The House met at 12:30 p.m. and was called to order by the Speaker pro tempore (Mr. Price of Georgia).

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

WASHINGTON, DC, March 7, 2006.
I hereby appoint the Honorable Tom Price to act as Speaker pro tempore on this day.

J. Dennis Hastert, Speaker of the House of Representatives.

MORNING HOUR DEBATES
The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to 30 minutes and each Member other than the majority leader, the minority leader, or the minority whip, limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from Florida (Mr. Stearns) for 5 minutes.

THE SOLOMON AMENDMENT
Mr. STEARNS. Mr. Speaker, on Monday, the Supreme Court unanimously upheld a Federal law ensuring that colleges and universities who receive federal funds permit open access for military recruiters because of disagreement with certain military policies, such as the military's "don't ask, don't tell" policy.

Mr. Speaker, I will include the entire list of these universities in the Record. Monday's ruling stems from a challenge from a group of law schools on the constitutionality of the Solomon amendment. A number of universities are denying equal access to military recruiters because of disagreement with certain military policies, such as the military's "don't ask, don't tell" policy. Last year, I had an amendment on the floor that was patterned after the Solomon amendment, and it also passed.

Mr. Speaker, some of the universities who are denying equal access to military recruiters, are also receiving millions and millions of hardworking Americans' tax dollars every year in terms of research dollars and other things.

Harvard Law School, for example, allowed military recruiters to interview students at the offices of its Veterans Association, but did not use its open personnel to set up the interviews as it did for other recruiters. In the wake of the Supreme Court hearing last fall, Harvard has reversed its decision and now plans to fully cooperate with the military recruiters.

Another example is Yale Law School, who had been letting recruiters use a room to meet with students, but had not been helping to arrange the interviewing, as they do with other recruiters. These universities allow IBM, General Electric and other corporations full access, but not the military.

Equal access for military recruiters is an urgent issue. With the U.S. engaged in the global war on terrorism, it is more important than ever for the Armed Forces to recruit high-quality, well-qualified and well-trained personnel. This is why it is so important that the Supreme Court made such a strong statement in support of full and equal access to military recruiters on campus.

Chief Justice John Roberts, who wrote for the courts, said that the Solomon amendment "neither limits what law schools may say nor requires them to say anything. Law schools remain free under the statute to express whatever views they may have on the military's congressionally mandated employment policy. Nothing about recruiting suggests that the law schools agree with any speech by recruiters, and nothing in the Solomon amendment restricts what the law schools may say about the military's policies."

The Court went on to say that the law regulates conduct, not speech, and the hosting of recruiters is not expressive conduct that sends out a message as a former protest.

Mr. Speaker, so in conclusion, once again, I commend the Supreme Court for unanimously upholding the Solomon amendment. As the U.S. is engaged in the global war on terrorism, it is more vital than ever to our national security, the importance of the Armed Forces. Therefore, in order for the United States to win the global war on terrorism, the Armed Forces need access to the highest caliber of people, and that is why we must ensure equal access for military recruiters.
CONGRESSIONAL RECORD—HOUSE
March 7, 2006

security that the United States Armed Forces have access to recruit the best people to serve in this country.

The material previously referred to is as follows:

[From SolomonResponse.Org]

FAIR PARTICIPATING LAW SCHOOLS

The members of FAIR willing to be named publicly are:

1. The Faculty of Capital University Law School
2. The Faculty of Chicago-Kent College of Law
3. The Faculty of City University of NY (CUNY) Law School
4. The Faculty of DePaul University College of Law
5. The Faculty of the University of the District of Columbia David A. Clarke School of Law
6. The Faculty of Fordham University School of Law
7. The Faculty of Georgetown University Law Center
8. George Washington University Law School
9. Golden Gate University School of Law
10. The Faculty of Hofstra University Law School
11. The Faculty of the John Marshall School of Law
12. New York Law School
13. New York University School of Law
14. Northeastern University School of Law
15. The Faculty of the University of Minnesota Law School
16. The Faculty of Pace University School of Law
17. The Faculty of the University of Puerto Rico School of Law
18. The Faculty of Roger Williams University Ralph R. Papitto School of Law
19. The Faculty of the University of San Francisco School of Law
20. The United Faculty of Stanford Law School
21. The Faculty of Suffolk University Law School
22. Vermont Law School
23. The United Faculty of Washington University School of Law
24. The Faculty of Whittier Law School

CONSIDERATION OF H.R. 4167, THE NATIONAL UNIFORMITY FOR FOOD ACT OF 2005

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from Michigan (Mr. STUPAK) is recognized during morning hour debates for 5 minutes.

Mr. STUPAK. Mr. Speaker, I rise today in strong opposition to H.R. 4167, the National Uniformity for Food Act. If passed, this bill will be a huge setback to consumer safety, public health and America’s war on terror. This bill wipes out over 80 State food safety laws and puts our Nation’s food safety standards squarely in the hands of the FDA.

State laws that will be overturned include warnings as to the risk of cancer, birth defects, reproductive health issues and allergic reactions associated with sulfiting agents in bulk food. That is why 37 State attorneys general, Democratic and Republicans, oppose this bill. A bipartisan Association of Food and Drug officials also have strong concerns about the legislation.

