoir capacity that com-
pares baselines of yearly conditions. 

This system allowed for unprecedented
river management and water supply
projections for the Snake River system.

Ron’s extensive knowledge and wisdom has helped maintain a criti-
cal balance between the multiple de-
mands on this system by all legitimate
water users, from tribes to the State to local entities.

Ron not only has dedicated his life to managing critical natural resources in southeastern Idaho, he has also carried on the tradition of his parents in reaching out to young as watermaster will serve him well in this endeavor. I congratulate Ron and his family on his retirement and wish him well. Idaho's agriculture community's loss is the youth of southeastern Idaho's gain.

WOMEN'S HISTORY MONTH

Ms. MIKULSKI. Mr. President, as Dean of the Senate Women, I rise on this Women's History Month to honor the unique contributions women have made to America since its beginning and to pay my respects to all the forgotten women who have served this country. Women's roles in history are often overlooked and undervalued. But we have shaped our society—not only in terms of battles fought and won—but through great social movements.

Women were the driving force behind the abolitionists, who helped end slavery for the fourteenth amendment. And, of course, women led the suffragist movement, which sought to curb domestic violence by ending drinking and gave women control of their lives with the right to vote. The list goes on and on—and it is still growing.

Last month, we said goodbye to a true pioneer for women's rights—Betty Friedan. Ms. Friedan opened Americans' minds to the possibility of a new role for women in our country with her book, "The Feminine Mystique." She provided the spark in 1963 to launch another movement for women's rights. And she kept that fire going—dedicating her life to fighting for equality, founding the National Organization for Women and NARAL, and cofounding the National Women's Political Caucus with Gloria Steinem and myself.

Last month, Maryland and the world also said hello to another female star in her own right in Bel Air, MD, who took sixth place in Olympic women's figure skating. Every March, we point to those women who have come before us and who have paved the way for current advances, but it is only right and proper that we also laud the ones who are making history as we speak and inspiring other young women to follow their dreams. This year, we salute Kimmie Meissner and the honor she brought Maryland and our great Nation with her talent, skill, and sportsmanship.

The passion that inspired both of these women is the same that helped me to realize my own dreams—giving me the courage to break the glass ceiling as a social worker, a Baltimore City councilwoman, a U.S. Congresswoman and now as a U.S. Senator. That is why I sponsored legislation as a Congresswoman in 1981 to establish a Women's History Week and then in 1987 to establish Women's History Month in 1987.

As the first Democratic woman elected to the Senate in her own right in 1986, I have seen the Senate grow from the scant women to the 11 total Senators and 14 total women we have today. Today, I am Dean of the Senate Women—welcoming and guiding women Senators when they first take office and building coalitions to get things done once they are here.

Together, we have been working to add to the legacy of women's history, and every year during this month we are especially reminded of our ongoing fight for equality. Since 1992, women Senators have tripled funding for domestic violence, increased funding for child care by 68 percent and small business lending to women by 86 percent. And we have passed such important legislation as the Family and Medical Leave Act, the Violence Against Women Act, and the Breast Cancer Research Stamp Act.

One of the issues that has been most important to me is women's health. When I first came to the Senate, women's health wasn't a national priority. But since then, I've helped to establish an Office of Research on Women's Health at the National Institutes of Health, to increase women's involvement in clinical drug trials, and to increase funding for breast cancer research by 700 percent since 1992. I will continue to fight to make sure that women's health remains a priority in the Federal checkbook and that women are not left behind when it comes to their survival.

This year in the Senate I have also been fighting to save American workers' pensions. Women are more likely to have either lower pensions than men or no private pension at all. That is why it is so important to make sure their retirement is secure. And that is why I fought with my colleagues to improve retirement security for women by ensuring better survivor benefits and better rights for divorced women in the new pension legislation.

Because women are more likely to have these private pensions, make less money than men on average, and are more likely to work fewer years than men due to family responsibilities, Social Security is also of particular importance to us. Last year, I successfully fought to protect Social Security from privatization so that women and all people are guaranteed lifetime, inflation-proof Social Security. I truly believe that privatization of Social Security would have been a bad deal for millions of Americans, and I am pleased to see the Senate continue to stand sentry to keep the ‘security of Social Security.

And I will continue fighting to close the wage gap between men and women. Women make this country run—we are business leaders, entrepreneurs, politicians, mothers and more. But even in 2006, women who work full-time year round earn only 76 cents for every $1 their male counterpart makes.

There are many terrific accomplishments women have made and are continuing to make in the ongoing struggle for women's equality. I am so proud of the women who I serve with in the Senate and the work that we do, but I am reminded, especially during this month, that we can do more. Betty Friedan, Kimmie Meissner, and millions of women past and present serve as models for unwavering advocates for equality, justice, women and positive change. So during this Women's History Month I not only honor their courage and hard work, I vow to carry on their legacy.

ADDITIONAL STATEMENTS

A PROUD TRADITION

• Mr. CRAPO. Mr. President, I would like to recognize two outstanding young Idahoans who are here this week, getting a little taste of what it is like to work in and around the U.S. Senate. In the top 1 percent of Idaho students, Kortnee Hurless and Tenaya Pina, both from Camas County High School, were selected to participate in the U.S. Senate Youth Program this week. Kortnee and Tenaya have been able to attend policy addresses by Members of this body as well as Cabinet members, officials from the Department of Defense, directors of various Federal agencies, and will meet with a Justice of the Supreme Court.

Kortnee and Tenaya were selected for this program because they have demonstrated superior achievement and leadership at school and in their community. Idaho is very proud of these young women. Vision, purpose, commitment to challenging goals such as Tenaya and Kortnee have shown do not typically remain hidden in the background. I wouldn't be surprised to hear their names in leadership roles in the not too distant future. Past graduates of this 44-year program include my colleagues and senator, Susan Collins from Maine, Presidential advisers, and former Lieutenant Governor of Idaho, David LeRoy. Tenaya and Courtney carry on a fine tradition of Idaho's involvement in the leadership of our country at the highest school level. I congratulate them on this tremendous achievement. They are shining examples of the abilities and promise of Idaho's youth.
Mr. HATCH. Mr. President, today I wish to recognize and pay tribute to the Mormon Tabernacle Choir in recognition of their 4,000th broadcast of “Music and the Spoken Word.” This is the longest continuous broadcast on network radio or television in the history of our country.

“Music and the Spoken Word” first aired on July 15, 1929, using a single microphone for the organ, choir, and announcer. The first signal was given to the announcer and he began: “From the crossroads of the West, we welcome you to a program of inspirational music and spoken word.” Now more than 75 years and 4,000 broadcasts later, those same words are spoken each week to start the broadcast on more than 2,000 radio and television stations and cable systems.

“Music and the Spoken Word” is the hallmark program of a choir that had very humble beginnings. The choir began practicing and performing in an adobe building. It was accompanied by an organ that was shipped from Australia to California and then pulled by 12 mules across rugged terrain to Salt Lake City. To see this choir has definitely come a long way.

The list of accomplishments and honors the choir has accumulated is legendary and well deserving including Grammy and Emmy Awards, five gold records and two platinum records, induction into the National Association of Broadcasters Hall of Fame, two Freedom Foundation Awards, and the National Medal of Arts. In addition, the choir has performed in 28 countries and 71 foreign cities for millions of people.

The choir is truly “America’s choir” as so aptly described by President Ronald Reagan. Members have sung for every President of the United States beginning with President William Howard Taft. The choir has also performed at several Presidential inaugurations, including that of our current President George W. Bush, and in arenas and concert halls throughout America. The choir first made history when it participated in an experiment with Dr. Harvey Fletcher of Bell Telephone Laboratories in the first recording of his newly developed stereophonic, or multiple-track process. This was later renamed stereophonic, or multiple-track process. This was later named the OEC, which currently represents the United States in the Winter Olympic games by sending world-class athletes to the 2006 Winter Olympic games in Torino, Italy. The choir is comprised of 360 singers who are accompanied by an orchestra of 110 musicians—all volunteers. Choir members come from all walks of life and range in age from 25 to 60. They practice and perform weekly, and all share a love for music, faith, and service. The perfect blending of magical voices with the accompaniment of supremely talented musicians has provided inspiration and solace to millions and left a lasting impact.

Perhaps the most popular and requested song of the choir is its rendition of “The Battle Hymn of the Republic.” The choir first recorded this in 1959 with the Philadelphia Orchestra and received a Grammy Award for its performance. You cannot listen to the choir without feeling to the depth of your soul its majesty and power. It has stirred feelings of patriotism and love for America among audience members in every corner of our nation.

As you know, the Mormon Tabernacle Choir is an extraordinary organization. Its members are wonderful Americans who voluntarily share their talents for the betterment of our society. Sir Thomas Beecham once said, “Great music is that which penetrates the ear with facility and leaves the memory with difficulty. Magical music never leaves the memory.” I truly believe this choir has been creating magical music that will leave a lasting impact of America’s finest forever. I congratulate all of the staff, directors, and members of the Mormon Tabernacle Choir once again on their 4,000th broadcast and wish them continued success and majesty for many more years. May God bless the Mormon Tabernacle Choir.

ON THE 125TH ANNIVERSARY OF THE FOUNDING OF SOUTH DAKOTA STATE UNIVERSITY

Mr. JOHNSON. Mr. President, I rise today to celebrate the 125th anniversary of the founding of South Dakota State University. In a society where education is an essential asset, SDSU has been providing students with a high-quality, affordable education for generations. Graduates have gone on to be extraordinary community and professional leaders.

Founded in 1881 in Brookings, SDSU is South Dakota’s only land grant university, and enrollment has now grown to more than 11,000 students. Charged with advancing agricultural and biological sciences, SDSU has constructed six biodiverse experiment stations, 14 interactive technology centers throughout the State, and extension specialists and educators in all 66 counties. SDSU is on the cutting edge of research in such important fields as agriculture, children’s health, ethanol, and other renewable fuel sources.

SDSU is driven by a core of dedicated professionals. More than 70 percent of the instructors have doctorate or terminal degrees, and nine out of ten classes are taught by full-time professors. There are nearly 200 student clubs and organizations active on campus. In the sporting arena, SDSU recently made the jump to Division I athletics, competing with nationally recognized sports programs. Additionally, SDSU was the first university in the region to offer the Ph.D. degree for many years leading up to the games, athletes must make many personal sacrifices and endure many years of perseverance, hard work, and determination in pursuit of personal goals and Olympic medals. Michigan was represented by a strong group of athletes competing in seven different sports, winning five medals for the United States, including one Gold, two Silvers and two Bronze Medals. The accomplishments of these men and women are impressive and an inspiration for all of us. I am extremely proud of the accomplishments of these men and women with ties to Michigan who competed in the 2006 Winter Olympic games in Torino.

Michigan continued its long tradition of sending world-class athletes to the Winter Olympic games by sending more than three dozen athletes with ties to Michigan, many of whom benefited from spending time at the Olympic Education Center, OEC, at Northern Michigan University, NMU, in Marquette. The OEC, which currently represents athletes in a broad range of sports, including track and field, speed skating, greco-roman wrestling, and weightlifting, has been an integral part of the success of many athletes since its inception in 1985. This year, 28 athletes who utilized these facilities represented the United States in these games.

One of the games’ most memorable and historic moments was provided by Northern Michigan University speed skater Shani Davis, who earned the distinction of being the first African American athlete to medal in an individual Winter Olympic event when he secured Gold in the 1,000 meter and Silver in the 1,500 meter. Continuing our strong
speed-skating tradition. Alex Izykovski and fellow USOC athletes J.P. Kepka, Apolo Anton Ohno, and Rusty Smith won the Bronze Medal in the 5,000 meter relay. Also representing the United States on the speed-skating track were Kip Carpenter and Anthony Lobello. Chris Derrick and Lionel Belbin in the 3,000 meter relay and the 1,000 meter. Derrick competed courageously in the 1000 meter after losing her grandfather the day before that event.

Tanith Belbin and Ben Agosto provided an especially gratifying moment in securing the first medal in ice dancing for the United States since 1976. Belbin and Agosto, skating in their third Olympics, won the highest medal the United States has ever received in ice dancing. Jamie Silverstein and Ryan O’Meara also represented the United States with grace and an abundance of pride. Training in Michigan at the same rink as Belbin, Agosto, Silv...ertaining in the Olympic Games.

The U.S. cross-country ski team included four Northern Michigan University alumni. First-time Olympians Chris Cook, Abby Larson, Lindsey Weier, and Lindsay Williams each took on the multiple events in one of the most grueling disciplines in the Winter Olympics. The Luge and Bobsled teams were led by Olympic veterans from Michigan. Waterford native Jean Prahm competed as the driver for the bobsled with partner Vonetta Flora...first in the 5,000 meter relay. Also representing the speed-skating tradition, Alex Izykovski and fellow USOC athletes J.P. Kepka, Apolo Anton Ohno, and Rusty Smith won the Bronze Medal in the 5,000 meter relay. Also representing the United States on the speed-skating track were Kip Carpenter and Anthony Lobello. Chris Derrick and Lionel Belbin in the 3,000 meter relay and the 1,000 meter. Derrick competed courageously in the 1000 meter after losing her grandfather the day before that event.

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The U.S. women’s hockey team won the Bronze Medal by defeating Finland by a score of 4 to 0. Angela Ruggiero, a three time Olympian from Harper Woods, played in all five games as a defensemen, scoring two goals and tallying four assists to help the U.S. win the Bronze.

In men’s hockey, Team U.S.A. was represented by Chris Chelios and Mathieu Schneider of the Detroit Redwings and by several other U.S. players with ties to Michigan, including John-Michael Liles, Derian Hatcher, Mike Knuble, and Brian Lashoff. The Metro Meth Task Force, one of the old...st methamphetamine lab task forces in the State. This task force has been working meth labs for over a decade and has been a leader for other task forces in the State. The Metro Meth Task Force has formed great partnerships with numerous State and local agencies in Missouri and has worked with the State of Kansas in tracking meth lab operators across State lines.

Mr. President, the efforts of Captain O’Sullivan have been essential in fighting the proliferation of methamphetamine in Missouri and throughout the United States. I am honored to share his accomplishments with my colleagues, and I wish him all the best for the future.

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Chief Bradley W. Harris, a Missourian who has valiantly fought against the meth epidemic and who strives every day to make his community safer from this drug menace. I commend him for his exemplary service and join the Office of National Drug Control Policy in honoring him for his efforts.

Mr. President, the efforts of Captain O’Sullivan have been essential in fighting the proliferation of methamphetamine in Missouri and throughout the United States. I am honored to share his accomplishments with my colleagues, and I wish him all the best for the future.

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of 20 containers in the State that are operated by local fire and law enforcement officials and maintained by the Missouri Department of Natural Resources. Since the first container was opened in October 1998, the 20 contained meth lab waste from 9,525 labs across the State. This accounts for 378,491 pounds of hazardous waste and has saved the State approximately $22 million over conventional waste handling.

Mr. President, the efforts of Chief Harris has been essential in fighting the proliferation of methamphetamine in Missouri and throughout the United States. I am honored to share his accomplishments with my colleagues, and I wish him all the best for the future.

SERGEANT JASON J. GRELLNER

Mr. President, I wish to salute SGT Jason J. Grellner, a Missourian who has valiantly fought against the meth epidemic and who strives every day to make his community safer from this drug menace. I commend him for his exemplary service and join the Office of National Drug Control Policy in honoring him for his efforts.

Sergeant Grellner, in his work for the Franklin County Sheriff’s Office and the Franklin County Narcotics Enforcement Unit, has been influential in efforts to curb meth production. His unit within the sheriff’s department has implemented many local and statewide efforts at stopping meth labs as well as ending and preventing addiction to substance abuse. These programs include CHEM, Companies Helping Eliminate Meth; PARTY, Peers Acting Responsibly in Teenage Years; the Franklin County Families in Transition Program; and the Anhydrous Ammonia Tank Lock Program.

Sergeant Grellner has contributed to the vigilant enforcement of meth laws in Franklin County, leading to the investigation and seizure of over 650 labs. As part of several State task forces and State and national coalitions, he has helped to bring together prevention, rehabilitation, and law enforcement efforts to fight to keep Missouri safe from meth labs.

Mr. President, the efforts of Sergeant Grellner has been essential in fighting the proliferation of methamphetamine in Missouri and throughout the United States. I am honored to share his accomplishments with my colleagues, and I wish him all the best for the future.

SERGEANT SONYA ZIMMERLE

Mr. President, I salute SGT Sonya Zimmerle, a Missourian who has valiantly fought against the meth epidemic and who strives every day to make her community safer from this drug menace. I commend her for her exemplary service and join the Office of National Drug Control Policy in honoring her for his efforts.

Sergeant Zimmerle, in his work with the Franklin County Sheriff’s Department, Sergeant Zimmerle has assisted in the creation and maintenance of the Multi-Jurisdictional Narcotics Task Force and Drug Endangered Children Task Force, which have served as vital resources for numerous law enforcement and government officials in Missouri. Additionally, Sergeant Zimmerle has been a key member of a multistate working group that has sought to address the proliferation of methamphetamine throughout the country and is responsible for disseminating significant information shared by the group’s members and maintaining cohesiveness as the membership continues to grow.

Mr. President, the efforts of Sergeant Zimmerle has been essential in fighting the proliferation of methamphetamine in Missouri and throughout the United States. I am honored to share her accomplishments with my colleagues, and I wish her all the best for the future.

MAJOR JAMES F. KEATLEY

CAPTAIN RONALD K. REPLOGLE

Mr. President, I also wish to salute MAJ James F. Keatley and CPT Ronald K. Replogle, Missourians who have valiantly fought against the meth epidemic and who strive every day to make their communities safer from this drug menace. I commend each of them for their exemplary service and join the Office of National Drug Control Policy in honoring them for their efforts.