Let me quote from them. It says, this bill, H.R. 4167, “undermines our Nation’s whole biosurveillance system by preempting and invalidating many of the State and local food safety laws and regulations that provide necessary authority for State and local agencies to operate food safety and security programs. The pre-9/11 concept embodied in this bill is very much out of line with the current threats that confront our food safety and security system.”

The Association of Food and Drug Officials also said that H.R. 4167 will severely hamper the FDA’s ability to detect and respond to acts of terrorism. Again, quoting from this report, it says our current food safety and security system will be significantly disrupted, and our inability to track suspected acts of intentional alteration will be exploited by those who seek to do our Nation harm.

Mr. Speaker, I would like to direct your attention to these two pictures. Which meat is older, the red meat on top or the brown meat on the bottom? It is not really a trick question, but both of these packages of meat were packaged at the same time. Both have been sitting in a refrigerator side by side for 2003. You think the meat on the top has been packaged with carbon monoxide which causes the meat to look fresh and red long into the future. The meat on the bottom has not been treated with carbon monoxide. It is brown and is.

Like I said, the meat on the top is 5 months old and looks as good as new, but it is not. If consumed, you could become severely ill from a food-borne pathogen like E. coli and possibly die from the red meat here on the top.

The FDA, without any independent study, has no objection to allowing meat to be packaged in carbon monoxide. The FDA merely reviewed the meat industry’s carbon monoxide program, got the okay and sent it off as independent research. By allowing the injection of carbon monoxide in meat and seafood packaging, the meat industry stands to gain $1 billion per year because meat begins to turn brown. When it does, consumers reject it.

Consumers rely on color to determine freshness. Numerous studies from 1972 to 2003 cite color as the most important factors consumers use to determine what meat to buy. The whole purpose of carbon monoxide packaging is to extend the shelf life of meat and seafood to deceive the consumer into thinking the product is fresh. Today, States may pass their own laws and put labels on meat that has been packaged with carbon monoxide, but these laws will be overturned if this bill, H.R. 4167, becomes law.

I will be offering an amendment which allows States to label carbon monoxide packaging of meat, so consumers who may not look as fresh as it may appear.

Is this really the standard we want for our country? Do we offer low carbon monoxide in meat packaging to make it look fresher, to stay on the shelf longer, and expose our country and consumers to the health and risk of eating contaminated meat and seafood? Public health and safety for food primarily have been the responsibility of States. We should turn the hands of States who want to protect the health of their citizens. I urge my colleagues to support the Stupak carbon monoxide labeling amendment and vote “no” on H.R. 4167.

ADDRESSING THE ROOT CAUSE OF ILLEGAL IMMIGRATION

The SPEAKER pro tempore. Pursuant to the order of the House of January 31, 2006, the gentleman from California (Mr. DREIER) is recognized during morning hour debates for 5 minutes.

Mr. DREIER. Mr. Speaker, this past weekend, under the leadership of our colleagues Jim Kolbe and John Cornyn, a bipartisan, bicameral delegation attended the 45th meeting of the U.S.-Mexico Inter-Parliamentary group that was held in Mexico. The House Members, on Saturday, then went to the Mexico-Arizona border. We had the opportunity there to meet with local law enforcement officials and hospital administrators to discuss the tremendous strain that illegal immigration imposes on resources and law and order in our communities.

As an advocate of greater security at our borders, I have long supported addressing the root cause of illegal immigration, and that is a lack of economic opportunity that exists at home for the people in Mexico. We know that the majority of illegal immigrants come to this country for one very simple reason. They are seeking economic opportunity. They want to better their lives, to feed their families, to have an opportunity that exists at home for the middle class in our neighbor to the south. They want to feed their families. Economic growth, job creation, and higher wages in Mexico are special components to a long-term solution to the very serious problem of illegal immigration.

By pursuing an open trade agenda that expands economic engagement in this hemisphere, we are not only shoring up our regionally based economy, and creating new opportunities for the United States workers, we are benefiting workers, the business owners and investors, as well.

Mr. Speaker, we are hoping to drive the economic growth necessary to reduce the number of illegal immigrants who are trying to make that dangerous trek across the border, doing so simply because of the fact that they are wanting, as I said, to feed their families. It was therefore with great interest that I read a recent Business Week article describing the emergence of a growing middle class in our neighbor to the south.

The success of the North American Free Trade Agreement can be seen in the greater economic stability outlined in this Business Week piece. It talked
about steady growth, tame inflation, climbing wages and falling interest rates. This increasingly stable and healthy economic environment has helped Mexico become, and I quote from the Business Week article, a middle-class nation where millions have access to solid wage jobs, social security, and a class of strivers saves to put its kids through college.

Mr. Speaker, Mexico’s middle class has grown to over 10 million families or 40 percent of all the households in Mexico. Business Week also credits home ownership as another key factor in the emergence of a robust middle class. Strong economic fundamentals have slashed mortgage rates in half in just 2 years. The growing ranks of Mexican homeowners buttresses middle-class growth by allowing families to build equity, plan for their financial futures and move further up the economic ladder.

The middle class has also been able to afford additional consumer goods. Last year, auto sales in Mexico were up 33 percent from 2000 as a record 1.3 million cars and trucks were purchased. Home appliance sales have tripled in the past decade. Even extras like concert tickets and sporting events tickets are increasingly accessible to the average working family.

Mr. Speaker, most of us would not consider refrigerators or baseball games to be major luxuries. But for a country that has struggled greatly with poverty and deep economic crises, these are signs of tremendous economic progress.

They are proof that our policy of economic engagement through agreements like the North American Free Trade Agreement are working to bring new opportunities for the people in Mexico and also for the people right here in the United States.

They are an important step forward in ensuring that the swollen ranks of illegal immigrants are losing their incentive to come here illegally to find opportunity. Mexican officials are demonstrating the fact that they recognize the reality of the problem of illegal immigration as well. On February 16th, the Mexican Congress adopted a resolution that acknowledged the graveness of the illegal immigration issue and outlined the principles of its agenda to combat the problem. This resolution cited economic opportunity as critical to a successful campaign to prevent illegal immigration to the United States and to encourage the return of migrants to their homes in Mexico.

I am encouraged by the Mexican Parliament’s bold language in accepting responsibility for action, and putting forth the outline of a plan. I am heartened that economic growth is central to Mexico’s long-term strategy, because we know a growing Mexican middle class is a shrinking illegal immigrant class.

With greater hope for the future, there is a greater incentive to stay and build a life at home. Mexico is pleading to remain committed to a pro-growth agenda. We must remain equally committed to an open trade agenda that helps our southern neighbor to continue down a path of economic growth and greater opportunity.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o’clock and 45 minutes p.m.), the House stood in recess until 2 p.m.

□ 1400

AFTER RECESS

The recess having expired, the House was called to order by the SPEAKER pro tempore (Mr. PUTNAM) at 2 p.m.

PRAYER

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

Lord God, around the upper part of this Chamber are profile medallions which recall the personal history of lawmaking. In the center, full-faced and bold before us, is the image of Moses, the great lawgiver of the Hebrew scriptures.

May the people of this Nation and, in particular, those elected to the 109th Congress, who gather here to protect and guide this Nation, be faithful to Your commands.

Your revelation, Lord, gives us nothing less than the lessons we need to address the issues of the day. Your commandments are the foundations on which we build hope. They are the supports which strengthen faith in public action and the food which nourishes the human heart.

By obeying Your laws, those in representative government inspire those they represent, the governed. To internalize Your commands and live according to Your Word is to lead to fulfillment and bring promise to a disillusioned world, when left on its own.

Therefore, in the midst of everything, from You, Lord our God, we choose to draw wisdom and strength, now and forever.

Amen.

THE JOURNAL

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

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

PLEDGE OF ALLEGIANCE

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

Mr. THORNBERRY 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.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE PRESIDENT

Mr. THORNBERRY, from the Committee on Armed Services, submitted an advance privileged report (Rept. No. 109-384) on the resolution (H. Res. 645) requesting the President and directing the Secretary of Defense to transmit to the House of Representatives all information in the possession of the President or the Secretary of Defense relating to the collection of intelligence information pertaining to persons inside the United States without obtaining court-ordered warrants authorizing the collection of such information and relating to the policy of the United States with respect to the gathering of counterterrorism intelligence within the United States, which was referred to the House Calendar and ordered to be printed.

PRIVILEGED REPORT ON RESOLUTION OF INQUIRY TO THE PRESIDENT

Mr. THORNBERRY, from the Permanent Select Committee on Intelligence, submitted an advance privileged report (Rept. No. 109-385) on the resolution (H. Res. 641) requesting the President to provide to the House of Representatives certain documents in his possession relating to electronic surveillance without search warrants on individuals in the United States, which was referred to the House Calendar and ordered to be printed.

THE BARE FACTS ON THE ECONOMY

(Ms. FOXX asked and was given permission to address the House for 1 minute.)
Ms. FOXX. Mr. Speaker, I am getting a bit tired of hearing some of my colleagues in the Democrat Party mislead the American people into thinking our economy is in poor shape. Here are the facts, plain and simple.

Our economy has been growing for 17 straight quarters. The National Association for Business Economics predicts the economy will grow at a 4.5 percent rate in the first quarter of 2006. After inflation, disposable incomes increased 2.2 percent in the last 12 months. The Federal Reserve reported that the median net worth of U.S. households increased 1.5 percent between 2001 and 2004. January’s unemployment rate fell to 4.7 percent, which is the lowest monthly rate since 2001 and lower than the average of the 1970s, 1980s and 1990s. There have been 29 consecutive months of job gains.

Mr. Speaker, no amount of spin from the left can change the fact that our economy is growing stronger every day under Republican leadership.

RENEWAL OF U.S. PATRIOT ACT

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

Mr. KELLER. Mr. Speaker, reauthorizing the PATRIOT Act today is literally a matter of life or death because it is helping us to win the war on terrorism.