As the current and past directors of the Missouri State Highway Patrol’s Division of Drug and Crime Control, Major Keatley and Captain Replogle have been instrumental in bringing much needed training to State and local officers regarding the safe investigation and handling of hazardous materials involved with methamphetamine labs. Through a partnership with the Missouri Department of Natural Resources, the Missouri State Highway Patrol has been able to provide clandestine methamphetamine lab training to over 800 law enforcement officers throughout the country. They have been instrumental in securing funding to help multi-jurisdictional task forces throughout the State.

As members of State and Federal narcotics agents’ coalitions, they represent officers throughout the country who have been on the front lines of the meth battle for over a decade. Through this involvement, they have influenced the national debate on comprehensive methamphetamine legislation and assisted in passing the Combat Meth Act.

Mr. President, the efforts of Major Keatley and Captain Replogle have been essential in fighting the proliferation of methamphetamine in Missouri and throughout the United States. I am honored to share their accomplishments with my colleagues, and I wish them all the best for the future.

HONORING ROCKY FLATS COALITION OF LOCAL GOVERNMENTS

Mr. SALAZAR, Mr. President, I wish to honor and celebrate the accomplishments and service of an outstanding civic organization, the Rocky Flats Coalition of Local Governments. Having accomplished its task of working with Federal and State officials to transform Rocky Flats from a nuclear weapons facility to a wildlife refuge, the coalition will cease operations March 6, 2006. It is fitting that we pause to reflect on and to learn from the record of service and success of the governments and people of this coalition.

The Rocky Flats Coalition of Local Governments was established in February 1999 by agreement among local governments that neighbored the Rocky Flats nuclear production site in central Colorado—Boulder County, Jefferson County, the city and county of Broomfield, the city of Arvada, the city of Boulder, the city of Westminster, and the town of Superior. The coalition was formed to serve as the representative of these local communities and to advise the State and Federal governments in the cleanup and closure of Rocky Flats and the future use of the site.

Since its inception, the coalition has provided an effective vehicle for communities to work together on issues such as workforce safety, outreach, and advocacy, as well as future use and long-term stewardship of the site. The Rocky Flats Coalition of Local Governments created a forum for governments and elected officials to come together to proactively discuss and address extremely complex issues and contributed to a rapid, successful, and cost-effective resolution. The Rocky Flats Coalition of Local Governments has shown us by example what can be accomplished through effective advocacy expressed in a spirit of cooperation.

As Colorado’s attorney general, I worked closely with the coalition to refocus group standards, match community interests. Together, we developed strategies to address long-term management needs of Rocky Flats, issues concerning mineral rights, and other concerns central to the protection of Rocky Flats as an asset for future generations. The coalition also worked with Senator ALLARD and Congressman UDALL in developing and securing the passage of The Rocky Flats National Wildlife Refuge Act of 2001, one of their most significant achievements, and a milestone in the history of the Rocky Flats cleanup.

I rise today not only to recognize the Rocky Flats Coalition of Local Governments but also to celebrate the successful completion of its work and to acknowledge the significance of the coalition’s accomplishments to the State of Colorado and to the Nation. The site has come a long way since the closure of the weapons plant that once stood there. After years of cleanup, hazardous material disposal, and rehabilitation, the Rocky Flats nuclear weapons facility is well on its way to becoming the Rocky Flats National Wildlife Refuge.
The dissolution of this coalition coincides with the completion of the physical cleanup and the beginning of the process to transfer oversight over much of the site from the Department of Energy to the U.S. Fish and Wildlife Service. As the transfer efforts shift from future management to future use plans for the site, the members of the coalition now join with other local governments, organizations, and individual representatives to form the Rocky Flats Stewardship Council, which will continue local oversight and ensure that the site is utilized to its full potential.

For their devoted advocacy of the interests of fellow citizens, for the work they have done to ensure the safety of the Colorado citizens who will be served as Rocky Flats makes its transition to wildlife refuge, for their hard work, dedication, and self-discipline, and for the tremendous success they have helped to achieve at Rocky Flats, I offer my sincere thanks and congratulations to the members of the Rocky Flats Coalition of Local Governments.

RECOGNITION OF MICHIGAN'S ALEX "IZY" IZYKOWSKI

Ms. STABENOW. Mr. President, I rise today in recognition of Michigan's own Alex "Izy" Izykowski and to pay tribute to his recent accomplishment in winning a bronze medal in the 5,000-meter short track relay at the 2006 Winter Olympics in Turin, Italy.

I join my colleagues and everyone across the great State of Michigan in honoring Izy's outstanding representation of his team, his State, and his country. Izy's medal winning performance gave Team USA one of what can be accomplished when governments work together, and for the tremendous success they have helped to achieve at Rocky Flats, I offer my sincere thanks and congratulations to the members of the Rocky Flats Coalition of Local Governments.

From his earliest days as a member of the Bay County Speedskating Club, Izy's career has stood as an example of excellence. His hard work, dedication, and focus have resulted in success at every level of his sport, leading to Izy's stellar performance last week in the pinnacle of athletic contests, the Olympic Games.

It is not just Izy's success on the speedskating track, though, that I stand to pay tribute to today. Izy's journey to the Olympic medal podium has been one that makes us all proud. The manner in which this fine young man has conducted himself should stand as an example to all of us and as a tribute to the support and love of his family. The Izykowski family, and the extended family of Bay City, should take pride in knowing that they played an essential role in molding a young man who truly embodies the Olympic creed: "The most important thing in the Olympic Games is not to win but to take part, just as the most important thing in life is not the triumph, but the struggle."

I rise today in honor of Alex Izykowski's bronze medal winning performance at the Olympics. Success in a sport as physically and mentally demanding as short track speedskating requires years of dedicated and regimented training focused into intense bursts of incredible effort. The personal drive, self discipline, and competitive spirit required to earn an Olympic Medal are attributes to which we should all aspire and Izy clearly embodies all of these qualities. It is because of young men and women like Izy that I remain confident in the continued success of our great State and Nation. I honor Izy for representing the values that are so essential to our Michigan way of life on the world stage.

DRAFT OF PROPOSED LEGISLATION ENTITLED "LEGISLATIVE LINE ITEM VETO ACT OF 2006"—PM 42

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on the Budget:

To the Congress of the United States:

In my State of the Union Address, I asked the Congress to give the President a line item veto. Today, I am sending the Congress a legislative proposal to give the President line item authority to reduce wasteful spending. This legislation will help to limit spending and ensure accountability and transparency in the expenditure of taxpayer funds.

Although the Congress achieved significant spending restraint this past year through appropriations and other bills that are sent to my desk still contain spending that is not fully justified, is a low priority, or is earmarked to avoid line out unnecessary spending. In 1996, the Congress gave the President a line item veto—an important tool to limit wasteful spending—but the Supreme Court struck down that version of the 1996 law.

My proposed legislation, the "Legislative Line Item Veto Act of 2006," would provide a fast-track procedure to require the Congress to vote up or down on rescissions proposed by the President. There has been broad bipartisan support for similar proposals in the past. Under this proposal, the President could propose legislation to rescind wasteful spending, and the Congress would be obligated to vote quickly on that package of rescissions, without committee consideration. The same procedure would apply to new mandatory spending and to special interest tax breaks given to small numbers of individuals.

Forty-three Governors have a line item veto to reduce spending. The President needs similar authority to help control unjustified and wasteful spending in the Federal budget. I urge you to promptly consider and send me this legislation for enactment to reduce unnecessary spending and help achieve my goal of cutting the deficit in half by 2009.

GEORGE W. BUSH

THE WHITE HOUSE, March 6, 2006.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT

ENROLLED BILL SIGNED

The Secretary of the Senate reported that on today, March 6, 2006, she had presented to the President of the United States the following enrolled bill:

S. 1777. An act to provide relief for the victims of Hurricane Katrina.

The enrolled bill was subsequently signed during the session of the Senate by the President pro tempore (Mr. STEVENS).

ENROLLED BILL PRESENTED

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC—S. 1777. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Honeywell International Inc. TS889, TS811, TS313B, TS317A, TS317A-1, and TS317B Series, and TS5-6-9, TS5-6-11, TS5-6-13B, TS5-6-13BA, TS5-6-13B S/8A, TS5-6-13B S/SB, TS5-6-13B/D, and TS5-6-103 Series ‘Turbofanh Engines’" (RIN2120-AA64(2005-M-016)) received on February 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC—S. 1777. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Boeing Model D300 B2 and B4 Series Airplanes" (RIN2120-AA64(2005-M-016)) received on February 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC—S. 1777. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; BAe Systems Limited Model BAE 146-100A and -200A Series Airplanes" (RIN2120-AA64(2005-M-016)) received on February 27, 2006; to the Committee on Commerce, Science, and Transportation.
EC-5887. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Area Navigation Routes; Southwestern and South Central United States” (RIN 2120-AA66) (Docket No. 05-A5W-2) received on February 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC-5888. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Airworthiness Directives; McDonnell Douglas Model DC-9-81, DC-9-82, DC-9-83, DC-9-90, DC-9-95, EC-5890. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Class D Airspace; Modification to Class E Airspace; Naknek, AK” (RIN 2120-AA66) (Docket No. 05-A6-A) received on February 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC-5891. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled “Establishment of Area Navigation Routes; Southwestern and South Central United States—CORRECTION” (RIN 2120-AA66) (Docket No. 05-A5W-2) received on February 27, 2006; to the Committee on Commerce, Science, and Transportation.
AT39) received on March 2, 2006; to the Committee on Environment and Public Works.

EC-5916. A communication from the United States Trade Representative, Executive Office of the President, transmitting pursuant to law, the 2006 Trade Policy Agenda and 2005 Annual Report on the Trade Agreements Program as prepared by the Administration; to the Committee on Finance.

EC-5917. A communication from the Chief, Trade and Commercial Regulations Branch, Customs and Border Protection, transmitting, pursuant to law, the report of a rule entitled ‘‘Dominican Republic—Central America—United States Free Trade Agreement’’ (RIN1505-AB64) received on March 2, 2006; to the Committee on Finance.

EC-5918. A communication from the Chief, Trade and Commercial Regulations Branch, Customs and Border Protection, transmitting, pursuant to law, the report of a rule entitled ‘‘Extension of Import Restrictions Imped on Archaeological Material Originating in Italy and Representing the Pre-Classical, Classical and Imperial Roman Periods’’ (RIN1505-AB63) received on March 2, 2006; to the Committee on Finance.

EC-5919. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ‘‘TD: Procedures for Administering a Review of a Determination that an Authorized Recipient has Failed to Safeguard Tax Returns or Return Information’’ ((RIN1545-FB23/TD9232)) received on March 2, 2006; to the Committee on Finance.

EC-5920. A communication from the Chief, Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled ‘‘Guidance Regarding Reporting for Widely Held Fixed Investment Trusts’’ (Notice 2006-29) received on March 2, 2006; to the Committee on Finance.

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. SPECTER (for himself, Mr. LEAHY, Mr. MUKOWSKI, Mr. SUNUNU, Mr. FEINGOLD, Mr. CRAIG, Mr. HAGEL, Mr. BIDEN, Mr. DEMINT, Ms. MURKOWSKI, Mr. CRAIG, Mr. HAGEL, Mr. LEAHY, Ms. MURKOWSKI, Mr. SUNUNU, Mr. BIDEN, Mr. ALLEN, Mr. FRIST, Mr. BURNS, Mr. NELSON of Nebraska, Mr. ALLEN, Mr. HAGEL, Mr. NELSON of Nevada, Mr. ALLEN, Mr. CASSIDY, Mr. HAGEL, Mr. BIDEN, Mr. ALLEN, Mr. HAGEL, Mr. NELSON of Alaska, Mr. BOXER, Mr. BIDEN, Mr. ALLEN, Mr. HAGEL, Mr. NELSON of New Jersey, Mr. ALLEN, Mr. HAGEL, Mr. NELSON of New York, Mr. CLINTON, Mr. LEVIN, Mr. HUMPHREY, Ms. MURKOWSKI, Mr. JOHNSON, Mr. KOHL, Ms. SNOWE, and Mr. FRIST):

S. 2367. A bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

S. 2370. A bill to promote the development of democratic institutions in areas under the administrative control of the Palestinian Authority, and for other purposes; to the Committee on Foreign Relations.

By Mr. THUNE (for himself and Mr. JOHNSON):

S. 2379. A bill to permit the use of certain funds for mitigation activities in the upper basin of the Missouri River, and for other purposes; to the Committee on Environment and Public Works and the Committee on Environment and Public Works.

By Mr. KERRY:

S. 2372. A bill to amend the Congressional Budget Act of 1974 to provide for the expedited consideration of certain proposed cancellations of appropriations, new direct spending, and limited tax benefits to the Budget.

By Mr. THOMAS (for himself and Mr. ENZI):

S. 2373. A bill to provide for the sale of approximately 132 acres of public land to the City of Green River, Wyoming, at fair market value; to the Committee on Energy and Natural Resources.

By Mr. MANDELL:

S. 2374. A bill to amend the Homeland Security Act of 2002 to limit foreign control of investments in certain United States critical infrastructure, to the Committee on Banking, Housing, and Urban Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. CRAIG (for himself, Mrs. FEINSTEIN, Mr. DURBIN, Mr. COCHRAN, Mr. LAUTENBERG, Mr. INHOFE, Ms. MIKULSKI, Mr. CRAPORO, Mr. LANDRIEU, Mr. SALAZAR, Mrs. CLINTON, Mr. BUNNING, Mrs. LINCOLN, Mr. DEWINE, Mr. INOUYE, Mr. LIEBERMAN, Mr. FENGOLD, Mr. DODD, Mrs. BOXER, Ms. MURKOWSKI, Mr. JOHNSON, Mr. KOHL, Ms. SNOWE, and Mr. FRIST):

S. Res. 390. A resolution designating the week beginning March 13, 2006, as ‘‘National Safe Place Week’’; considered and agreed to.

By Mr. FRIST (for himself and Mr. REID):

S. Res. 391. A resolution to authorize representation by the Senate Legal Counsel in the case of Timothy P. Toms v. Alan Hartman, et al; considered and agreed to.

ADDITIONAL COSPONSORS

S. 241. At the request of Mr. SNOWE, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 241, a bill to amend section 254 of the Communications Act of 1934 to provide that funds released as universal service contributions and the universal service support programs established pursuant to that section are not subject to certain provisions of title 31, United States Code, commonly known as the Antideficiency Act.

S. 334. At the request of Mr. DORGAN, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 334, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to the importation of prescription and non-prescription drugs, and for other purposes.

S. 421. At the request of Mr. BOND, the names of the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Maine (Mrs. COLLINS) and the Senator from Alaska (Ms. MURKOWSKI) were added as cosponsors of S. 421, a bill to amend the Public Health Service Act to provide for arthritis research and public health, and for other purposes.

S. 431. At the request of Mr. AKAKA, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 431, a bill to amend title 38, United States Code, to extend the period of eligibility for health care for combat service in the Persian Gulf War or future hostilities from two years to five years after discharge or release.

S. 722. At the request of Mr. SANTORUM, the name of the Senator from Idaho (Mr. COTTON) was added as cosponsor of S. 722, a bill to amend the Internal Revenue Code of 1986 to reduce the tax on beer to its pre-1991 level.

S. 912. At the request of Mr. FEINGOLD, the name of the Senator from Wisconsin (Mr. KOHL) was added as a cosponsor of S. 912, a bill to amend the Federal Water Pollution Control Act to clarify the jurisdiction of the United States over waters of the United States.

S. 1005. At the request of Sen. LUGAR, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 1005, a bill to amend the Richard B. Russell National School Lunch Act to permit certain summer food pilot programs to be carried out in all States and by all service institutions.

S. 1088. At the request of Mr. LUGAR, the name of the Senator from Michigan (Mr. LEVEN) was added as a cosponsor of S. 1088, a bill to amend the Farm Security and Rural Investment Act of 2002 to enhance the ability to produce fruits and vegetables on covered commodity base acres.

S. 1098. At the request of Mr. HATCH, the name of the Senator from North Dakota (Mr. DORGAN) was added as a cosponsor of S. 1098, a bill to improve the national program to register and monitor individuals who commit crimes against children or sex offenses.

S. 1263. At the request of Mr. KENNEDY, the name of the Senator from Massachusetts (Mr. KERRY) was added as a cosponsor of S. 1263, a bill to amend the Elementary and Secondary Education Act of 1965, the Higher Education Act of 1965, and the Internal Revenue Code of 1986 to improve recruitment, preparation, distribution, and retention of public elementary and secondary school teachers and principals, and for other purposes.

S. 1268. At the request of Mr. BOND, the name of the Senator from Virginia (Mr. ALLEN) was added as a cosponsor of S. 1268, a bill to amend the Small Business Act to establish eligibility requirements for business concerns to receive awards under the Small Business Innovation Research Program.

S. 1563. At the request of Mrs. CLINTON, the name of the Senator from Hawaii (Mr.
AKAKA) was added as a cosponsor of S. 1615, a bill to establish the Federal Emergency Management Agency as an independent agency, and for other purposes.

S. 1791
At the request of Mr. SMITH, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1791, a bill to amend the Internal Revenue Code of 1986 to allow a deduction for qualified timber gains.

S. 2083
At the request of Mrs. CLINTON, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2083, a bill to prohibit the Assistant Secretary of Homeland Security (Transportation Security Administration) from removing any item from the current list of items prohibited from being carried aboard a passenger aircraft.

S. 2138
At the request of Mr. MCCAIN, the name of the Senator from Rhode Island (Mr. CHAFEE) was added as a cosponsor of S. 2138, a bill to provide greater transparency in respect to lobbying activities, and for other purposes.

S. 2178
At the request of Mr. SPECTER, the names of the Senator from Missouri (Mr. TALENT) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 2178, a bill to make the stealing and selling of telephone records a criminal offense.

S. 2185
At the request of Mr. HAGEL, the name of the Senator from Montana (Mr. BAUCUS) was added as a cosponsor of S. 2185, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 2198
At the request of Mr. DOMENICI, the names of the Senator from California (Mrs. FEINSTEIN) and the Senator from New York (Mrs. GILDER LEHRMAN) were added as cosponsors of S. 2198, a bill to ensure the United States successfully competes in the 21st century global economy.

S. 2206
At the request of Mr. VITTER, the name of the Senator from Kansas (Mr. BROWNBACK) was added as a cosponsor of S. 2206, a bill to amend title X of the Public Health Service Act to prohibit family planning grants from being awarded to any entity that performs abortions.

S. 2237
At the request of Mr. SANTORUM, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 2237, a bill to withhold United States assistance from the Palestinian Authority until certain conditions have been satisfied.

S. 2333
At the request of Mr. SCHUMER, the names of the Senator from Arkansas (Mrs. LINCOLN), the Senator from Iowa (Mr. HARKIN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 2333, a bill to require an investigation under the Defense Production Act of 1950 of the acquisition by Dubai Ports World of the Peninsular and Oriental Steam Navigation Company, and for other purposes.

S. 2355
At the request of Mrs. FEINSTEIN, the names of the Senator from Missouri (Mr. TALENT) and the Senator from Minnesota (Mr. COLEMAN) were added as cosponsors of S. 2355, a bill to amend the Internal Revenue Code, to prohibit the unauthorized construction, financing, or reckless permitting (on one’s land) the construction or use of a tunnel or subterranean passageway between the United States and another country.

S. CON. RES. 60
At the request of Mr. TALENT, the name of the Senator from New Hampshire (Mr. SUNUNU) was added as a cosponsor of S. Con. Res. 60, a concurrent resolution designating the Negro Leagues Baseball Museum in Kansas City, Missouri, as America’s National Negro Leagues Baseball Museum.

S. RES. 385
At the request of Mr. ENSIGN, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S. Res. 385, a resolution expressing the gratitude and appreciation to the men and women of the Armed Forces who serve as military recruiters, condemning their selfless service in recruiting young men and woman to serve in the United States military, particularly in support of the global war on terrorism.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS
By Mr. SPECTER (for himself, Mr. LEAHY, Ms. MURkowski, Ms. SUNDUN, Mr. FEINGOLD, Mr. CRAIG, Mr. HAGEL, Mr. DURBIN, Mr. SALAZAR, Mrs. FEINSTEIN, Mr. OBAMA, and Mr. KERRY):
S. 2369. A bill to require a more reasonable period for delayed-notice search warrants, to provide enhanced judicial review of FISA orders and national security letters, to require an enhanced factual basis for a FISA order, and to create national security letter sunset provisions for the Committee on the Judiciary.

Mr. SPECTER. Mr. President, I have sought recognition to offer legislation which would amplify the PATRIOT Act, which we expect to be passed by the House on any morning after tomorrow, with these amendments to restore the provisions of the PATRIOT Act to the provisions of the Senate bill which was passed unanimously by the Judiciary Committee on which the Presiding Officer sits, as do I, and was then adopted by unanimous consent by the Senate.

The PATRIOT Act has had a complex procedural history where the House passed a version which was substantially different from the Senate version. Then we hammered out a conference report which, in my view, was an acceptable compromise. It did not have all of the provisions which I would have preferred. It did not have the provisions of the Senate bill. But in a bicameral legislature, we learn to work with the art of the possible. That was accommodation.

We worked closely with Chairman SENSENBRENNER in the House and crafted a bill which was acceptable. There were certain key concessions made to the Senate which I believed were important, perhaps indispensable, the leading one being the sunset provision which was finally established at 4 years. That had been the provision in the Senate bill. And by sunset, for anyone who may be watching on C-SPAN2, that is the provision which terminates the bill, and then it has to come back to Congress for reevaluation to see if we want to give the expanded powers to law enforcement officials. The House bill had 10 years; the Senate bill had 4 years. The House wants to extend it to 7 years, and the Senate held fast. And the compromise was reached so we finally put a provision in at 4 years.

The PATRIOT Act was passed shortly after the terrible tragedies of 9/11. When the United States was victimized by a terrorist attack. It was an effort to give law enforcement officials more power to deal with terrorism. There is always a balance to be struck between civil liberties on the one hand and sufficient power for law enforcement on the other. There came into a coalition representatives of both extreme ends of the political spectrum, the so-called far left, the so-called far right, joining together with the insistence on more civil liberties. It seemed to me that the point was well taken.

The legislation I am introducing today, I introduce on behalf of myself, Senators LEAHY, MURkowski, SUNDUN, FEINGOLD, CRAIG, DURBIN, SALAZAR, FEINSTEIN, OBAMA, and KERRY. The cosponsors are the four Republicans who did not vote for cloture when the bill was before the Senate. They had decided not to vote to cut off debate, which might have given us the leverage at that time to pass the conference report, but insisted on some modifications. With the leadership of Senator SUNDUN, those modifications have been enacted in a companion bill which is going to the House. The United States was victimized by a terrorist attack. It is my expectation that the legislation will be passed. There is an enrolling ceremony set by the Speaker of the House and the majority leader for Wednesday, so that is a pretty good sign that we are en route to having the PATRIOT Act enacted.

I do not think that ought to be the ending point. That is why I am introducing this supplemental legislation today so that this legislation will not be a provision of the original Senate-passed bill. For example, on the delayed notice search warrants, the
House bill had called for 180 days. The Senate bill had called for 7 days' notice. The conference report compromised out at 30 days, which I thought was acceptable, while not as good as I would have liked it. So in this new bill, the delayed notice provision is set at 7 days. That means that when a search warrant is authorized, where the subject of the search warrant is not told—ordinarily if you have a search and seizure, law enforcement officials come in and in broad daylight make the search and seizure. The recipient, the owner of the residence knows about it. But a delayed notice search warrant is structured so that the recipient does not know about it, where there is cause shown that the investigation would be impeded if the recipient were to be told at that time. This cuts the time to 7 days.

There had been considerable controversy over the provisions of section 215 where the Senate bill had a three-part test which provision was added to the conference report where the judge had the discretion to grant the order if there was adequate showing in the opinion of the court to pursue a terrorist investigation. But the new bill comes back to the three-part test of the original Senate bill so the records sought must, first, pertain to a foreign power or an agent of a foreign power; second, are relevant to the activities of a suspected agent of a foreign power who is the subject of an authorized investigation; or, third, pertain to an individual in contact with the suspected agent of a foreign power.

The third provision provides for a judicial review of national security letters. It would eliminate the conclusive presumption with respect to national security letters that the court would automatically uphold nondisclosure—that is, a gag order—upon the Government's good faith certification that disclosure may endanger the national security of the United States or interfere with diplomatic relations. The bill introduced today would allow the judge to review all of the factors and would not be controlled by this conclusive presumption.

The bill introduced today also makes a change on judicial review of section 215, which eliminates both the conclusive presumption which was added in on the legislation sponsored by Senator Sune, and it eliminates the mandatory 1-year waiting period.

The sunset on national security letters is an additional provision which adds a 4-year sunset to national security letters, which is the same sunset in the balance of the conference report. National security letters had not been subjected to the PATRIOT Act but were included in the Senate version this time. That provision is added.

We are having an oversight hearing on the PA-TRIT Act later this month. It is my intention, as chairman of the Judiciary Committee, to include in that oversight hearing these provisions. We want to see exactly how important they are, what the FBI is doing with them. We want law enforcement to have the tools it needs. I know this is a subject near and dear to the heart of the Presiding Officer who was the U.S. attorney in Alabama for Law enforcement officials generally, and something of which this Senator has very substantial concern based in part on my tenure as district attorney of Philadelphia. So we want law enforcement to have the tools which are needed. At the same time we want to achieve an appropriate balance with civil liberties.

The statement has been made that it is not anticipated that the House will act on such legislation this year. It is a long year. We will wait and see. We will see what the developments are. We will see how our fight against terrorism goes. We will see what the oversight provisions are. But this bill will be useful as a marker to promote further reconsid- eration that original Senate bill that passed last year. It was a significant occasion; if not monumental, to have all 18 members of the Judiciary Committee agree on a bill which, as the Presiding Officer knows, was not exactly familiar with the Judiciary Committee, we have representatives at opposite ends of the political spectrum. That is what is attractive about the Judiciary Committee. We have diver- gence of views, we have had remarkable success in the past 14 months passing the bankruptcy bill, the class action bill, and the asbestos bill out of committee.

We stumbled a little. We are one vote short on the budget point of order. That is going to be coming back. We are taking a look at some of the provisions I am personally talking to Senators about on an individual basis. There is a recognized need for asbestos reform. There is only disagreement as to what it ought to be. I am asking Senators to take a look at the bill and tell me what it is they would like to see done in the bill to receive the requisite support here to overcome the budget point of order—I think we have the votes already there—but to overcome cloture and to have a bill that can be enacted.

Then our committee led the way in the confirmation of the new Chief Justice of the Supreme Court, Chief Justice Roberts, and Justice Alito. We are now in the midst of working on immi- gration. I think the renewal of the PA-TRIT Act is a significant step forward—something the President has been anxious to have done and something which will give law enforcement the tools it needs with appropriate bal- ance.

I ask unanimous consent that the text of this new bill be printed in the RECORD.

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

SECTION 1. LIMITATION ON REASONABLE PE- RIOD FOR DELAY.

Section 318A(b)(2) of title 18, United States Code, is amended by striking "30 days" and inserting "7 days".

SEC. 2. JUDICIAL REVIEW OF FISA ORDERS AND NATIONAL SECURITY LETTERS.

(a) FISA—Subsection (f)(2)(A) of section 501 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801) is amended by inserting "production order or nondisclosure order" in place of "production order or nondisclosure order"; and

(b) Judicial Review of National Security Letters—Par- tition 3511(b) of title 18, United States Code, is amended—

(1) by striking "If, at the time of the petition," and all that follows through the end of the paragraph; and

(2) by striking "Not less than one year" and all that follows through the end of the clause;

SEC. 3. FACTUAL BASIS FOR REQUIRED ORDER.

Section 501(b)(2)(A) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1801) is amended by adding a new clause (i) as follows:

(A) a statement of facts showing that there are reasonable grounds to believe that the records or other things sought—

(ii) are relevant to a national security investigation (other than a threat assessment) that the Government is conducting under section 102 of the USA PATRIOT Improvement and Reauthorization Act of 2005 (H.R. 3199, 109th Congress, 2d Session) is to such provisions, as amended

SEC. 4. NATIONAL SECURITY LETTER SUNSET.

Section 102 of the USA PATRIOT Improve-

ment and Reauthorization Act of 2005 (H.R. 3199, 109th Congress, 2d Session) is amended by striking the end of the paragraph and all that follows; and the end of the Act, as amended, is reenacted.

SEC. 5. RULE OF CONSTRUCTION.

Amendments to provisions of law made by this Act are to such provisions, as amended by the USA PATRIOT Improvement and Reau-

thorization Act of 2005 (H.R. 3199, 109th Congress, 2d Session) and by the USA PA- TRIT Act Additional Reauthorizing

Mr. LEAHY. Mr. President, the PATRIOT Act reauthorization legislation that the Senate may vote on this week still contains flaws and troubling omissions. I have spent several months working closely with Members from both parties in an attempt to improve these defects. Even after the Bush administration and congressional Republicans hijacked the House-Senate conference, I tried to get this measure back on the right track. Working with a bipartisan group of Senators, we were able to achieve some improvements. I regret that the final package is not better and that the intransigence of the administration has prevented a better bill with better protections for the American people.

I remain committed to working to provide the tools that we need to protect the American people. That includes working to provide the oversight and checks needed on the uses of Government power and to improve the current reauthorization of the PATRIOT Act. I am therefore pleased to join Senator SPECTER, Senator SUNUNU, Senator FEINGOLD and others in introducing a bill to improve the reauthorization legislation in several important respects.

Most importantly, the Specter-Leahy bill corrects one of the most egregious “police state” provisions of the gag orders. The Bush-Cheney administration used the last round of discussions with Republican Senators to make the gag order provisions worse, in my view, by forbidding any court challenge for 1 year. There is no justification for this mandatory waiting period for judicial review, and our bill eliminates it. Our bill also eliminates provisions that allow the Government to ensure itself of victory by certifying that, in its view, disclosure “may” endanger national security. Under the bipartisan management I proposed to produce a bipartisan bill that passed the Senate unanimously. The House-Senate conference took a different course and produced a bill that Members on both sides of the aisle found unacceptable. It has been improved, but critical problems remain.

The Specter-Leahy bill corrects the worst of these problems, and I will work with the chairman to enact these commonsense reforms before the end of the year.

By Mr. MCCONNELL (for himself, Mr. BIDEN, Mr. DE MINT, Ms. MIKULSKI, Mr. MARTINEZ, Mr. NELSON of Florida, Mr. HAGEL, Mr. NELSON of Nebraska, Mr. DEWINE, Mr. TALENT, Mr. ALLEN, Mr. FRIST, Mr. BURNS, Mr. THUN, Mr. REID, Mr. SALAZAR, Mr. KERRY, Mr. BUNNING, Mr. LIEBERMAN, and Mrs. BOXER):

S. 2271 A bill to promote the development of democratic institutions in areas under the administrative control of the Palestinian Authority, and for other purposes; to the Committee on Foreign Relations.

Mr. MCCONNELL. Mr. President, today, along with my friend, the senior Senator from Delaware, Mr. BIDEN, I send to the desk the Palestinian Anti-Terrorism Act of 2006 and ask that it be referred to the appropriate committee. Senate Democrats and Senator Frist in our efforts today by Senators DE MINT, MIKULSKI, MARTINEZ, Senator NELSON of Florida, HAGEL, Senator NELSON of Nebraska, DEWINE, TALENT, ALLEN, FRIST, BURNS and THUN, all of whom are original cosponsors of this legislation. This is a bipartisan bill, and I thank my colleagues on both sides of the aisle for their leadership on the important issue of how the United States addresses the challenges posed by the new Hamas-dominated government in the West Bank and Gaza.

The Palestinian elections of January 25 produced a majority of Hamas supporters in the Palestinian parliament. Perhaps the Palestinians were frustrated with the corruption of the ruling Fatah Party, or perhaps they were tired of the slow pace of reforms. Either way, the Palestinian people cast their ballots for an organization that supports terror and rejects Israel’s very right to exist. That is antithetical to our security interests in the Middle East, and it should be unacceptable to this Senate.

In light of the recent election, Senator BIDEN and I are submitting this legislation for the Senate’s consideration which we hope will send an unequivocal message to the Hamas leadership: renounce terror, recognize Israel and live up to the commitments made by the previous Palestinian government.

In short, this legislation urges the Palestinian people to take another step toward joining the community of peaceful nations and a step away from the ranks of terrorism. The bill contains the following:

1. It would restrict assistance to the Palestinian Authority, unless it is determined that no PA government minister is controlled by terrorists, that the PA publicly acknowledges Israel’s right to exist, that the PA has committed itself to all its prior agreements with Israel, that the PA has made progress toward dismantling terrorist infrastructure, and that the PA has instituted fiscal transparency.

2. It would essentially deny U.S. assistance to PA officials and restrict their travel to the United States. It also limits diplomatic interaction with Palestinian terrorist groups.

3. Finally, this bill contains rigorous audit and oversight requirements to ensure compliance with its provisions.

Let me also tell you what this bill does not do. It does not cut off assistance to the Palestinian people with respect to food, water, medicine, sanitation, and other basic human needs. Thus, humanitarian assistance that does not go through the Palestinian government will continue. Moreover, funding for democracy programs will also be continued. Both Senator BIDEN and I appreciate the need not to punish the Palestinian people for actions its future government may take. Our concern is with the new regime taking power and in giving them the proper incentives to embrace peace and to abandon the pro-terror stance they have taken up until now.

Democracy is about more than just elections, it is also about responsible, accountable governance. The Palestinian elections a few weeks back reflect this fact. International observers indicate that the Palestinian elections were essentially free and fair—which in and of itself is certainly a good thing. I strongly support democratic elections. That said, any right-minded person deplores the result of those elections and sees them as a betrayal of the basic human rights of the Palestinian people.

A key part of democratic governance is that elected officials are responsible for the actions they take. If Hamas
takes power and persists in sponsoring terror, rejecting Israel's right to exist and refusing to accept prior commitments made to Israel, then they should be held accountable for their actions and for the foreign aid investments in the West Bank and Gaza paid for by American taxpayers. The PA's budget is supported in large part by foreign assistance, and Hamas has been put on notice by the United States and many in the donor community about the steps it must take in order to receive assistance in the future.

Along these same lines, I must say I am somewhat mystified at the recent diplomatic efforts undertaken by Russia. Russia broke from the Middle East Quartet and hosted representatives from Hamas in Moscow.

In so doing, the Russians granted Hamas a measure of international legitimacy Hamas had hitherto lacked, while the Russians appear to have received no real concessions in return. I am afraid I fail to see the benefit in Russia's actions other than emboldening other nations to follow a similar course of dealing with a terrorist organization. I suspect the Russians would be less than elated if Israel hosted Chechen separatists in Jerusalem.

Foreign aid is not an entitlement. It is assistance from the American people to other nations, and it should be conducted in furtherance of U.S. interests and those of our allies. It is not to be given to organizations that actively work against those interests. Hamas, as it now stands, is just such an organization.

The ball is squarely in Hamas' court. It can either work for the good of its citizens as an accountable democratic government should, or it can continue to act as a revolutionary group to the profound detriment of its citizens.

Mr. LIEBERMAN. I thank Senator MCCONNELL for the excellent statement. I have not had a chance to look at the legislation, but I am sure I will want to be added as an original cosponsor.

I ask unanimous consent that the text of the bill be printed in the RECORD.

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

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 “Palestinian Anti-Terrorism Act of 2006”.

SEC. 2. LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY.