Since we passed the PATRIOT Act in 2001, we have convicted 212 terrorists, and we have frozen $136 million in terrorists’ assets.

Reauthorizing the PATRIOT Act is purely a matter of common sense. Is it not common sense that we give law enforcement the same tools to go after terrorists as they now have to go after Mafia dons and drug dealers? Is it not common sense that we can now share data between the intelligence community and the law enforcement community? Is it not common sense that we track deadly terrorists, even though they cross jurisdictional lines or switch cell phones?

I am pleased that the Senate recently voted 89-10 to reauthorize the PATRIOT Act. This legislation provides 20 new civil liberty safeguards and strengthens our port security by providing law enforcement authorities with new authority to secure our ports.

I urge my colleagues to vote “yes” on the PATRIOT Act.

TALIBAN AT YALE

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

Mr. PITTS. Mr. Speaker, the leftward drift of American higher education has been well documented. On the modern-day campus, nothing is too extreme and all ideas and political philosophies are declared equal in the name of tolerance, often producing ridiculous results.

The most recent example comes from Yale University. In the name of tolerance and diversity, administrators there have enrolled a member of one of the most radically intolerant and nondiverse groups in recent history, the Taliban.

A few years ago, Sayed Rahmatullah Hashemi was a spokesman for Afghanistan’s Taliban regime, the same regime that provided safe haven for the 9/11 terrorists and brutally oppressed women and non-Muslims. Today, he is in the Ivy League, a student at Yale.

Rahmatullah said it best himself: “I could have ended up at Guantanamo Bay. Instead, I ended up at Yale.”

Mr. Speaker, we have come to a point where elite universities like Yale will tolerate the Taliban on their campus but will not tolerate the ROTC, political correctness in the extreme.

ECONOMY AND FISCAL RESTRAINT

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

Mrs. BLACKBURN. Mr. Speaker, there are some days that it probably is a little depressing to be a mainstream media reporter.

In their world, our economy is sinking and the war on terrorism is absolutely hopeless.

Thankfully, in the real world, Americans know that we have drastically impacted al Qaeda’s ability to attack us, and our economy is booming. Yes, it is booming.

We are expecting growth this quarter somewhere around 4 percent or more, and that means jobs. We have created almost 5 million new jobs and had 3 years of strong, solid economic growth.

When you compare our economy to Europe, to most nations, we are in an amazing era. Unemployment is below 5 percent. That is outstanding, and it is a shame that the mainstream reporters just cannot get the story right.

Our tax system reduces the burden of taxation on Americans, and they have responded as they always do, by creating new jobs.

WOMEN’S HISTORY MONTH

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

Mr. GINGREY. Mr. Speaker, I rise today in honor of Women’s History Month.

As we remember the great women of past generations, we must also salute those women who are serving as role models and leaders today.

One such woman is Tammy Cohen of Marietta, Georgia, my district. Tammy is cofounder and president of InfoMart, and under her guidance, InfoMart has grown from a small startup business to the largest female-owned background checking company in the world.

Mr. Speaker, Tammy’s success as a female entrepreneur is inspiring, and while she is deeply respected for her business know-how, she is equally praised for her compassion and willingness to help.

When Hurricane Katrina struck the gulf coast last year, Tammy led a group of InfoMart employees who rented vans, gathered supplies and drove to New Orleans to rescue 15 children and 20 caretakers from a boys’ home in Louisiana. Tammy then worked with community groups and local businesses in Marietta to house, feed and clothe these hurricane victims.

Mr. Speaker, during Women’s History Month, it is important to honor those women who are making a difference in the lives of others. Tammy Cohen is undoubtedly one of these women.

I ask my colleagues to join me in celebrating her accomplishments.

SUPREME COURT DELIVERS A VICTORY FOR NATIONAL SECURITY

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

Mr. WILSON. Mr. Speaker, as a member of the Armed Services Committee and a father of three sons serving in the military, I frequently have an opportunity to meet with the dynamic young men and women of the U.S. military. I am always encouraged to hear them describe their pride as Americans and their strong sense of duty to their country. After witnessing the horrific attacks of September 11, these young people understand that their generation will protect our freedoms in the future.

Yesterday, the Supreme Court ruled unanimously to ensure that men and women at colleges and universities will continue to have an opportunity to learn about serving in the United States military. America’s Armed Forces have created the broadest spread of freedom in the history of the world, which protects families. By allowing military recruiters to visit college campuses, the Court has ensured that the United States will remain the best military in the world.

In conclusion, God bless our troops, and we will never forget September 11.

REAUTHORIZING OF PATRIOT ACT

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

Mr. PENCE. Mr. Speaker, today the Congress will send to the President of the United States the reauthorization of the PATRIOT Act. Chairman JIM SENSENBERGER and other members of the Judiciary Committee and the conference committee are to be commended for their effort in putting together a bill that balances the liberty and security interests of the American people.

This is an issue that is not just theoretical for me, Mr. Speaker. I not only...
The SPEAKER pro tempore (Mr. PUTNAM) laid before the House the following communication from the Clerk of the House of Representatives:


Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, D.C.