(a) DECLARATIONS—It shall be the policy of the United States—

(1) to support a peaceful, two-state solution to the conflict between Israel and the Palestinian people in accordance with the Performance-Based Roadmap to a Permanent Two-State Solution to the Israeli-Palestinian Conflict (commonly referred to as the “Roadmap”);

(2) to oppose those organizations, individuals, and countries that support terrorism and violently reject a two-state solution to end the Israeli-Palestinian conflict;

(3) to promote the rule of law, democracy, the cessation of terrorism and incitement, good governance in institutions and territories controlled by the Palestinian Authority; and

(4) to urge members of the international community to cooperate with the Government of Israel, and with the United Nations, the Quartet and its representatives, to meet basic human needs.

(b) AMENDMENTS.—Chapter 1 of part III of the Foreign Assistance Act of 1961 (22 U.S.C. 2351 et seq.) is amended—

(1) by redesignating the second section 620G (as added by section 149 of Public Law 104-164 (108 Stat. 1563) and (2) by adding at the end the following new section:

SEC. 620K. LIMITATION ON ASSISTANCE TO THE PALESTINIAN AUTHORITY.

“(a) LIMITATION.— Assistance may be provided under this Act to the Palestinian Authority only during a period for which a certification described in subsection (b) is in effect.

(b) CERTIFICATION.—A certification described in this subsection must be transmitted by the President to Congress containing a determination that—

(1) no ministry, agency, or instrumentality of the Palestinian Authority is effectively controlled by Hamas, unless Hamas has committed itself and is adhering to all agreements and understandings with the Government of Israel, and with the international community, including agreements and understandings pursuant to the Roadmap; and

(2) the Palestinian Authority has made demonstrable progress toward—

(A) publicly acknowledging Israel’s right to exist as a Jewish state; and

(B) committed itself and is adhering to all agreements and understandings with the Government of Israel, and with the international community, including agreements and understandings pursuant to the Roadmap;

(3) the Palestinian Authority is making demonstrable efforts to—

(A) purge Hamas from its Ministry of the Interior, as defined in section 620J; and

(B) dismantling all terrorist infrastructure within its jurisdiction, confiscating unauthorized arms factories, thwarting and preventing terrorist attacks, and fully cooperating with Israel’s security services;

(4) halting all anti-American and anti-Israeli incitement in Palestinian Authority-controlled electronic and print media and in schools, mosques, and other institutions it controls or subsidizes, and replacing educational materials, including textbooks, with materials that promote peace, tolerance, and coexistence with Israel;

(5) promoting democracy, the rule of law, and an independent judiciary, and adopting other reforms such as ensuring transparent and accountable governance; and

(c) EXCEPTIONS.—Not later than 90 days after the date on which the President transmits to Congress an initial certification under subsection (b), and every six months thereafter—

(1) the President shall transmit to Congress a certification that the conditions described in subsection (b) are continuing to be met; or

(2) if the President is unable to make such a certification, the President shall transmit to Congress a report that contains the reasons therefor.

SEC. 620L. LIMITATION ON ASSISTANCE FOR THE WEST BANK AND GAZA.

(a) LIMITATION.—Assistance may be provided under this Act to the Palestinian Authority for the West Bank and Gaza only during a period for which a certification described in section 620K(b) is in effect with respect to the President certifying and reporting to the appropriate congressional committees that—

(1) it is in the national security interests of the United States to provide such assistance; and

(b) the President of the Palestinian Authority and the President’s party are not affiliated with Hamas or any other foreign terrorist organization.

(c) CONGRESSIONAL NOTIFICATION.—The President shall consult with the appropriate congressional committees prior to making a certification under paragraph (1).

(d) DEFINITIONS.—In this section:

(1) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—The term ‘appropriate congressional committees’ means—

(A) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.

(2) FOREIGN TERRORIST ORGANIZATION.—The term ‘foreign terrorist organization’ means an organization designated as a foreign terrorist organization by the Secretary of State in accordance with section 219(a) of the Immigration and Nationality Act (8 U.S.C. 1189(a)).

(3) PALESTINIAN AUTHORITY.—The term ‘Palestinian Authority’ means the interim Palestinian administration that governs part of the West Bank and all of the Gaza Strip (or any successor Palestinian governing entity) and the Palestinian Legislative Council.

(4) PREVIOUSLY OBLIGATED FUNDS.—The provisions of section 620K of the Foreign Assistance Act of 1961, as added by subsection (b), shall be applicable to the unexpended balances of funds obligated prior to the date of the enactment of this Act.
‘‘(2) ASSISTANCE TO PROMOTE DEMOCRACY.—

Assistance to promote democracy, human rights, freedom of the press, non-violence, reconciliation, and peaceful co-existence, provided that such assistance does not directly benefit Hamas or other foreign terrorist organizations.

‘‘(3) OTHER TYPES OF ASSISTANCE.—Any other assistance provided under this section that is not described in subsections (a) or (b) of this section shall be prohibited.

‘‘(A) determines that the provision of such assistance will further the national security interests of the United States; and

‘‘(B) not later than 45 days prior to the obligation of amounts for the provision of such assistance—

(i) consults with the appropriate congressional committees regarding the specific programs, projects, and activities to be carried out using such assistance; and

(ii) submits to the appropriate congressional committees a written memorandum that contains the determination of the President under subparagraph (A).

‘‘(D) CONGRESSIONAL NOTIFICATION.—Assistance provided under this Act to nongovernmental organizations for the West Bank and Gaza shall be submitted to the appropriate congressional committees not later than 30 days prior to the obligation of amounts for the provision of such assistance to any individual or entity that the Secretary has determined advocates, plans, sponsors, or engages in terrorist activity.

‘‘(3) PROHIBITION.—No amounts made available under this Act to nongovernmental organizations for the West Bank or Gaza under the Foreign Assistance Act of 1961 may be made available for any purpose involving or benefiting individuals who commit, or have committed, acts of terrorism.

‘‘(4) AUDITS.—

(A) IN GENERAL.—The Administrator of the United States Agency for International Development shall ensure that Federal or non-Federal audits of all contractors and grant recipients, and subgrantees, that receive amounts for assistance to nongovernmental organizations for the West Bank or Gaza under the Foreign Assistance Act of 1961 are conducted for each of the fiscal years 2007 and 2008 to ensure, among other things, compliance with this subsection.

(B) AUDITS BY INSPECTOR GENERAL OF USAID.—Of the amounts available for each of the fiscal years 2007 and 2008 for assistance to nongovernmental organizations for the West Bank or Gaza under the Foreign Assistance Act of 1961, up to $1,000,000 for each such fiscal year may be used by the Office of the Inspector General of the United States Agency for International Development to fund audits, inspections, and other activities in furtherance of the requirements of subparagraph (A).

SEC. 4. DESIGNATION OF TERRITORY CONTROLLED AS TERRORIST SANCTUARY.

It is the sense of Congress that, during any period for which a certification described in section 620K(b) of the Foreign Assistance Act of 1961 (as added by section 2(b)(2) of this Act) is not in effect with respect to the Palestinian Authority, the territory controlled by the Palestinian Authority should be deemed to be in use as a sanctuary for terrorists or terrorist organizations for purposes of section 2(b)(2) of this Act.

SEC. 5. DENIAL OF VISAS FOR OFFICIALS OF THE PALESTINIAN AUTHORITY.

A visa shall not be issued to any alien who is an official of, affiliated with, or serves as a representative of the Palestinian Authority, other than the President of the Palestinian Authority and his or her personal representatives, provided that the President and his or her personal representatives are not affiliated with Hamas or any other foreign terrorist organization, during any period for which a certification described in section 620K(b) of the Foreign Assistance Act of 1961 (as added by section 2(b)(2) of this Act) is not in effect with respect to the Palestinian Authority.

SEC. 6. TRAVEL RESTRICTIONS ON OFFICIALS AND REPRESENTATIVES OF THE PALESTINIAN AUTHORITY AND THE PALESTINE LIBERATION ORGANIZATION STATIONED AT THE UNITED NATIONS IN NEW YORK CITY.

(a) I N GENERAL.—Notwithstanding any other provision of law, and except as provided in subsection (b), the President should direct the United Nations to take such steps as may be necessary and appropriate to ensure that the President and his or her personal representatives, and any other official representatives of the Palestinian Authority or the Palestine Liberation Organization, who are stationed at the United Nations in New York City, are stationed away from the United Nations headquarters or any other quarters, premises, or other facilities or establishments within the jurisdiction of the United States at the behest or direction of, or with funds provided by, the Palestinian Authority during any period for which a certification described in section 620K(b) of the Foreign Assistance Act of 1961 (as added by section 2(b)(2) of this Act) is not in effect with respect to the Palestinian Authority.

(b) EXCEPTION.—The travel restrictions described in subsection (a) shall not apply with respect to the following types of assistance:

(1) Assistance to promote democracy, human rights, freedom of the press, non-violence, reconciliation, and peaceful co-existence, provided that such assistance does not directly benefit Hamas or other foreign terrorist organizations.

(c) DEFINITION.—In this section, the term "international financial institution" has the meaning given the term in section 1709(c)(2) of the International Financial Institutions Act (22 U.S.C. 262c(c)(2)).

SEC. 7. PROHIBITION ON PALESTINIAN AUTHORITY REPRESENTATION IN THE UNITED STATES.

(a) PROHIBITION.—Notwithstanding any other provision of law, it shall be unlawful to provide the Secretary of State with information regarding the establishment or maintenance of an office, representative office, or representative quarters or other facilities in the United States for the Palestinian Authority during any period for which a certification described in section 620K(b) of the Foreign Assistance Act of 1961 (as added by section 2(b)(2) of this Act) is not in effect with respect to the Palestinian Authority.

(b) ENFORCEMENT.—

(i) ATTORNEY GENERAL.—The Attorney General shall take such steps as may be necessary and appropriate to institute the necessary legal action to effectuate the policies and provisions of subsection (a).

(ii) JUDICIAL FORUM.—Any district court of the United States for a district in which a violation of subsection (a) occurs shall have authority, upon petition of the Attorney General, to grant injunctive and such other equitable relief as it shall deem necessary to enforce the provisions of subsection (a).

(c) WAIVER.—Subsection (a) shall not apply if the President determines and certifies to the appropriate congressional committees that the establishment or maintenance of an office, representative office, or representative quarters or other facilities in the United States is necessary in order to promote democracy, human rights, freedom of the press, non-violence, reconciliation, and peaceful co-existence, provided that such assistance does not directly benefit Hamas or other foreign terrorist organizations.

(d) DEFINITION.—In this section, the term "international financial institution" has the meaning given the term in section 1709(c)(2) of the International Financial Institutions Act (22 U.S.C. 262c(c)(2)).

SEC. 9. DIPLOMATIC CONTACTS WITH PALESTINIAN TERROR ORGANIZATIONS.

No funds authorized or available to the Department of State may be used for or by any officer or employee of the United States Government to contact or receive contacts from any official representatives of Hamas, Palestinian Islamic Jihad, the Popular Front for
the Liberation of Palestine, al-Aqsa Martyrs Brigade, or any other Palestinian terrorist organization (except in emergency or humanitarian situations), unless and until such organization—
(1) recognizes Israel’s right to exist;
(2) renounces the use of terrorism;
(3) dismantles the infrastructure in areas within Palestine’s jurisdiction to carry out terrorist acts, including the disarming of militias and the elimination of all instruments of terror; and
(4) recognizes and accepts all previous agreements and understandings between the State of Israel and the Palestinian Authority.

SEC. 10. REPORTING REQUIREMENT.
Not later than 90 days after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit to the appropriate congressional committees a report that—
(1) describes the steps that have been taken by the United States Government to ensure that other countries and international organizations, including multilateral development banks, do not provide direct assistance to the Palestinian Authority for any period for which a certification described in section 530K(b) of the Foreign Assistance Act of 1961 (as added by section 2(b)(2) of this Act) is not in effect with respect to the Palestinian Authority; and
(2) identifies any countries and international organizations, including multilateral development banks, that are providing direct assistance to the Palestinian Authority during such a period, and describes the nature and amount of such assistance.

SEC. 11. DEFINITIONS.
In this Act:
(1) APPROPRIATE CONGRESSIONAL COMMITTEES.—The term “appropriate congressional committees” means—
(A) the Committee on International Relations and the Committee on Appropriations of the House of Representatives; and
(B) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.
(2) PALESTINIAN AUTHORITY.—The term “Palestinian Authority” has the meaning given the term in section 620K(e)(2) of the Foreign Assistance Act of 1961 (as added by section 2(b)(2) of this Act).

Mr. BIDEN. Mr. President, I am pleased to join the Senator from Kentucky as our attempt to clarify the choices for Hamas, and to make clear our rejection of a group that is committed to terror.

By, Mr. KERRY. S. 2772 A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide for the expeditious consideration of certain proposed cancellations of appropriations, new direct spending, and limited tax benefits; to the Committee on Appropriations.

Mr. KERRY. Mr. President. I am pleased to introduce legislation today that establishes a constitutional line item veto, which would allow the President to reduce pork barrel spending and, in effect, save taxpayers billions of dollars. Congress has an opportunity this week in our debate on lobbying reform to take ethics reform seriously and to take action to rid the federal budget of special interest projects. Giving the President the ability to take projects placed in the budget at the last minute at the request of a single lawmaker is a step in the right direction and a critical move toward needed transparency. It is no secret that President Bush and I do not agree on many policy matters, but I fully support giving him this line item veto authority and I applaud the President’s comments earlier today. I hope that Congress immediately takes up our legislation, and I hope that President Bush will be able to use this new veto authority soon to get tough on wasteful spending.

Under the Republican-led House and Senate, pork-barrel spending has skyrocketed. Nearly $30 billion a year is being spent on projects that have never even been debated. For fiscal year 2005, appropriators added 13,997 projects into the 13 appropriations bills, an increase of 14 percent over last year’s total of 10,656. In the last two years, the total number of projects has increased by 49.5 percent. The cost of these projects in fiscal year 2005 was $27.3 billion, or 19 percent more than last year’s total of $22.9 billion. Billions of taxpayer dollars are being wasted on things like research to enhance the flavor of roasted peanuts and the infamous “bridge to nowhere.” We have the largest deficit in American history and Congress and the President must take action to get spending under control.

In 1996, the Congress passed and President Clinton signed into law the “Line Item Veto Act”, P.L. 104-130. Two years later, however, in Clinton v. City of New York the Supreme Court concluded that the method used to give the President line item veto authority was unconstitutional. The Court noted that presidents may only sign or veto entire acts of Congress. The Constitution does not empower Congress to enact, to amend, or to repeal statutes.

We can restore the line item veto and be consistent with the Constitution.
The key difference between what I am proposing and what the Supreme Court struck down is the legal effect of the President’s actions. The “Line Item Veto Act” allowed the President to cancel provisions in their entirety, but the Supreme Court rejected this arrangement. The Line Item Veto Act of 2006 is different. It will empower the President to suspend provisions until the Congress decides to approve or disapprove of that suspension with an up or down vote. The provisions are not cancelled in the legislation. I believe this change addresses the Supreme Court’s concerns.

I agree with President Bush’s comments earlier today, it is indeed ‘time to bring this important tool of fiscal discipline to Washington, D.C.’ I look forward to working with my colleagues on both sides of the aisle to pass the Line Item Veto Act and I look forward to President Bush using this authority to reign in pork-barrel spending.

By Mr. COLEMAN:
S. 2374. A bill to amend the Homeland Security Act of 2002 to limit foreign control of investments in certain United States critical infrastructure; to the Committee on Banking, Housing, and Urban Affairs.

Mr. COLEMAN. Mr. President, I ask unanimous consent that the text of my legislation, the Foreign Investment Transparency and Security Act of 2006, be printed in the RECORD. There being no objection, the text of the bill was ordered to be printed in the RECORD, as follows:

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 “Foreign Investment Transparency and Security Act of 2006”.

SEC. 2. LIMITS ON FOREIGN CONTROL OF INVESTMENTS IN CERTAIN UNITED STATES CRITICAL INFRASTRUCTURE.

(a) IN GENERAL.—Title II of the Homeland Security Act of 2002 (6 U.S.C. 201 et seq.) is amended by adding at the end of such title—

“SEC. 243. REGULATIONS REQUIRED.
“(a) IN GENERAL.—Section 242 shall apply beginning on the date that is 6 months after the date of enactment of this subtitle.

(b) EXISTING ENTITIES.—A foreign government controlled entity or any other entity that controls or manages any critical infrastructure of the United States on the effective date of this subtitle shall comply with the requirements of this subtitle not later than 180 days after that effective date.”

(c) RULE OF CONSTRUCTION.—Nothing in this subtitle may be construed to restrict or abridge the authority of the President or the Committee on Foreign Investment in the United States (or any successor thereto) as the designee of the President, under section 721 of the Defense Production Act of 1950.

SEC. 244. EFFECTIVE DATE.
“(a) IN GENERAL.—Section 242 shall apply beginning on the date that is 6 months after the date of enactment of this subtitle.

(b) EXISTING ENTITIES.—A foreign government controlled entity or any other entity that controls or manages any critical infrastructure of the United States on the effective date of this subtitle shall comply with the requirements of this subtitle not later than 180 days after that effective date.”

SEC. 244. EFFECTIVE DATE.
“Sec. 243. Regulations required.
“(a) In general.—Section 242 shall apply beginning on the date that is 6 months after the date of enactment of this subtitle.

(b) Existing entities.—A foreign government controlled entity or any other entity that controls or manages any critical infrastructure of the United States on the effective date of this subtitle shall comply with the requirements of this subtitle not later than 180 days after that effective date.”

SEC. 244. Effective date.

SEC. 243. REGULATIONS REQUIRED.
“(a) IN GENERAL.—Section 242 shall apply beginning on the date that is 6 months after the date of enactment of this subtitle.

(b) EXISTING ENTITIES.—A foreign government controlled entity or any other entity that controls or manages any critical infrastructure of the United States on the effective date of this subtitle shall comply with the requirements of this subtitle not later than 180 days after that effective date.”

SEC. 244. EFFECTIVE DATE.
“(a) IN GENERAL.—Section 242 shall apply beginning on the date that is 6 months after the date of enactment of this subtitle.

(b) EXISTING ENTITIES.—A foreign government controlled entity or any other entity that controls or manages any critical infrastructure of the United States on the effective date of this subtitle shall comply with the requirements of this subtitle not later than 180 days after that effective date.”

WHEREAS, the Safe Place program is committed to protecting the youths of the United States, the country’s most valuable asset, by offering short term safe places at neighborhood locations where trained volunteers are available to counsel and advise young people seeking assistance and guidance;

Whereas the Safe Place program combines the efforts of the private sector and non-profit organizations to reach young people in the early stages of crisis;

Whereas the Safe Place program provides a direct way to assist programs in meeting performance standards relative to outreach and community relations, as set forth in the RESOLUTION OF THE NATIONAL SAFE PLACE WEEK (42 U.S.C. 5701 et seq.);

Whereas the Safe Place placard displayed at businesses within communities stands as a beacon of safety and refuge to at-risk youths;

Whereas more than 700 communities in 40 States make Safe Place available at nearly 15,000 locations;

Whereas more than 87,000 youths have gone to Safe Place locations to get help when faced with crisis situations and 88,000 youths received counseling by telephone as a result of Safe Place information they received at school;

Whereas, through the efforts of Safe Place coordinators across the United States, each year more than 500,000 students learn in a classroom presentation that Safe Place is a resource they can turn to if they encounter an abusive or neglectful situation, and 1,000,000 Safe Place information cards are distributed; and

Whereas increased awareness of the Safe Place program will encourage communities to establish Safe Places for the youths of the United States; Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of March 13 through March 19, 2006, as “National Safe Place Week”;

(2) calls upon the people of United States and interested groups to promote awareness of and volunteer involvement in, the Safe Place programs, and to observe the week with appropriate ceremonies and activities.

WHEREAS, in the case of Timothy P. Toms v. Alan Hantman, et al.

Mr. FRIST (for himself and Mr. REID) submitted the following resolution, which was considered and agreed to:

S. Res. 391

WHEREAS, the youths of today are vital to the preservation of the United States and will be the future bearers of the bright torch of democracy;

WHEREAS youths need a safe haven from various negative influences such as child abuse, substance abuse, and crime, and they need to have resources readily available to assist them when faced with circumstances that compromise their safety;

WHEREAS the United States needs increased numbers of community volunteers acting as positive influences on the youths of the Nation;

WHEREAS the Safe Place program is committed to protecting the youths of the United States, the country’s most valuable asset, by offering short term safe places at neighborhood locations where trained volunteers are available to counsel and advise young people seeking assistance and guidance;

WHEREAS the Safe Place program combines the efforts of the private sector and non-profit organizations to reach young people in the early stages of crisis;

WHEREAS the Safe Place program provides a direct way to assist programs in meeting performance standards relative to outreach and community relations, as set forth in the RESOLUTION OF THE NATIONAL SAFE PLACE WEEK (42 U.S.C. 5701 et seq.);

WHEREAS the Safe Place placard displayed at businesses within communities stands as a beacon of safety and refuge to at-risk youths;

WHEREAS more than 700 communities in 40 States make Safe Place available at nearly 15,000 locations;

WHEREAS more than 87,000 youths have gone to Safe Place locations to get help when faced with crisis situations and 88,000 youths received counseling by telephone as a result of Safe Place information they received at school;

WHEREAS, through the efforts of Safe Place coordinators across the United States, each year more than 500,000 students learn in a classroom presentation that Safe Place is a resource they can turn to if they encounter an abusive or neglectful situation, and 1,000,000 Safe Place information cards are distributed; and

WHEREAS increased awareness of the Safe Place program will encourage communities to establish Safe Places for the youths of the United States; Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of March 13 through March 19, 2006, as “National Safe Place Week”;

(2) calls upon the people of the United States and interested groups to promote awareness of and volunteer involvement in, the Safe Place programs, and to observe the week with appropriate ceremonies and activities.

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WHEREAS the United States needs increased numbers of community volunteers acting as positive influences on the youths of the Nation;

WHEREAS the Safe Place program is committed to protecting the youths of the United States, the country’s most valuable asset, by offering short term safe places at neighborhood locations where trained volunteers are available to counsel and advise young people seeking assistance and guidance;

WHEREAS the Safe Place program combines the efforts of the private sector and non-profit organizations to reach young people in the early stages of crisis;

WHEREAS the Safe Place program provides a direct way to assist programs in meeting performance standards relative to outreach and community relations, as set forth in the RESOLUTION OF THE NATIONAL SAFE PLACE WEEK (42 U.S.C. 5701 et seq.);

WHEREAS the Safe Place placard displayed at businesses within communities stands as a beacon of safety and refuge to at-risk youths;

WHEREAS more than 700 communities in 40 States make Safe Place available at nearly 15,000 locations;

WHEREAS more than 87,000 youths have gone to Safe Place locations to get help when faced with crisis situations and 88,000 youths received counseling by telephone as a result of Safe Place information they received at school;

WHEREAS, through the efforts of Safe Place coordinators across the United States, each year more than 500,000 students learn in a classroom presentation that Safe Place is a resource they can turn to if they encounter an abusive or neglectful situation, and 1,000,000 Safe Place information cards are distributed; and

WHEREAS increased awareness of the Safe Place program will encourage communities to establish Safe Places for the youths of the United States; Now, therefore, be it

Resolved, That the Senate—

(1) designates the week of March 13 through March 19, 2006, as “National Safe Place Week”; and

(2) calls upon the people of the United States and interested groups to promote awareness of and volunteer involvement in, the Safe Place programs, and to observe the week with appropriate ceremonies and activities.

WHEREAS, in the case of Timothy P. Toms v. Alan Hantman, et al.

Mr. FRIST (for himself and Mr. REID) submitted the following resolution, which was considered and agreed to:

S. Res. 391

WHEREAS, in the case of Timothy P. Toms v. Alan Hantman, et al., No. 1:05–CV–01981, pending in the United States District Court for the District of Columbia, the plaintiff has named as a defendant Carolyn E. Apostolou, Clerk of the Subcommittee on the Legislative Branch of the Senate Committee on Appropriations;

WHEREAS, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288a(a) and 288c(a)(1), the Senate may direct its counsel to defend Members, officers, and employees of the Senate in civil actions relating to their official responsibilities; Now therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Carolyn E. Apostolou in the case of Timothy P. Toms v. Alan Hantman, et al.
AMENDMENTS SUBMITTED AND PROPOSED

SA 2902. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table;

SA 2903. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table;

SA 2904. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table;

SA 2905. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table;

SA 2906. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2907. Mr. LOTT (for himself and Ms. COLLINS) proposed an amendment to the bill S. 2349, to provide greater transparency in the legislative process.

SA 2908. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 2902. Mr. KYL submitted an amendment intended to be proposed by him to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table;

SA 2903. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table;

SA 2904. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table;

SA 2905. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table;

SA 2906. Ms. SNOWE submitted an amendment intended to be proposed by her to the bill S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes; which was ordered to lie on the table;

SA 2907. Mr. LOTT (for himself and Ms. COLLINS) proposed an amendment to the bill S. 2349, to provide greater transparency in the legislative process;

SA 2908. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SEC. 2. EFFECTIVE DATE.

This Act takes effect 2 days after the date of enactment of this Act.

SA 2907. Mr. LOTT (for himself and Ms. COLLINS) proposed an amendment to the bill S. 2349, to provide greater transparency in the legislative process; as follows:

SA 2908. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.
**CONGRESSIONAL RECORD — SENATE**

Sec. 215. Disclosure of lobbyist travel and payments.

Sec. 216. Increased penalty for failure to comply with lobbying disclosure requirements.

Sec. 217. Disclosure of lobbying activities by certain coalitions and associations.

Sec. 218. Disqualification of enforcement for non-compliance.

Sec. 219. Electronic filing of lobbying disclosure reports.

Sec. 220. Disqualification of paid efforts to stimulate grassroot lobbying.

Sec. 221. Effective date.

Subtitle B—Oversight of Ethics and Lobbying

Sec. 231. Comptroller General audit and annual report.

Sec. 232. Mandatory Senate ethics training for Members and staff.

Sec. 233. Sense of the Senate regarding order self-regulation within the lobbying community.

Sec. 234. Annual ethics committees reports.

Subtitle C—Slowing the Revolving Door

Sec. 241. Amendments to restrictions on former officers, employees, and elected officials of the executive and legislative branches.

Subtitle D—Ban on Provision of Gifts or Travel by Lobbyists in Violation of the Rules of Congress

Sec. 251. Prohibition on provision of gifts or travel by registered lobbyists to Members of Congress and to congressional employees.

Subtitle E—Commission to Strengthen Confidence in Congress Act of 2006

Sec. 251. Short title.

Sec. 252. Establishment of Commission.

Sec. 253. Purposes.

Sec. 254. Composition of Commission.

Sec. 255. Functions of Commission.

Sec. 256. Powers of Commission.

Sec. 257. Administration.

Sec. 258. Security clearances for Commission Members and staff.

Sec. 259. Commission reports; termination.

Sec. 260. Funding.

**TITLE I—LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006**

**SEC. 101. SHORT TITLE.**

This title may be cited as the “Legislative Transparency and Accountability Act of 2006”.

**SEC. 102. OUT OF SCOPE MATTERS IN CONFERENCE REPORTS.**

(a) In General.—Any point of order may be made by any Senator against consideration of a conference report that includes any matter not committed to the conference by either House. The point of order shall be made and voted on separately for each item in violation of this section.

(b) Disposition.—If the point of order against a conference report under subsection (a) is sustained, then—

(1) the matter in such conference report shall be deemed to have been struck;

(2) when points of order under this section have been disposed of—

(A) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report not deemed to have been struck;

(B) the question shall be debatable; and

(C) no further amendment shall be in order;

(3) if the Senate agrees to the amendment, then the bill and the Senate amendment thereto shall be returned to the House for its concurrence in the amendment of the Senate.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ¾ of the Members, duly chosen and sworn. An affirmative vote of ¾ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

**SEC. 103. EARMARKS.**

The Standing Rules of the Senate are amended by adding at the end the following:

"HRule XLIV—Earmarks"

"1. In this rule—"

"(1) the term ‘earmark’ means a provision that specifies the identity of a non-Federal entity to receive assistance and the amount of the assistance; and"

"(2) the term ‘association’ means budget authority, contract authority, loan authority, and other expenditure authority, and tax expenditures or other revenue items."

"2. It shall not be in order to consider any Senate bill, or any amendment or conference report on any bill, including an appropriations bill, a revenue bill, and an authorizing bill, unless a list of—"

"(1) all earmarks in the measure;"

"(2) an identification of the Member or Members who proposed the earmark; and"

"(3) an explanation of the essential governmental purpose for the earmark; which is available along with any joint statement of managers associated with the measure to all Members and made available on the Internet to the general public by means of the Internet within 24 hours after the date of enactment;“.

**SEC. 104. AVAILABILITY OF CONFERENCE REPORTS THROUGH THE INTERNET.**

(a) IN GENERAL.—

(1) AMENDMENT.—Rule XXVIII of the Standing Rules of the Senate is amended by adding at the end the following:

"7. It shall not be in order to consider a conference report unless such report is available to all Members and made available on the Internet to the general public for at least 24 hours before its consideration."

(b) EFFECTIVE DATE.—This subsection shall take effect 60 days after the date of enactment of this title.

**SEC. 105. ELIMINATION OF FLOOR PRIVILEGES FOR FORMER MEMBERS, SENATE OFFICERS, AND SPEAKERS OF THE HOUSE WHO ARE LOBBYISTS OR SENIOR FINANCIAL OFFICERS.**

Rule XXIII of the Standing Rules of the Senate is amended by—

(1) inserting “1.” before “Other”; and

(2) inserting after “Ex-Senators and Senators elect” the following: “, except as provided in paragraph 2’’; and

(3) inserting after “Ex-Secretaries and ex-Sergeants at Arms of the Senate” the following: “, except as provided in paragraph 2’’.

(4) inserting after “Ex-Speakers of the House of Representatives” the following: “, except as provided in paragraph 2’’.

**SEC. 106. BAN ON GIFTS FROM LOBBYISTS.**

Paragraph 1(a)(2) of rule XXXV of the Standing Rules of the Senate is amended by—

(1) inserting “(A)” after “(2)” and

(2) adding at the end the following:

"(B)(1) This clause shall not apply to a gift from a registered lobbyist or an agent of a foreign principal."

"(ii) Notwithstanding division (1), a Member, officer, or employee may accept a meal or refreshment from a registered lobbyist or an agent of a foreign principal subject to the monetary limits in this clause. A Member shall list on the Member’s official website the identity of any meal or refreshment per- mitted by this division to the Member or employee of the Member and the name of the person who paid for such items not later than 15 days after such meals or refreshments are received."

**SEC. 107. TRAVEL RESTRICTIONS AND DISCLOSURE.**

(a) IN GENERAL.—Paragraph 2 of rule XXXV of the Standing Rules of the Senate is amended by adding at the end the following:

"(1) Before a Member, officer, or employee may accept transportation or lodging otherwise permissible under this paragraph from any person, other than a governmental entity, such Member, officer, or employee shall—"

"(A) obtain a written certification from such person (and provide a copy of such certification to the Select Committee on Eth- ics) that—"

"(i) the trip was not financed in whole, or in part, by a registered lobbyist or foreign agent; and"

"(ii) the person did not accept, directly or indirectly, funds from a registered lobbyist or foreign agent specifically earmarked for the purpose of financing the travel expenses;"

"(B) provide the Select Committee on Ethics (in the case of an employee, from the su- pervising Member or officer), in writing—"

"(i) a detailed itinerary of the trip; and"

"(ii) a determination that the trip—"

"(I) is primarily educational (either for the invited person or for the organization spon- soring the trip);"

"(II) is consistent with the official duties of the Member, officer, or employee; and"

"(III) does not create an appearance of use of public office for private gain; and"

"(C) obtain written approval of the trip from the Select Committee on Ethics."

"(2) Not later than 30 days after completion of travel, approved under this subpara- graph, the Member, officer, or employee shall file with the Select Committee on Eth- ics and the Secretary of the Senate a de- scription of meetings and events attended during such travel and the names of any reg- istered lobbyist who accompanied the Mem- ber, officer, or employee during the travel, except when disclosure of such information is deemed by the Member or supervisor under whose direct supervision the employee is em- ployed to jeopardize the safety of an indi- vidual or adversely affect national security. Such information shall also be posted on the
Member's official website not later than 30 days after the completion of the travel, except when disclosure of such information is deemed by the Member to jeopardize the safety of an individual or adversely affect national security.”.

(b) Disclosure of Noncommercial Air Travel by Official

(1) RULES.—Paragraph 2 of rule XXXV of the Standing Rules of the Senate, as amended by subsection (a), is amended by adding at the end the following: “(g) A Member, officer, or employee of the Senate shall—

(1) disclose a flight on an aircraft that is not licensed by the Federal Aviation Administration to operate for compensation or hire, excluding a flight on an aircraft owned, operated, or leased by a governmental entity, taken in connection with the duties of the Member, officer, or employee as an officer or employee of the Senate or office or officer of the Senate; and

(2) with respect to the flight, file a report with the Secretary of the Senate, including the date, destination, and owner or lessee of the aircraft, the purpose of the trip, and the persons on the trip, except for any person flying the aircraft.”.

(2) FECA.—Section 304(b) of the Federal Election Campaign Act of 1971 (2 U.S.C. 304(b)) is amended—

(A) by striking “and” at the end of paragraph (7);

(B) by striking the period at the end of paragraph (8) and inserting “; and”; and

(C) by adding at the end the following: “(9) in the case of a principal campaign committee of a candidate (other than a candidate for election to the office of President or Vice President), any flight taken by the candidate (other than a flight designated to transport the President, Vice President, or a candidate for election to the office of President or Vice President) during the reporting period on an aircraft that is not licensed by the Federal Aviation Administration to operate for compensation or hire, together with the following information: 

(A) The date of the flight.

(B) The destination of the flight.

(C) The owner or lessee of the aircraft.

(D) The purpose of the flight.

(E) The persons on the flight, except for any person flying the aircraft.

(c) PUBLIC AVAILABILITY.—Paragraph 2(e) of rule XXXV of the Standing Rules of the Senate is amended to read as follows: “(e) The Secretary of the Senate shall make available to the public all disclosures filed pursuant to subparagraphs (f) and (g) as soon as practicable after they are received and such matters shall be posted on the Member’s official website but no later than 30 days after the trip or flight.”

SEC. 108. POST EMPLOYMENT RESTRICTIONS

(a) IN GENERAL.—Paragraph 9 of rule XXXVII of the Standing Rules of the Senate is amended by—

(1) redesignating paragraphs 10 through 12 as paragraphs 11 through 13, respectively; and

(2) inserting after paragraph 9, the following: “(10. (a) If a Member’s spouse or immediate family member is a member of the House or Senate, the Member shall prohibit all staff employed by that Member (including staff in personal, committee, and leadership offices) from having any official contact with the Member’s spouse or immediate family member.

(b) In this paragraph, the term ‘immediate family member’ means the son, daughter, stepson, stepdaughter, son-in-law, daughter-in-law, mother, father, stepmother, stepfather, mother-in-law, father-in-law, brother, sister, stepbrother, or stepsister of the Member.”

SEC. 109. PUBLIC DISCLOSURE BY MEMBERS OF CONGRESS OF EMPLOYMENT NEGOTIATIONS

Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following: “14. A Member shall not directly negotiate or have any arrangement concerning prospective private employment until after the election for his or her successor has been held, unless such Member files a statement with the Secretary of the Senate, for public disclosure, regarding such negotiations or arrangements within 3 business days after the commencement of such negotiation or arrangement, including the name of the private entity or entities involved in such negotiations or arrangements, the date such negotiations or arrangements commenced, and must be signed by the Member.”