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, I have the honor to transmit a sealed envelope received from the White House on March 6, 2006, at 4:42 p.m. and said to contain a message from the President whereby he submits draft legislation entitled, a message from the President whereby he grants in Clause 2(h) of Rule II of the House of Representatives 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.

Sincerely, KAREN L. HAAS, Clerk of the House.

LEGISLATIVE LINE ITEM VETO ACT OF 2006—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 109-94)

The SPEAKER pro tempore laid before the House the following message from the President of the United States, which I read and, together with the accompanying papers, without objection, referred to the Committee on Budget and the Committee on Rules and ordered to be printed:

To the Congress of the United States:

In my State of the Union Address, I asked for the President in 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 tax payer funds.

Although the Congress achieved significant spending restraint this past year, 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 the discipline of competitive or merit-based reviews. When this legislation is presented to me, I now have the ability to 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 law in 1997.

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 within 60 days. The same procedure would apply to new mandatory spending and to special interest tax breaks given to small numbers of individuals. With this authority, the President would have the ability to line out unnecessary spending and help achieve my goal of cutting the deficit in half by 2009.

Sincerely,


COMMUNICATION FROM THE HONORABLE BARBARA CUBIN, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable Barbara Cubin, Member of Congress:

CONGRESS OF THE UNITED STATES,

Hon. J. DENNIS HASTERT,
Speaker, House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: This is to notify you formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena, issued by the Clerk of the House, that I have formally, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena, issued by the U.S. District Court for the District of Columbia, for documents.

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

Sincerely,

BARBARA CUBIN, Member of Congress.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

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

Record votes on postponed questions will be taken after 6:30 p.m. today.

GERARD A. FIORENZA POST OFFICE BUILDING

Mr. DENT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 3934) to designate the facility of the United States Postal Service located at 80 Killian Road in Massapequa, New York, as the “Gerard A. Fiorenza Post Office Building.”

The Clerk read as follows:

H.R. 3934

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled.

SECTION 1. GERARD A. FIORENZA POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 80 Killian Road in Massapequa, New York, shall be known and designated as the “Gerard A. Fiorenza Post Office Building.”

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Gerard A. Fiorenza Post Office Building.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. DENT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

SPECIAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, H.R. 3934, introduced by the distinguished gentleman from New York (Mr. KING), would designate the post office in Massapequa, New York, as the Gerard A. Fiorenza Post Office Building. As the postmaster general of Massapequa, Jerry Fiorenza was a vital member of the community, someone who was always available to help out where needed.

His first position with the postal service was as a postal assistant in Jamaica, New York, in 1972. As a letter carrier, he received a letter of commendation, and in 1990 he was assigned as the officer in charge to the Valley Stream office. He then served as postmaster in Massapequa, Massapequa Park, and finally Massapequa.

While serving in Massapequa, he was known for his strict attention to detail and his friendly demeanor. In fact, the Massapequa Post Office, Alfred James, is quoted as saying: “When I first came to Massapequa a few years ago as the publisher of the Massapequa Post, it was Jerry who was there to answer all of my questions and help me
whenever a problem arose. Jerry was committed to his profession and to the community and prided himself in providing the best possible postal service.”

Along with serving in this capacity, Jerry Fiorenza was also involved in many other organizations, such as the Combined Federal Campaign, the United Way, and Toys for Tots. Locally, aside from being a member of the National Association of Postal Supervisors and a postmaster representative, he also served as a member of the Massapequa Chamber of Commerce, the Sons of Italy, the Columbia Association, American Legion Post 1066, and the Republican Club. In addition, he was named Massapequa’s Man of the Year in 2001.

Mr. Speaker, I ask all Members to join me in recognizing this beloved and respected member of the Massapequa community by passing H.R. 3934.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I am pleased to join my colleague in consideration of H.R. 3934, legislation naming the postal facility in Massapequa, New York, after Gerald A. Fiorenza. This measure was sponsored by Representative Peter King on September 28, 2005, and unanimously reported by our committee on November 15, 2005. The bill has the support and sponsorship of the entire New York delegation.

Gerard Fiorenza, a native of New York, was born in Brooklyn, attended St. Anthony of Padua Elementary School, graduated from Brooklyn Academy, and attended Queens Community College. Later, he moved his family to Massapequa and began his career with the U.S. Postal Service as a postal assistant. He was promoted to station manager and then officer in charge before attaining the rank of postmaster of the Massapequa Post Office.

A respected member of his community, Postmaster Fiorenza was active in postal management organizations such as the National Association of Postal Supervisors, NAPS; the National Association of Postmasters of the United States; and local organizations such as the Chamber of Commerce, United Way, and Toys for Tots. Sadly, he passed away, following a battle with cancer, on December 7, 2001.

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

Mr. DENT. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4054) to designate the facility of the United States Postal Service located at 6110 East 51st Place in Tulsa, Oklahoma, as the “Dewey F. Bartlett Post Office.”