SEC. 110. PROHIBIT OFFICIAL CONTACT WITH SPOUSE OR IMMEDIATE FAMILY MEMBER WHO IS A REGISTERED LOBBYIST

Rule XXXVII of the Standing Rules of the Senate is amended by—

(1) redesignating paragraphs 10 through 12 as paragraphs 11 through 13, respectively; and

(2) inserting after paragraph 9, the following: “(a) In the case of a Member’s spouse or immediate family member who is a registered lobbyist under the lobbying disclosure and enforcement act of 1995, or is employed by, or is licensed by the Senate as a lobbyist, the Member shall prohibit all staff employed by the Member (including staff in personal, committee, and leadership offices) from having any official contact with the Member’s spouse or immediate family member.

(b) In this paragraph, the term ‘immediate family member’ means the same as in subsection (a).

(c) The persons on the flight, except for any person flying the aircraft, taken in connection with the duties of the Member, officer, or employee of the Senate for a period of 1 year after leaving that position.”

SEC. 111. INFLUENCING HIRING DECISIONS

Rule XLIII of the Standing Rules of the Senate is amended by adding at the end the following: “6. No Member shall, with the intent to influence the hiring decision of any political or political party committee, to whom a contribution was made, or with the intent to influence the hiring decision of any private entity—

(1) take or withhold, or offer or threaten to take or withhold, an official act; or

(2) in subsection (b)(3)(A), by striking “influence the official act of another.”.

SEC. 112. SENSE OF THE SENATE THAT ANY APPLICABLE RESTRICTIONS ON CONGRESSIONAL BRANCH EMPLOYEES SHOULD APPLY TO THE EXECUTIVE AND JUDICIAL BRANCHES

It is the sense of the Senate that any applicable restrictions on Congressional branch employees in this title should apply to the Executive and Judicial branches.

SEC. 113. EFFECTIVE DATE

Except as otherwise provided in this title, this title shall take effect on the date of enactment of this title.

TITLE II— LOBBYING TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006

SEC. 200. SHORT TITLE

This title may be cited as the “Legislative Transparency and Accountability Act of 2006”.

Subtitle A—Enhancing Lobbying Disclosure

SEC. 211. QUARTERLY FILING OF LOBBYING DISCLOSURE REPORTS

(a) QUARTERLY FILING REQUIRED.—Section 5 of the Lobbying Disclosure Act of 1995 (in this title referred to as the “Act”) (2 U.S.C. 1604) is amended—

(1) in subsection (a)—

(A) in the subsection heading, by striking “Semianual” and inserting “Quarterly”;

(B) by striking “the semianual period” and inserting “the quarterly period”;

(C) by striking “the semiannual period” and inserting “the quarterly period”;

(2) in subsection (b), by striking “semiannual filing period” and inserting “quarterly period”;

(C) in paragraph (3), by striking “semiannual period” and inserting “quarterly period”;

and

(D) in paragraph (4), by striking “semiannual filing period” and inserting “quarterly period”.

(b) CONFORMING AMENDMENTS.—

(1) DEFINITION.—Section 3(10) of the Act (2 U.S.C. 1602) is amended by striking “six month period” and inserting “three-month period”.

(2) REGISTRATION.—Section 4 of the Act (2 U.S.C. 1603) is amended by adding at the end the following:

(A) inserting “semiannual period and inserting ‘quarterly period’;” and

(B) in subsection (b)(3)(A), by striking “semiannual period” and inserting “quarterly period”.

(3) ENFORCEMENT.—Section 4(a)(6) of the Act (2 U.S.C. 1606(b)) is amended by struck “six month period” and inserting “quarterly period”.

(4) ESTIMATES.—Section 15 of the Act (2 U.S.C. 1610) is amended by adding at the end the following:

(A) in subsection (a)(1), by striking “semiannual period” and inserting “quarterly period”;

(B) in subsection (b)(1), by striking “semiannual period” and inserting “quarterly period”.

(5) DOLLAR AMOUNTS.—

(A) REGISTRATION.—Section 4 of the Act (2 U.S.C. 1603) is amended—

(i) in subsection (a)(3)(A)(i), by striking “$5,000” and inserting “$2,500”; and

(ii) in subsection (a)(3)(B), by striking “$20,000” and inserting “$10,000”;

(iii) in subsection (b)(3)(A), by striking “$10,000” and inserting “$5,000”; and

(iv) in subsection (b)(4), by striking “$10,000” and inserting “$5,000”.

(B) REPORTS.—Section 5 of the Act (2 U.S.C. 1604) is amended—

(i) in subsection (c)(1), by striking “$10,000” and inserting “$5,000”; and

(ii) in subsection (c)(2), by striking “$10,000” and inserting “$5,000”.

SEC. 212. ANNUAL REPORT ON CONTRIBUTIONS

Section 5 of the Act (2 U.S.C. 1604) is amended by adding at the end the following:

“(d) ANNUAL REPORT ON CONTRIBUTIONS.—Not later than 45 days after the end of the quarterly period beginning on the first day of October of each year referred to in subsection (c)(2), a lobbyist registered under section 4(a)(2), shall file a report with the Secretary of the Senate and the Clerk of the House of Representatives containing—

(1) the name of the lobbyist;

(2) the employer of the lobbyist;

(3) the name of any Federal candidate or officeholder, leadership PAC, or political party committee, to whom the contribution was made.”
equal to or exceeding $200 was made within the past year, and the date and amount of such contribution; and

(4) the name of each Federal candidate or officeholder, or political party committee for whom a fundraising event was hosted, co-hosted, or otherwise sponsored, within the past year, and the date and location of the event.

SEC. 213. PUBLIC DATABASE OF LOBBYING DISCLOSURE INFORMATION.

(a) DATABASE REQUIRED.—Section 6 of the Act (2 U.S.C. 1603) is amended—

(1) in paragraph (7), by striking “and” at the end;

(2) in paragraph (8), by striking the period and inserting “;” and

(3) by adding at the end the following:

“(g) maintain, and make available to the public over the Internet, without a fee or other access charge, in a searchable, sortable, and downloadable manner, an electronic database that—

“(A) includes the information contained in registrations and reports filed under this Act;

“(B) directly links the information it contains to the information disclosed in reports filed under section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434); and

“(C) is searchable and sortable, at a minimum, by each of the categories of information described in section 4(b) or 5(b).”;

(b) AVAILABILITY OF REPORTS.—Section 6(a)(4) is amended by inserting before the semicolon the following: “and, in the case of a report filed in electronic form under section 5(e), shall make such report available for public inspection over the Internet not more than 48 hours after the report is filed”;

(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated such sums as may be necessary to carry out paragraph (9) of section 6(a) of the Act, as added by subsection (b).

SEC. 214. DISCLOSURE BY REGISTERED LOBBYISTS OF ALL PAST EXECUTIVE AND CONGRESSIONAL EMPLOYMENT.

Section 4(b)(6) of the Act (2 U.S.C. 1603) is amended by striking “or a covered legislative branch official” and all that follows through “as a lobbyist on behalf of the client,” and inserting “or a covered legislative branch official.”

SEC. 215. DISCLOSURE OF LOBBYIST TRAVEL AND LIVING ARRANGEMENTS.

Section 5(b)(2) of the Act (2 U.S.C. 1603(b)) is amended—

(1) in paragraph (3), by striking “and” after the semicolon;

(2) in paragraph (4), by striking the period and inserting a semicolon; and

(3) by adding at the end the following:

“(5) the name of each covered legislative branch official or covered executive branch official for whom the registrant or employee listed as a lobbyist provided, or directed or arranged to be provided, any payment or reimbursement for travel and related expenses in connection with the duties of such covered official, including for each such official—

“(A) an itemization of the payments or reimbursements provided to finance the travel and related expenses and to whom the payments or reimbursements were made, including any payment or reimbursement made with the express or implied understanding or agreement that such funds will be used for travel and related expenses;

“(B) the purpose and final itinerary of the trip, including a description of all meetings, tours, events, and outings attended;

“(C) any registrant or individual employed by the registrant who traveled on any such trip;

“(D) the identity of the listed sponsor or sponsors of travel; and

“(E) the identity of any person or entity, other than the listed sponsor or sponsors of the travel, who contributed, or caused to be contributed, directly or indirectly, all or part of the expenses at the request or suggestion of the registrant or employee; and

“(6) the total and amount of funds contributed or disbursed by, or arranged by, a registrant or employee listed as a lobbyist—

“(A) to pay the costs of an event to honor or recognize a covered legislative branch official or covered executive branch official;

“(B) to, or on behalf of, an entity that is named individually or as a covered legislative branch official or covered executive branch official, or to a person or entity in recognition of such official;

“(C) to an entity established, financed, maintained, or controlled by a covered legislative branch official or covered executive branch official, or an entity designated by such official;

“(D) to pay the costs of a meeting, retreat, conference or other similar event held by or for the benefit of, 1 or more covered legislative branch officials or covered executive branch officials; except that this paragraph shall not apply to any payment or reimbursement made from funds required to be reported under section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434); and

“(7) the date, recipient, and amount of any gift that under the rules of the House of Representatives or Senate counts towards the one hundred dollar cumulative annual limit described in such rules) valued in excess of $20 given by a registrant or employee listed as a lobbyist to a covered legislative branch official or covered executive branch official.

For purposes of paragraph (7), the term ‘gift’ means a gratuity, favor, discount, entertainment, hospitality, loan, forbearance, or other item having monetary value. The term includes gifts of services, training, transportation, communication, lodging, and meals, whether provided in kind, by purchase of a ticket, payment in advance, or reimbursement after the expense has incurred. Information required by paragraph (7) shall be provided in this Act not later than 30 days after the travel.”

SEC. 216. INCREASED PENALTY FOR FAILURE TO COMPLY WITH LOBBYING DISCLOSURE REQUIREMENTS.

Section 7 of the Act (2 U.S.C. 1606) is amended by striking “$50,000” and inserting “$100,000.”

SEC. 217. DISCLOSURE OF LOBBYING ACTIVITIES BY CERTAIN COALITIONS AND ASSOCIATIONS.

(a) IN GENERAL.—Section 4(b)(3)(B) of the Act (2 U.S.C. 1603(b)(3)(B)) is amended to read as follows:

“(B) No Donor or Membership List Disclosure.—Section 4(b) of the Act (2 U.S.C. 1603(b)) is amended by adding at the end the following:

“No disclosure is required under paragraph (3)(B) if it is publicly available knowledge that the organization that would be identified is affiliated with the client or has been publicly disclosed to have provided funding to the client, unless the organization in whole or in major part plans, supervises or controls such lobbying activities. Nothing in paragraph (3)(B) shall be construed to require disclosure of any information about individuals who are members of, or donors to, an entity treated as a client by this Act or an organization identified under that paragraph.”

SEC. 218. DISCLOSURE OF ENFORCEMENT FOR NONCOMPLIANCE.

Section 6 of the Act (2 U.S.C. 1605) is amended—

(1) by inserting “(a)” before “The Secretary of the Senate”;

(2) in paragraph (8), by striking “and” at the end;

(3) in paragraph (9), by striking the period and inserting “;” and

(4) after paragraph (9), by inserting the following:

“(10) provide to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Government Reform of the House of Representatives the aggregate number of lobbyists and lobbying firms, separately accounted, referred to the United States Attorney for the District of Columbia for noncompliance as required by paragraph (8) on a semi-annual basis; and

(5) by inserting at the end the following:

“(b) ENFORCEMENT REPORT.—The United States Attorney for the District of Columbia shall report to the Committee on Homeland Security and Governmental Affairs and the Committee on the Judiciary of the Senate and the Committee on Government Reform and the Committee on the Judiciary of the House of Representatives on a semi-annual basis the aggregate number of enforcement actions taken by the Attorney’s office under this Act and the amount of fines, if any, by case, except that such report shall not include the names of individuals or personally identifiable information.”.

SEC. 219. ELECTRONIC FILING OF LOBBYING DISCLOSURE REPORTS.

Section 5 of the Act (2 U.S.C. 1604) is amended by adding at the end the following:

“(c) ELECTRONIC FILING REQUIRED.—A report required to be filed under this section shall be filed in electronic form in addition to any other form that may be required by the Secretary of the Senate or the Clerk of the House of Representatives.”

SEC. 220. DISCLOSURE OF PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.

(a) DEFINITIONS.—Section 3 of the Act (2 U.S.C. 1602) is amended—

(1) in paragraph (7), by adding at the end of the following:

“lobbying activities include paid efforts to stimulate grassroots lobbying, but do not include grassroots lobbying.”; and

(2) by adding at the end of the following:

“(17) GRASSROOTS LOBBYING.—The term ‘grassroots lobbying’ means the voluntary efforts of members of the general public to communicate their own views on an issue to Federal officials or to encourage other members of the general public to do the same.”

“(18) PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.—

“(A) IN GENERAL.—The term ‘paid efforts to stimulate grassroots lobbying’ means any paid attempt in support of lobbying contacts on behalf of a client to influence the general public or segments thereof. Such attempts include, but are not limited to, any communication or segment thereof that has been publicly disclosed and does not include any communications by an entity that would be treated as a lobbyist by the Act (or an organization identified under that paragraph).”

“(B) PAID ATTEMPT TO INFLUENCE THE GENERAL PUBLIC OR SEGMENTS THEREOF.—The term ‘paid attempt to influence the general public or segments thereof’ does not include any attempt to influence directed at less than 500 members of the general public.”

“(C) NO DISCLOSURE.—Nothing in this section or paragraph shall be construed to require disclosure of any information about individuals who are members of, or employees of, a registrant or person or entity—

(1) whose term of employment or engagement is less than 30 days; or

(2) whose term of employment or engagement is less than 30 days but whose term of engagement has been extended by the registrant or person or entity.”
“(1) pays dues or makes a contribution of more than a nominal amount to the entity; 
“(ii) makes a contribution of more than a nominal amount of time to the entity; 
“(iii) participates in the governing body of the entity; 
“(iv) is a member of the entity; 
“(v) is an employee, officer, director or member of the entity.

“(19) GRASSROOTS LOBBYING FIRM.—The term ‘grassroots lobbying firm’ means a person or entity that

“(A) is retained by 1 or more clients to engage in paid efforts to stimulate grassroots lobbying on behalf of such clients; and

“(B) receives income of, or spends or agrees to spend, an aggregate of $25,000 or more for such efforts in any quarterly period.”.

(b) REGISTRATION.—Section 4(a) of the Act 

“(1) in paragraph (3), by striking ‘grassroots lobbying firm’ after ‘lobbying’; and

(2) by inserting after paragraph (3) the following:

“(4) FILING BY GRASSROOTS LOBBYING Firms.—Not later than 45 days after a grassroots lobbying firm first is retained by a client to engage in paid efforts to stimulate grassroots lobbying, such grassroots lobbying firm shall register with the Secretary of the Senate and the Clerk of the House of Representatives.

(c) SEPARATE ITEMIZATION OF PAID EFFORTS TO STIMULATE GRASSROOTS LOBBYING.—Section 5(b) of the Act 

“(1) in paragraph (3), by—

(1) inserting after ‘total amount of all income’ the following: ‘(including a separate good faith estimate of the total amount of income relating specifically to paid efforts to stimulate grassroots lobbying and, within that amount, a good faith estimate of the total amount specifically relating to paid advertising)’; and

(2) substituting ‘or a grassroots lobbying firm’ for ‘or lobbying firm’; and

(2) in paragraph (4), by inserting after ‘total amount of all income’ the following: ‘(including a good faith estimate of the total amount of expenses relating specifically to paid efforts to stimulate grassroots lobbying and, within that amount, a good faith estimate of the total amount specifically relating to paid advertising)’; and

(3) by adding at the end the following:

‘Subparagraphs (B) and (C) of paragraph (2) shall not apply with respect to reports relating to paid efforts to stimulate grassroots lobbying activities.”.

(d) GOOD FAITH ESTIMATES AND DE MINIMUS RULES.—Paid efforts to stimulate grassroots lobbying—

(1) in general.—Section 5(c) of the Act 

“(c) ESTIMATES OF INCOME OR EXPENSES.—For purposes of this section, the following shall apply:

“(1) Estimates of income or expenses shall be made as follows:

“(A) Estimates of amounts in excess of $25,000 shall be rounded to the nearest $20,000.

“(B) In the event income or expenses do not exceed $10,000, the registrant shall include a statement that income or expenses totaled less than $10,000 for the reporting period.

“(2) Estimates of income or expenses relating specifically to paid efforts to stimulate grassroots lobbying shall be made as follows:

“(A) Estimates of amounts in excess of $25,000 shall be rounded to the nearest $20,000.

“(B) In the event income or expenses do not exceed $10,000, the registrant shall include a statement that income or expenses totaled less than $25,000 for the reporting period.

(2) TAX REPORTING.—Section 15 of the Act 

“(A) in subsection (a)—

(1) in paragraph (1), by striking ‘and’ after the semicolon.

(1) in paragraph (2), by striking the period and inserting ‘; and’; and

(2) by striking the period and inserting ‘; and’; and

(ii) by adding at the end the following:

“(A) in paragraph (3), by striking ‘grassroots lobbying firm’ after ‘lobbying’; and

(ii) in paragraph (4), by striking ‘total amount of all income’ and inserting ‘total amount of all expenses’; and

(3) by adding at the end the following:

“(A) Estimates of amounts in excess of $25,000 shall be rounded to the nearest $20,000.

“(B) In the event income or expenses do not exceed $10,000, the registrant shall include a statement that income or expenses totaled less than $25,000 for the reporting period.

“(2) by striking paragraphs (2) through (5) of subsection (a).
employee of either House of Congress, or in his or her official capacity, shall be punished as provided in section 216 of this title.

(2) CONTACT PERSONS COVERED.—The persons referred to in paragraph (A) with respect to appearances or communications are any Member, officer, or employee of the House of Congress in which the person subject to subsection (A) was employed.

(3) in paragraph (6)—

(A) by striking “paragraphs (2), (3), and (4)” and inserting “(2)”; and

(b) by redesignating paragraph (4) as paragraph (5).

Subtitle D—Ban on Provision of Gifts or Travel by Lobbyists in Violation of the Rules of Congress

SEC. 261. PROHIBITION ON PROVISION OF GIFTS OR TRAVEL BY REGISTERED LOBBYISTS TO MEMBERS OF CONGRESS AND TO CONGRESSIONAL EMPLOYEES.

The Lobbying Disclosure Act of 1995 is amended by—

SEC. 262. SHORT TITLE.

This subtitle may be cited as the “Commission to Strengthen Confidence in Congress Act of 2006”.

SEC. 263. PURPOSES.

The purposes of the Commission are to—

(1) evaluate and report the effectiveness of current congressional ethics requirements, if penalties are enforced and sufficient, and make recommendations for new penalties;

(2) weigh the need for improved ethical conduct with the need for lawmakers to have access to expertise on public policy issues;

(3) determine whether the current system for enforcing ethics rules and standards of conduct is sufficiently effective and transparent;

(4) determine whether the statutory framework governing lobbying disclosure should be expanded to include additional means of attempting to influence Members of Congress, the Senate, and high-ranking executive branch officials;

(5) analyze and evaluate the changes made by this Act to determine whether additional changes need to be made to uphold and enforce standards of ethical conduct and disclosure requirements; and

(6) investigate and report to Congress on its findings, conclusions, and recommendations for reform.

SEC. 264. COMPOSITION OF COMMISSION.

(a) Members.—The Commission shall be composed of—

(1) the chair and vice chair shall be selected by agreement of the majority leader and minority leader of the House of Representatives and the majority leader and minority leader of the Senate;

(2) 2 members shall be appointed by the senior member of the Senate leadership of the Republican Party, 1 of which is a former member of the Senate;

(3) 2 members shall be appointed by the senior member of the House leadership of the Democratic Party, 1 of which is a former member of the Senate;

(4) 2 members shall be appointed by the senior member of the leadership of the House of Representatives of the Republican Party, 1 of which is a former member of the House of Representatives.

(b) QUALIFICATIONS; INITIAL MEETING.—

(1) POLITICAL PARTY AFFILIATION.—Five members of the Commission shall be Democrats and 5 Republicans.

(2) NONGOVERNMENTAL APPOINTEES.—An individual appointed to the Commission may not be an officer or employee of the Federal Government or any State or local government.

(3) OTHER QUALIFICATIONS.—It is the sense of Congress that individuals appointed to the Commission should be familiar with government and politics, public relations, and fundraising.

(c) DEADLINE FOR APPOINTMENT.

A member of the Commission shall be appointed on a date 3 months after the date of enactment of this Act.

(d) INITIAL MEETING.—The Commission shall meet and begin the operations of the Commission as soon as practicable.

(e) QUORUM; VACANCIES.—After its initial meeting, the Commission shall meet upon the call of the chairman or a majority of its members.

(f) APPLICABILITY OF CIVIL SERVICE LAWS.

The functions of the Commission are to submit to Congress a report required by this title containing such findings, conclusions, and recommendations as the Commission shall determine, including proposing organization, coordination, planning, management arrangements, procedures, rules and regulations.

(1) related to section 503; or

(2) related to any other areas the Commission unanimously votes to be relevant to its mandate to reform and strengthen ethical safeguards in Congress.

SEC. 265. POWERS OF COMMISSION.

The Commission shall—

(a) hold such hearings and sit and act at such times and places, take such testimony, receive such evidence, administer such oaths; and

(b) subject to subsection (b), require, by subpoena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, reports, memoranda and other documents as the Commission or such designated subcommittee or designated member may determine advisable.

(c) SUBPOENAS.

(1) IN GENERAL.—A subpoena may be issued under this subsection only—

(2) by the agreement of the chair and the vice chair; or

(d) USE OF MAILS.

The Commission may use the United States mails in the same manner as authorized by the House of Representatives and the Senate for the use of the United States mails.
manner and under the same conditions as Federal agencies and shall, for purposes of the frank, be considered a commission of Congress as described in section 3215 of title 39, United States Code.

(g) PRINTING.—For purposes of costs relating to printing and binding, including the cost of personnel detailed from the Government Printing Office, the Commission shall be deemed to be a committee of the Congress.

SEC. 268. SECURITY CLEARANCES FOR COMMISSION MEMBERS AND STAFF.

The appropriate Federal agencies of departments shall cooperate with the Commission in expeditiously providing to the Commission members and staff appropriate security clearances to the extent possible pursuant to existing procedures and requirements, except that no person shall be provided with access to classified information under this title without the appropriate security clearances.

SEC. 269. COMMISSION REPORTS; TERMINATION.

(a) ANNUAL REPORTS.—The Commission shall submit—

(1) an initial report to Congress not later than January 1, 2006; and

(2) annual reports to Congress after the report required by paragraph (1); containing such findings, conclusions, and recommendations for corrective measures as have been agreed to by a majority of Commission members.

(b) ADMINISTRATIVE ACTIVITIES.—During the 60-day period beginning on the date of submission of each annual report and the final report under this section, the Commission shall—

(1) be available to provide testimony to committees of Congress concerning such reports; and

(2) take action to appropriately disseminate such reports.

(c) TERMINATION OF COMMISSION.—

(1) FINAL REPORT.—At such time as a majority of the members of the Commission determines that the reasons for the establishment of the Commission no longer exist, the Commission shall submit to Congress a final report containing information described in subsection (a).

(2) TERMINATION.—The Commission, and all the authorities of this title, shall terminate 60 days after the date on which the final report is submitted under paragraph (1), and the Commission may use such 60-day period for the purpose of concluding its activities.

SEC. 270. FUNDING.

There are authorized such sums as necessary to carry out this title.

SA 2908. Mr. VITTER submitted an amendment intended to be proposed by him to the bill S. 2349, to provide greater transparency in the legislative process; which was ordered to lie on the table; as follows:

On page 16, strike line 1 and insert the following:

SEC. 113. PROHIBITION ON EMPLOYMENT OF FAMILY MEMBERS OF A CANDIDATE OR FEDERAL OFFICE HOLDER BY CERTAIN POLITICAL COMMITTEES.

(a) In general.—Title III of the Federal Election Campaign Act of 1971 (2 U.S.C. 431 et seq.) is amended by inserting after section 323 the following new section:—

SEC. 325. PROHIBITION ON EMPLOYMENT OF FAMILY MEMBERS OF A CANDIDATE OR FEDERAL OFFICE HOLDER BY CERTAIN POLITICAL COMMITTEES.

“it shall be unlawful for any authorized committee of a candidate or any other political committee established, maintained, or controlled by a candidate or a person who holds a Federal office to employ—

(1) the spouse of such candidate or Federal office holder; or

(2) any person whom such candidate or Federal office holder claimed as a dependent on the most recent Federal tax return filed by such candidate or Federal office holder.”—

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on the date of the enactment of this Act.

SEC. 114. EFFECTIVE DATE.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON INDIAN AFFAIRS

Mr. MCCAIN. Mr. President, I would like to announce that the Committee on Indian Affairs will meet on Wednesday, March 8, 2006, at 9:30 a.m.; in Room 408 of the Russell Senate Office Building to conduct a hearing on S. 2078, Indian Gaming Regulatory Act Amendments of 2005. Those wishing additional information may contact the Indian Affairs Committee at 224-2251.

AUTHORITIES FOR COMMITTEES TO MEET

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Monday, March 6, 2006, at 2:30 p.m.; in 215 Dirksen Senate Office Building, to hear testimony on "The U.S.-Oman Free Trade Agreement".

Mr. FRIST. I ask unanimous consent that the Senate now proceed to consider the resolution of S. Res. 390, which was submitted earlier today.

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

The Assistant legislative clerk read as follows:

A resolution (S. Res. 390) designating the week beginning March 13, 2006, as "National Safe Place Week."

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

Mr. CRAIG. Mr. President, I look forward to the U.S. Senate passing this resolution and designating the week of March 13–17, 2006, as National Safe Place Week. I thank my colleague Senator Feinstein for her work on this issue. I would also like to the other co-sponsors of this resolution: Senator Durbin, Senator Cochran, Senator Lautenberg, Senator Inhofe, Senator Mikulski, Senator Crafo, Senator Landrieu, Senator Salazar, Senator Clinton, Senator Bingaman, Senator Lincoln, Senator DeWine, Senator Inouye, Senator Lieberman, Senator Feingold, Senator Dodd, Senator Snowe, Senator Boxer, Senator Murkowski, Senator Johnson, and Senator Kohl. This action will recognize the importance of Project Safe Place and send a message that we will keep working to protect our children. In countless hours of selfless work, volunteers truly do make a difference every day, and in passing this resolution, the Senate will be applauding the tireless efforts of the thousands of dedicated volunteers across the nation for their many contributions to the youth of our nation through Project Safe Place.

Events of the day may turn our attention overseas, but it is essential to remember those who are fighting an ongoing battle right here at home. This battle has been raging for generations and consists of fighting to protect this Nation’s most valuable resource; our children. Young people are the future of this Nation; they need to be both valued and protected. Sadly, however, as my colleagues know, this precious resource is threatened daily.

I come to the Senate today to talk about a tremendous initiative between the public and private sector that has been reaching out to youth for over 20 years. Project Safe Place is a program that was developed to assist our Nation’s youth and families in crisis. This program creates partnerships between private businesses trained to refer youth in need to the local service providers who can help them. Those businesses display a Safe Place sign so that young people can easily recognize a “safe place” for them to go to receive help.

The goal of National Safe Place Week is to recognize the thousands of individuals who work to make Project Safe Place a reality. From trained volunteers to seasoned professionals, these dedicated individuals are working together with the resources in their local communities and through their ties across the Nation to serve young people. Because of Project Safe Place, this
CONGRESSIONAL RECORD — SENATE

March 6, 2006

S1805

Mr. FRIST. Mr. President, before closing, I am going to make a brief comment—and there will be a lot more to say later in the year—on my friend and colleague Chairman BILL THOMAS in the House of Representatives.

He has an old saying: “I came here to make law.” Well, when he retires at the end of his 14th term serving the 22nd District of California, Chairman THOMAS will be able to look back on an illustrious public career that not only made law but made history.

BILL THOMAS is smart. He is tenacious. He is steeped in the traditions of the House. He knows an awful lot about the traditions in the Senate as well. He has worked hard for over 25 years to deliver meaningful solutions to the American people.

As chairman of the powerful Ways and Means Committee, the chairman has authored and managed some of the most significant legislation to come before the House. His skillful leadership has led to major victories in reducing trade barriers, cutting taxes, stimulating the economy, and protecting the interests of all Americans.

During the Medicare modernization debate, I spent 6 months in the chairman’s Capitol office hammering out intricate, complex, tough, challenging policy details. I think it is fair to say that in those 6 months I had more than my share of pistachios, which he always had sitting on that table and which habitually you could not help but dive into, as we talked about those many issues.

A former political science professor, he is known on both sides of the aisle for his keen intellect and also his political savvy. He is known for what has been called his “singular personality.”

Over the years, he has been, at times, passionate; he has been emotional; he has been head strong—all qualities that have propelled him even beyond the national stage.

Mr. FRIST. I ask unanimous consent that the resolution, with its preamble, reads as follows:

S. Res. 391

The resolution (S. Res. 391) was agreed to.

There being no objection, the Senate now proceed to consider the resolution.

Mr. FRIST. Mr. President, this resolution concerns a civil action filed by a former employee of the Architect of the Capitol against an employee of the Senate legal counsel in the case of Timothy P. Toms v. Alan Hadmant, et al.

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

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Over the years, he has been, at times, passionate; he has been emotional; he has been head strong—all qualities that have propelled him even beyond the national stage.
He leaves behind a huge legacy, a storied legacy. And his presence will be missed when he retires. 

Back in 1995, Chairman BILL THOMAS told the Los Angeles Times:

People say I'm not as touchy feely as I should be. But I never ran for the job to be touchy feely.

I salute the chairman for his commitment to principle and his unflagging service to his country.

I wish him and his lovely wife Sharon all the best as they embark on the journey ahead.

I had the opportunity to meet with him at the end of last week, and we talked about the future, we talked about the short-term future. He made it very clear he has a lot to do over the next several months right here in the Congress.

ORDERS FOR TUESDAY, MARCH 7, 2006

Mr. FRIST. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:45 a.m. on Tuesday, March 7. I further ask consent that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate then resume consideration of S. 2320, the LIHEAP funding bill, for 1 hour of debate equally divided between Senators SNOWE and ENNSIGN or their designees; further that following that time, the Senate proceed to a vote on the motion to invoke cloture, as under the previous order.

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

PROGRAM

Mr. FRIST. Mr. President, today the Senate began debate on the lobbying reform package which we will continue to consider over this week. Tomorrow morning, shortly before 11, we will have a cloture vote on the LIHEAP bill. We expect to invoke cloture, and I hope that if cloture is invoked, we can work out an agreement to finish that bill in short order. That will allow us to return to the lobbying reform measure tomorrow and hopefully make good progress on that measure. I anticipate the Senate will stand in recess to accommodate the weekly policy luncheons tomorrow, and we will lock in that order tomorrow. Members are reminded that we have a full week ahead and to plan their schedules accordingly.

ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

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.

There being no objection, the Senate, at 7:20 p.m., adjourned until Tuesday, March 7, 2006, at 9:45 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate Monday, March 6, 2006:

The Judiciary

TIMOTHY C. BATTEN, SR., OF GEORGIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF GEORGIA.

THOMAS E. JOHNSTON, OF WEST VIRGINIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA.

AIDA M. DELGADO-COLON, OF PUERTO RICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF PUERTO RICO.
HONORING THE LIFE AND LEGACY OF MR. MARTY STEIN
HON. GWEN MOORE
OF WISCONSIN
IN THE HOUSE OF REPRESENTATIVES
Monday, March 6, 2006

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today to honor the life of a prominent active citizen, businessman, and well-known philanthropist whose good works have had an impact on every corner of Wisconsin's Fourth Congressional District. Mr. Marty Stein passed away on March 2, 2006.

Raised in a modest immigrant Milwaukee household, Mr. Stein's business success vaulted him from humble origins to a major philanthropic career. Having lived out his own version of the American dream, he embraced every opportunity to afford others the same experience.

A true citizen of the world, Mr. Stein contributed to almost every major fundraising effort in the Milwaukee area. He not only took a special interest in issues of poverty and hunger, but he contributed widely and often. Well known are his associations as a patron of the Boys and Girls Clubs, Big Brothers Big Sisters, Hunger Task Force and the United Way. His support was central to the development of the St. Ann Center for Intergenerational Care. America's Black Holocaust Museum and the Betty Brinn Children's Museum were among his passions. These are but a few of his priority projects; in fact, his generous contributions are too numerous to list.

Mr. Stein also gave of himself, making a tremendous personal commitment of time and energy. He contributed to Big Brothers Big Sisters, but he also participated as a Big Brother, mentoring young children and helping them imagine and live out a better future. He helped refugee and immigrant services organizations stay afloat, but he also met those immigrants at the airport and personally welcomed them to Milwaukee. Mr. Stein was a passionate civic leader with global vision who understood that Milwaukee's fate was inextricably tied to an international community. He assisted with the airlift of Ethiopian Jews to Israel and funded entrepreneurial initiatives for youth in the then Soviet Union. His Jewish identity was the cornerstone of his drive to lead and his commitment to serve, and he traveled to Israel dozens of times as he deepened the spiritual dimensions of his leadership.

Mr. Speaker, in Marty Stein's death, we in the Milwaukee community have experienced a profound loss. Today I gratefully thank him and his family for their immeasurable achievements, I mourn his loss, and I salute his legacy.
SENIOR COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on January 14, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur. An additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Tuesday, March 7, 2006 may be found in the Daily Digest of today’s RECORD.

MEETINGS SCHEDULED

MARCH 8

9:30 a.m. Appropriations

To continue hearings to examine the proposed supplemental funding request for additional resources to assist the Gulf Coast region in its recovery from hurricanes in the Gulf of Mexico in 2005.

SD–106

Homeland Security and Governmental Affairs

To resume hearings to examine Hurricane Katrina, focusing on recommendations for reform.

SD–342

Indian Affairs

To hold hearings to examine S. 2078, to amend the Indian Gaming Regulatory Act to clarify the authority of the National Indian Gaming Commission to regulate class III gaming, to limit the lands eligible for gaming.

SR–485

Judiciary

Business meeting to consider Steven G. Bradbury, of Maryland, to be an Assistant Attorney General, John F. Clark, of California, to be Director of the United States Marshals Service, Donald J. DeGabrielle, Jr., to be United States Attorney for the Southern District of Texas, John Charles Richter, to be United States Attorney for the Western District of Oklahoma, Amul R. Thapar, to be United States Attorney for the Eastern District of Kentucky, and Mauricio J. Tamargo, of Florida, to be Chairman of the Foreign Claims Settlement Commission of the United States, all of the Department of Justice, proposed legislation providing for comprehensive immigration reform, S. 1768, to permit the televising of Supreme Court proceedings, S. 229, to provide relief for the Federal judiciary from excessive rent charges, and S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage.

SD–226

10 a.m. Energy and Natural Resources

Business meeting to consider pending calendar business.

SD–966

Finance

To hold hearings to examine a prognosis of the nation’s health care tax policy.

SD–215

Foreign Relations

To hold hearings to examine the nominations of Richard T. Miller, of Texas, to be U.S. Representative on the Economic and Social Council of the United Nations, with the rank of Ambassador, and to an U.S. Alternate Representative to the Sessions of the General Assembly of the United Nations during his tenure of service as U.S. Representative on the Economic and Social Council of the United Nations, and John A. Simon, of Maryland, to be Executive Vice President of the Overseas Private Investment Corporation.