The Clerk read as follows:

H.R. 4054
Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. DEWEY F. BARTLETT POST OFFICE.
(a) DESIGNATION.—The facility of the United States Postal Service located at 6110 East 51st Place in Tulsa, Oklahoma, shall be known and designated as the “Dewey F. Bartlett Post Office”.
(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the “Dewey F. Bartlett Post Office.”

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. DENT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

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

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

There was no objection.

Mr. DENT. Mr. Speaker, I rise in support of H.R. 4054, offered by the distinguished gentleman from Oklahoma (Mr. SULLIVAN). This bill would designate the post office in Tulsa, Oklahoma, as the Dewey F. Bartlett Post Office Building.

Dewey Bartlett was born in Marietta, Ohio, on March 28, 1919. He was educated in the Marietta public school system and later went on to attend Princeton University. While in college, he returned home during his summers to work in the Oklahoma oil fields. In 1945, after serving in the military during World War II, he moved to Tulsa to assume a managing role in his family’s business.

Bartlett’s political career started in 1963, when he became an Oklahoma State senator. He then ran successfully for Governor of Oklahoma and served in this capacity for 5 years. Finally, in 1972, he was elected to the United States Senate, where he served until 1979.

During his service in government, Bartlett was dedicated to a strong national defense. He also fought for a lean government, with limited layers of bureaucracy, which he felt was important to protect the constitutional guarantees of individual liberty, freedom, and justice.

Mr. Speaker, I urge all Members to come together to honor a man who promoted excellence in government by passing H.R. 4054.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a member of the Government Reform Committee, I am pleased to join my colleague in consideration of H.R. 4054, legislation naming a distinguished facility in Tulsa, Oklahoma, after Dewey F. Bartlett. This measure was sponsored by Representative JOHN SULLIVAN of Oklahoma on October 7, 2005, and unanimously reported by our committee on February 1, 2006. The bill has the support and cosponsorship of the entire Oklahoma delegation.

Dewey Bartlett was born and raised in Marietta, Ohio. He later attended Lawrenceville Preparatory School in New Jersey and graduated from Princeton University. During World War II, he served in the U.S. Marine Corps as a dive-bomber pilot in the South Pacific. After the war, Dewey Bartlett moved to Oklahoma, working as a farmer, rancher, and independent oil producer. Politics called and Mr. Bartlett was elected to the State senate in 1962. Four years later, he made a successful run for Governor. He was recognized for his efforts in economic development, which benefited all Oklahomans, as well as for working in a bipartisan manner.

In 1972, Governor Bartlett was elected to the U.S. Senate, where he served...
from 1973 to 1979. He did not seek re-election because he was battling lung cancer. Sadly, he passed away in Tulsa, Oklahoma, on March 1, 1979.

Mr. Speaker, I commend my colleagues for seeking to honor the legacy of Senator Dewey F. Bartlett by naming a post office in his hometown, and I urge swift passage of this bill.

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

Mr. DENT. Mr. Speaker, I yield such time as I may consume to my distinguished colleague from the State of Oklahoma (Mr. SULLIVAN).

Mr. SULLIVAN. Mr. Speaker, I rise today in proud support of my bill, H.R. 4054, which will designate the 6110 East 51st Place post office in Tulsa, Oklahoma, as the Dewey F. Bartlett Post Office.

Dewey F. Bartlett was a strong advocate for conservative values. A war veteran and public servant for Oklahoma and the Nation, he served as the second Republican Governor of Oklahoma and is a distinguished alumnus of the United States Senate.

He was a true representative of Oklahoma values, leadership and drive. I am pleased that we are able to honor him in this way.

After graduating from Princeton University in 1942, Dewey Bartlett served in the Marine Corps as a combat dive-bomber during World War II. As a result of his courageous efforts in the South Pacific theater, he was awarded the Air Medal.

After the war, he moved to Tulsa, Oklahoma, and became a farmer, rancher and oil man. He was a partner in Keener Oil Company, one of the oldest independent oil companies. In 1963, Bartlett began his career in public service as the State senator, and in 1967 he became Oklahoma's 19th Governor. One of his priorities while in office was increasing industry in Oklahoma. As Governor, the results of his hard work helped to produce a record $148.4 million in new industries or improvements on existing facilities and create an additional 7,500 jobs for Oklahomans.

From 1972 to 1978, Bartlett served as a Member of the United States Senate. During his tenure, this proud Oklahoman maintained a strong and consistent stance of limiting government bureaucracy, reducing burdensome taxes, and maintaining fiscal responsibility. I am proud to share Dewey Bartlett's vision of conservatism, and work daily in Washington to achieve this goal of promoting commonsense Oklahoma values in Congress.

I encourage my colleagues to join me in support of this legislation. By designating the Dewey F. Bartlett Post Office in Tulsa, we are commemorating an exceptional citizen who embodied the Oklahoma spirit.

Mr. DENT. Mr. Speaker, I urge all Members to support passage of H.R. 4054, and I yield back the balance of my time.

The SPEAKER pro tempore (Mr. PUTNAM). The question is on the motion offered by the gentleman from Pennsylvania (Mr. DENT) that the House suspend the rules and pass the bill H.R. 4054.

The question was taken.