SD–419

Health, Education, Labor, and Pensions

Business meeting to consider S. 1855, to amend title I of the Employee Retirement Security Act of 1974 and the Public Health Service Act to expand health care access and reduce costs through the creation of small business health plans and through modernization of the health insurance marketplace, S. 1902, to amend the Public Health Service Act to authorize funding for the establishment of a program on children and the media within the Centers for Disease Control and Prevention to study the role and impact of electronic media in the development of children, and the nominations of Michell C. Clark, of Virginia, to be Assistant Secretary for Management, Department of Education, Jean B. Elshtain, of Tennessee, to be a Member of the National Council on the Humanities, Edwin G. Foukle, Jr., of South Carolina, to be an Assistant Secretary of Labor, Allen C. Guelzo, of Pennsylvania, to be a Member of the National Council on the Humanities, and to be a Member of the Board of the District of Columbia, to be a Member of the Federal Mine Safety and Health Review Commission, George Perdue, of Georgia, to be a Member of the Board of Trustees of the James Madison Memorial Fellowship Foundation, Anne Imelda Radice, of Vermont, to be Director of the Institute of Museum and Library Services, Craig T. Ramey, of Virginia, to be a Member of the Board of Directors of the National Board for Education Sciences, Sarah M. Singleton, of New Mexico, to be a Member of the Board of Directors of the National Board for Education Sciences, Horace A. Thompson, of Mississippi, to be a Member of the Occupational Safety and Health Review Commission, and certain nominations in the Public Health Service.

SD–430

Banking, Housing, and Urban Affairs

International Trade and Finance Subcommittee

To hold hearings to examine the proposed reauthorization of the Export-Import Bank of the United States.

SD–538

2 p.m. Budget

Business meeting to markup concurrent resolution on the budget for fiscal year 2007.

SD–608

Appropriations

District of Columbia Subcommittee

To hold hearings to examine potential effects of a flat Federal income tax in the District of Columbia.

SD–124

2:30 p.m. Armed Services

To hold hearings to examine the Department of Defense quadrennial defense review; to be followed by a closed session in SH–222.

SH–216

Homeland Security and Governmental Affairs


To hold hearings to examine Crime Victims Fund rescission.

SD–342

Commerce, Science, and Transportation Trade, Tourism, and Economic Development Subcommittee

To hold hearings to examine impacts of piracy and counterfeiting of American goods and intellectual property in China.

SD–562

Foreign Relations

Western Hemisphere, Peace Corps and Narcotics Affairs Subcommittee

To hold hearings to examine the impact of the American Servicemembers’ Protection Act on Latin America.

SD–419

Intelligence

To receive a closed briefing regarding intelligence matters.

SH–219

MARCH 9

8:30 a.m. Appropriations

Agriculture, Rural Development, and Related Agencies Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Department of Agriculture.

SD–192

9 a.m. Budget

To resume hearings to continue markup of concurrent resolution on the budget for fiscal year 2007.

S–207, Capitol

9:30 a.m. Environment and Public Works

Clean Air, Climate Change, and Nuclear Safety Subcommittee

To hold an oversight hearing to examine the Nuclear Regulatory Commission.

SD–628

Appropriations

To hold hearings to examine the proposed supplemental funding request for additional resources to assist in ongoing military, diplomatic, and intelligence operations in the Global War on Terror; Stabilization and counter-insurgency activities in Iraq and Afghanistan, and other humanitarian assistance.

SD–106

Armed Services

To resume hearings to examine the defense authorization request for fiscal year 2007 and the future years defense program.

SH–216
Judiciary
Business meeting to consider pending calendar business.  
SD–226
10 a.m.
Banking, Housing, and Urban Affairs
To hold hearings to examine self-regulatory organizations in the securities markets.  
SD–538
Energy and Natural Resources
To hold hearings to examine the nominations of Raymond L. Orbach, of California, to be Under Secretary for Science, Alexander A. Karsner, of Virginia, to be an Assistant Secretary for Energy Efficiency and Renewable Energy, and Dennis R. Spaunyon, of Florida, to be an Assistant Secretary for Nuclear Energy, all of the Department of Energy, and David Longly Bernhardt, of Colorado, to be Solicitor of the Department of the Interior.  
SD–366
Small Business and Entrepreneurship
To hold hearings to examine the President’s proposed budget request for fiscal year 2007 for the Small Business Administration, and related measures.  
SR–228A
Veterans’ Affairs
To hold hearings to examine the legislative presentations of the Paralyzed Veterans of America, the Blinded Veterans of America, The Non-Commissioned Officers Association, the Military Order of the Purple Heart, and the Jewish War Veterans.  
SD–G50
Aging
To hold hearings to examine how to prepare Americans for long-term care financing.  
SD–138
10:30 a.m.
Agriculture, Nutrition, and Forestry
To hold hearings to examine the United States Department of Agriculture’s management and oversight of the Packers and Stockyards Act.  
SR–328A
1:30 p.m.
Judiciary
Constitution, Civil Rights and Property Rights Subcommittee
Business meeting to consider S.J. Res. 12, proposing an amendment to the Constitution of the United States authorizing Congress to prohibit the physical desecration of the flag of the United States.  
SD–226
2:30 p.m.
Appropriations
Energy and Water Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Army Corps of Engineers.  
SD–124
Homeland Security and Governmental Affairs
To hold hearings to examine agencies’ progress relating to reporting improper payments, focusing on the success or failure of agencies to report and/or reduce improper payments in fiscal year 2005 performance and accountability reports, and to discuss whether or not the various ways in which agencies measure improper payments is accurately depicting the magnitude of the problem.  
SD–342
Intelligence
Closed business meeting to consider certain intelligence matters.  
SH–219
3:15 p.m.
Commerce, Science, and Transportation
To hold hearings to examine pending nominations.  
SD–562
MARCH 10
3:30 p.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
To hold hearings to examine the roles and missions of the Department of Defense regarding homeland defense and support to civil authorities in review of the defense authorization request for fiscal year 2007 and the future years defense program.  
SR–222
Joint Economic Committee
To hold hearings to examine the employment situation for February 2006.  
2212 RHOB
MARCH 13
3 p.m.
Armed Services
To hold a closed briefing on an update from the Joint Improvised Explosive Device Defeat Organization.  
SR–222
MARCH 14
9:30 a.m.
Armed Services
To hold hearings to examine military strategy and operational requirements in review of the Defense Authorization Request for fiscal year 2007 and the future years defense program.  
SH–216
Homeland Security and Governmental Affairs
Investigations Subcommittee
To hold hearings to examine Federal contractors with unpaid tax debt, focusing on the extent to which contractors are tax delinquent and what can be done about it.  
SD–342
10 a.m.
Commerce, Science, and Transportation
To hold hearings to examine wireless issues spectrum reform.  
SD–106
2:15 p.m.
Foreign Relations
S–116, Capitol
2:30 p.m.
Armed Services
To hold hearings to examine the Joint Strike Fighter F-35 Alternate Engine Program in review of the defense authorization request for fiscal year 2007 and the future years defense program.  
SH–216
Commerce, Science, and Transportation
To hold hearings to examine Wall Street perspective on telecom.  
SD–106
Armed Services
Personnel Subcommittee
To hold hearings to examine health benefits and programs in review of the defense authorization request for fiscal year 2007.  
SR–325
MARCH 15
9:30 a.m.
Indian Affairs
To hold hearings to examine S. 1899, to amend the Indian Child Protection and Family Violence Prevention Act to identify and remove barriers to reducing child abuse, to provide for examinations of certain children.  
SR–485
Armed Services
Readiness and Management Support Subcommittee
To hold hearings to examine ground forces readiness in review of the defense authorization request for fiscal year 2007.  
SR–222
10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2007 for the the Secretary of the Senate, Architect of the Capitol, and the Capitol Visitor Center.  
SD–138
2:30 p.m.
Commerce, Science, and Transportation
To hold hearings to examine innovation and competitiveness legislation.  
SD–562
MARCH 16
9:30 a.m.
Armed Services
To hold hearings to examine military strategy and operational requirements in review of the defense authorization request for fiscal year 2007 and the future years defense program; to be followed by a closed session in SH–219.  
SH–216
Environment and Public Works
To hold hearings to examine the Great Lakes Regional Collaboration’s strategy to restore and protect the Great Lakes.  
SD–628
10 a.m.
Commerce, Science, and Transportation
Disaster Prevention and Prediction Subcommittee
To hold hearings to examine impacts on aviation regarding volcanic hazards.  
SD–562
9:30 a.m. Veterans' Affairs
To hold hearings to examine the home- 
less programs administered by the VA. 
SD-418

10 a.m. Commerce, Science, and Transportation 
Business meeting to consider pending calendar business. 
SD-562

MARCH 28

9:30 a.m. Veterans
To hold hearings to examine the settle- 
ment of Cobell v. Norton. 
SR-485

10 a.m. Commerce, Science, and Transportation 
Aviation Subcommittee 
To hold hearings to examine Federal Aviation Administration budget and 
the long term viability of the Aviation Trust Fund. 
SD-562

2:30 p.m. Commerce, Science, and Transportation 
National Ocean Policy Study Sub- 
committee 
To hold hearings to examine offshore aquaculture. 
SD-562

MARCH 29

9:30 a.m. Indian Affairs 
Business meeting to consider pending calendar business. 
SR-485

10 a.m. Commerce, Science, and Transportation 
Technology, Innovation, and Competitive- 
ness Subcommittee 
To hold hearings to examine the problem 
of methamphetamine in Indian country. 
SD-562

2:30 p.m. Commerce, Science, and Transportation 
Emerging Threats and Capabilities Sub- 
committee 
To hold hearings to examine the importance of basic research to United States' competitiveness. 
SD-562

MARCH 30

10 a.m. Commerce, Science, and Transportation 
Disaster Prevention and Prediction Sub- 
committee 
To hold an oversight hearing to examine 
National Polar-Orbiting Operational 
Environmental Satellite System. 
SD-562

Veterans' Affairs 
To hold hearings to examine the legisla- 
tive presentations of the National As-
sociation of State Directors of Vet- 
erans Affairs, the AMVETS, the Amer- 
ican Ex-Prisoners of War, and the Viet- 
am Veterans of America. 
SD-106

2:30 p.m. Commerce, Science, and Transportation 
To hold hearings to examine competition 
and convergence. 
SD-562

APRIL 4

10 a.m. Commerce, Science, and Transportation 
Aviation Subcommittee 
To hold hearings to examine Federal Aviation Administration funding options. 
SD-562

APRIL 5

9:30 a.m. Armed Services 
Emerging Threats and Capabilities Sub- 
committee 
To hold hearings to examine proposed budget estimates for fiscal year 2007 for 
the Government Printing Office, Congressional Budget Office, and Office of 
Compliance. 
SD-138

10 a.m. Armed Services 
Aviation Administration 
To hold hearings to examine alternative energy technologies. 
Room to be announced 

APRIL 26

10 a.m. Commerce, Science, and Transportation 
Technology, Innovation, and Competitive- 
ess Subcommittee 
To hold hearings to examine fostering in- 
novation in math and science education. 
Room to be announced 

10:30 a.m. Appropriations 
Legislative Branch Subcommittee 
To hold hearings to examine the progress of construction on the Capitol Visitor Center. 
SD-138

MAY 3

10:30 a.m. Appropriations 
Legislative Branch Subcommittee 
To hold hearings to examine the progress of construction on the Capitol Visitor Center. 
SD-138

MAY 17

10 a.m. Commerce, Science, and Transportation 
Technology, Innovation, and Competitive- 
ess Subcommittee 
To hold hearings to examine the adoption of health information technology. 
Room to be announced 

MAY 24

10:30 a.m. Appropriations 
Legislative Branch Subcommittee 
To hold hearings to examine the progress of construction on the Capitol Visitor Center. 
SD-138

JUNE 14

10 a.m. Commerce, Science, and Transportation 
Technology, Innovation, and Competitive- 
ess Subcommittee 
To hold hearings to examine the adoption of health information technology. 
Room to be announced 

POSTPONEMENTS

MARCH 9

10 a.m. Commerce, Science, and Transportation 
To hold hearings to examine the adoption of health information technology. 
Room to be announced 

SD-562
Daily Digest

Senate

Chamber Action

Routine Proceedings, pages S1759–S1806

Measures Introduced: Six bills and two resolutions were introduced, as follows: S. 2369–2374 and S. Res. 390–391.

Measures Passed:

National Safe Place Week: Senate agreed to S. Res. 390, designating the week beginning March 13, 2006, as "National Safe Place Week".

Legal Representation: Senate agreed to S. Res. 391, to authorize representation by the Senate Legal Counsel in the case of Timothy P. Toms v. Alan Hantman, et al.

Legislative Transparency and Accountability Act: Senate began consideration of S. 2349, to provide greater transparency in the legislative process, taking action on the following amendment proposed thereeto:

Adopted:

Lott/Collins Amendment No. 2907, in the nature of a substitute (Amendment, as agreed to, will be considered original text for the purpose of further amendment.).

LIHEAP Funding: Senate resumed consideration of S. 2320, to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, taking action on the following amendments proposed thereeto:

Pending:

Kyl/Ensign Amendment No. 2899, to make available funds included in the Deficit Reduction Act of 2005 for allotments to States for the Low-Income Home Energy Assistance Program for fiscal year 2006.

Inhofe Amendment No. 2898, to reduce energy prices.

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 9:45 a.m. on Tuesday, March 7, 2006; that it be in order to file second-degree amendments by 10:30 a.m. on Tuesday, March 7, 2006; that there be one hour of debate equally divided between Senators Snowe and Ensign, or their designees, and the Senate then vote on the motion to invoke cloture on the bill.

Messages From the President: Senate received the following message from the President of the United States:

Transmitting a draft of proposed legislation entitled "Legislative Line Item Veto Act of 2006"; which was referred to the Committee on the Budget.

Nominations Confirmed: Senate confirmed the following nominations:

By unanimous vote of 89 yeas (Vote No. EX. 32), Thomas E. Johnston, of West Virginia, to be United States District Judge for the Southern District of West Virginia.

By unanimous vote of 88 yeas (Vote No. EX. 31), Timothy C. Batten, Sr., of Georgia, to be United States District Judge for the Northern District of Georgia.

Aida M. Delgado-Colon, of Puerto Rico, to be United States District Judge for the District of Puerto Rico.

Messages From the House:

Enrolled Bills Presented:

Executive Communications:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:

Notices of Hearings/Meetings:

Authorities for Committees to Meet:
Record Votes: Two record votes were taken today. (Total—32)

Adjournment: Senate convened at 1 p.m., and adjourned at 7:20 p.m., until 9:45 a.m., on Tuesday, March 7, 2006. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S1806.)

Committee Meetings
No committee meetings were held.

House of Representatives

Chamber Action
Public Bills and Resolutions Introduced: 1 public bill, H.R. 4800 was introduced.

Additional Cosponsors:

Reports Filed: Reports were filed on Friday, March 3rd as follows:

- H.R. 2829, to reauthorize the Office of National Drug Control Policy Act, with an amendment (H. Rept. 109–315, Pt. 2); and

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

Senate Messages: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H569–70.

Senate Referrals: S. 1445 was referred to the Committee on Government Reform; S. 1792, S. 1820, S. 2064, S. 2363 and S. 2089 were held at the desk.

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 noon and adjourned at 12:05 p.m.

Committee Meetings
No committee meetings were held.

COMMITTEE MEETINGS FOR TUESDAY, MARCH 7, 2006
(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: to hold hearings to examine the proposed supplemental funding request for additional resources to assist the Gulf Coast region in its recovery from hurricanes in the Gulf of Mexico in 2005, 9:30 a.m., SD–192.

Subcommittee on Defense, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the Department of Defense, 2:30 p.m., SD–192.

Committee on Armed Services: to hold hearings to examine military strategy and operational requirements in review of the Defense Authorization Request for fiscal year 2007 and the future years defense program, 9:30 a.m., SD–106.

Subcommittee on Strategic Forces, to hold hearings to examine the nuclear weapons and defense environmental cleanup activities of the Department of Energy in review of the defense authorization request for fiscal year 2007 and the future years nuclear security program; to be followed by a closed session in SR–222, 2:45 p.m., SR–232A.

Committee on Banking, Housing, and Urban Affairs: to hold hearings to examine the current oversight and operation of credit rating agencies, 10 a.m., SD–538.

Committee on Commerce, Science, and Transportation: to hold hearings to examine rural telecom, 10 a.m., SD–562.

Committee on Energy and Natural Resources: to hold hearings to examine the goal of energy independence, 9:30 a.m., SD–366.

Committee on Foreign Relations: to hold hearings to examine the nomination of Randall L. Tobias, of Indiana, to be Administrator of the United States Agency for International Development, 9:30 a.m., SD–419.

Committee on Health, Education, Labor, and Pensions: to hold hearings to examine the response of community-based organizations to the 2005 Gulf Coast hurricanes, 10 a.m., SD–430.

Committee on Veterans’ Affairs: to hold hearings to examine the legislative presentation of the Veterans of Foreign Wars, 10 a.m., SH–216.

Select Committee on Intelligence: closed business meeting to consider certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, Subcommittee on Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies, on Department of Transportation, 9:30 a.m., 2359 Rayburn.
Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies, on Air Force Budget, 1:30 p.m., H–143 Capitol.

Committee on Government Reform, Subcommittee on Criminal Justice, Drug Policy, and Human Resources, hearing entitled “Human Cloning and Embryonic Stem Cell Research After Seoul: Examining Exploitation, Fraud and Ethical Problems in the Research,” 2 p.m., 2247 Rayburn.


Committee on Homeland Security, Subcommittee on Prevention of Nuclear and Biological Attack, executive, briefing on the Biennial Biological Risk Assessment, 5 p.m., H2–176 Ford.


Committee on Rules, to consider H.R. 4167, National Food Uniformity Act of 2005, 5 p.m., H–313 Capitol.
Next Meeting of the SENATE
9:45 a.m., Tuesday, March 7

Senate Chamber

Program for Tuesday: Senate will continue consideration of S. 2320, LIHEAP Funding bill, with a vote on the motion to invoke cloture thereon, to occur at 10:45 a.m.

Next Meeting of the HOUSE OF REPRESENTATIVES
12:30 p.m., Tuesday, March 7

House Chamber


Extensions of Remarks, as inserted in this issue

HOUSE

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