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania? The Chair recognizes the gentleman from Pennsylvania (Mr. SULLIVAN). The Chair recognizes the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2089) to designate the facility of the United States Postal Service located at 1271 North King Street in Honolulu, Oahu, Hawaii, shall be known and designated as the "Hiram L. Fong Post Office Building".

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

HIRAM L. FONG POST OFFICE BUILDING

Mr. DENT. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2089) to designate the facility of the United States Postal Service located at 1271 North King Street in Honolulu, Oahu, Hawaii, as the Dewey F. Bartlett Post Office.

The SPEAKER pro tempore. The Clerk read as follows:

S. 2089

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

SECTION 1. HIRAM L. FONG POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1271 North King Street in Honolulu, Oahu, Hawaii, shall be known and designated as the "Hiram L. Fong Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to be a reference to the "Hiram L. Fong Post Office Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. DENT) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

GENERAL LEAVE

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

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

There was no objection.

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

Mr. Speaker, I rise in support of Senate bill S. 2089 offered by Senator Akaka. This bill would designate the post office in Honolulu, Hawaii, as the "Hiram L. Fong Post Office Building".

At the time of his appointment as Governor of the Territory of Hawaii on October 15, 1906, the seventh of 11 children, Fong helped to support his family at an early age by earning money selling newspapers, shining shoes and caddying on golf courses. After graduating from high school, he went on to attend the University of Hawaii and was inducted into Phi Beta Kappa as a graduate in 1930. He then graduated from Harvard Law School and began public service that spanned over 40 years. He served in the Territorial House for 14 years, including 6 as Speaker of the House.

With the coming of statehood in 1959, he ran for a seat in the United States Senate and was elected to three consecutive terms until his retirement in 1976. While serving in office, he was highly regarded for his work on immigration and naturalization law, and for encouraging relations with the People's Republic of China and other developing nations of Asia. From providing timely answers to constituent concerns, to being widely respected by both sides of the aisle, Senator Fong was regarded as a great asset to the Senate.

I ask all Members to honor his leadership by passing S. 2089.

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

Mr. DAVIS of Illinois. Mr. Speaker, I yield such time as he may consume to the gentleman from Hawaii (Mr. ABERCROMBIE), the author of this legislation.

Mr. ABERCROMBIE. Mr. Speaker, I would like to amplify my formal statement with a few personal observations. The chairman has kindly indicated some of the history of Senator Fong. It is interesting when I look down and see the word Hiram L. Fong, because he is so much of the history of Hawaii, we all think of him as Senator Fong.

As has been noted, he was the seventh of 11 children of an immigrant family. If there was ever a story of Hawaii, of our rainbow people and our aloha spirit, it is Hiram Fong. He worked a lot of jobs and worked his way through school and did very, very well. He founded not only a prominent law firm but founded as well what became a financial empire.

I have some real interest in it because the very first campaign that I ever ran was funded by Senator Fong's Finance Factors. I went down to get a loan. I thought if I was going to run against him, I thought the least I could do, in the spirit of bipartisanship, was to ask him to help fund my campaign.

As a graduate student at the University of Hawaii, I went down to borrow $50. They said we cannot lend you $50, we have to lend you $200 if we are going to make any money on this. So I said, I will take it. I was able to run my very first campaign on Hiram Fong's dime, although I should say nickel, because that is what I passed out in the streets of Honolulu to represent the inflation that I thought we were going to have to deal with in those days. That was an innocent time.

Senator Fong was always gracious. Senator Fong was always able to reach out. As has been noted, he was elected...
as a Republican in a very Democratic State. He was supported in great measure and elected in great measure with the support of labor in Hawaii. Most particularly, the ILWU, the International Longshoremen Workers Union, was in a strong support of the establishment of a commission in 2005, after he passed away, to honor and recognize him as a political, business and community leader testified, “The Senator was a successful businessman and a Republican who never forgot his humble beginnings. He was a strong supporter of civil rights and often crossed the aisle to cooperate on issues important to Hawaii’s unions and workers.”

Senator Hiram Fong came to the United States Senate with the arrival of Hawaii as the last State of the Union. Probably nothing could be more fitting than to recognize him today through this legislation and the pioneer effort that he made. Yes, the last State to enter the Union had as its first Senator the son of an immigrant family who came from China looking for opportunity, looking for justice, and found it in the person of their son, and a true son of Hawaii, Hiram Fong.

Mr. ABERCROMBIE. Mr. Speaker, I rise today in support of S. 2089, a bill to designate the Honolulu International Longshoremen Workers Union, testifying in favor of the establishment of a commission to name the postal facility in Honolulu, Oahu, Hawaii, after Hiram L. Fong. This measure, sponsored by Senator DANIEL AKAKA and cosponsored by Senator DANIEL INOUYE, was unanimously passed by the Senate on March 3, 2006. An identical measure, H.R. 4509, sponsored by Mr. ABERCROMBIE, was unanimously reported by our committee on February 1, 2006.

Hiram L. Fong, a native of Hawaii, was a noted and well-known member of Hawaii politics. Mr. Fong was a graduate of the University of Hawaii and Harvard Law School before practicing law in Honolulu. He later served as assistant county counsel of Honolulu County, and during World War II, Mr. Fong served as a major and judge advocate of the 7th Fighter Command of the 7th Air Force from 1942 to 1945.

He began his political career in 1938 as a member of the Territorial legislature, serving 4 years as Vice Speaker and 6 years as Speaker and Vice President of the Territorial Constitutional Convention in 1950. In 1959, Mr. Fong was elected as a Republican to the United States Senate. Upon the admission of Hawaii as a State, he was re-elected in 1964 and again in 1970.


Mr. Speaker, as Senator AKAKA, my good friend and colleague observed last week upon the fortieth anniversary of S. 2089, “Senator Hiram Fong was a man of great integrity and a compassionate advocate for civil rights and workers’ rights. It is fitting that a United States Post Office near his home in Kalihi be named in his honor. During his 20 years of service in the United States Senate, Senator Fong personified a spirit of bipartisan cooperation. He was instrumental in enacting landmark civil rights legislation in the 1960s; reforming U.S. immigration laws to end discrimination against Asian immigrants; improving job training programs for workers; and fighting for equal pay for women. The people of Hawaii were truly fortunate to have been represented by Hiram Fong.”

I commend my colleagues for seeking to honor the political legacy of Senator Hiram Leong Fong and urge swift passage of this legislation.

Mr. CASANO. I rise today in full support of S. 2089, legislation which provides permanent recognition—the naming of the prominent Kapalama post office in Honolulu, Hawaii—of the late, great U.S. Senator Hiram L. Fong, Hawaii’s first Senator, who died in August 2004 at the age of 97—was dedicated to reshaping, for the betterment of all, the social and political landscape of twentieth-century Hawaii.
Hiram Fong then focused on real estate, insurance, and investments, and established a number of successful island firms: Finance Factors, Finance Realty, Finance Home Builders, and Finance Investment, to name a few.

In the Statehood year of 1959, Fong embarked on a new phase of his political career by running for and winning one of the two new United States Senate seats created for the newly established State of Hawaii. He won re-election in 1964 and 1970, and served with honor and distinction, beloved by all in his native Hawaii and beyond, until his retirement on January 3, 1973. At his retirement, Senator Fong was the ranking Republican on the Senate Committee on the Post Office and Civil Service.

But even then, Senator Fong, as he was universally known thereafter with great affection, returned home to his various business enterprises and to the devotion of his expanded family. Well into his nineties, he was a remarkable sight as he strode through downtown Honolulu on his way to and from work, excited by what the day brought and eager to continue his long string of accomplishments. At his death, his body lay in state in Hawaii’s State Capitol as whole generations of citizens paid tribute to a remarkable man who led a remarkable life.

It is both fitting and appropriate that we provide this modest memorial, as he would have wished, in order to remember the essence of public service and a life well lived by Hawaii’s quintessential native son, Hiram L. Fong.

I would like to thank our House Leadership, Congressman Tom Davis, chairman of the House Government Reform Committee, and Congressman Henry Waxman, the committee’s ranking member, for their assistance in moving this bill expeditiously to the House floor. I also appreciate the support of my colleagues on this measure.

I am certain that Senator Fong’s family and friends, and all of Hawaii, are appreciative of all of your support. Mahalo.

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

Mr. DENT. Mr. Speaker, I urge all Members to support passage of S. 2089, and if I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. DENT) that the House suspend the rules and pass the Senate bill, S. 2089.

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

A motion to reconsider was laid on the table.

REMEMBERING THE LIFE OF DANA REEVE

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

Mr. LANGEVIN. Mr. Speaker, I rise to pay tribute to Dana Reeve who passed away last night following a battle with ovarian cancer.

I am deeply saddened by the loss of my dear friend, and would like to take a moment to reflect on her life. She faced extraordinary challenges and handled them with the utmost grace, dignity and strength.

When her husband, Chris, was first injured, Dana helped establish the Christopher Reeve Foundation. Recognizing a lack of any place to go for comprehensive care for newly injured patients and their families, she worked tirelessly to establish the Christopher and Dana Reeve Paralysis Resource Center. Since the launch of this center in 2002, it has assisted thousands of injured patients and their loved ones in dealing with the many issues and anxieties that come along with such an injury. Dana used her personal experience to improve the quality of life for all people living with paralysis.

This was typical of Dana, to see beyond her own circumstances and find a way to ease the suffering and confusion of others. After her husband’s passing, she moved forward with his message of hope and healing. Today, it is up to all of us to continue their legacy. As Chris and Dana would say, let us go forward.

My thoughts and prayers go out to Dana Reeve’s family, friends and all those who mourn her. May God bless her.

USA PATRIOT ACT ADDITIONAL REALTORIZING AMENDMENTS ACT OF 2006

Mr. SENSENBRENNER. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 2271) to clarify that individuals who receive FISA orders can challenge nondisclosure requirements, that individuals who receive national security letters are not required to disclose the name of their attorney, that libraries are not wire or electronic communication service providers unless they provide specific services, and for other purposes.

The Clerk read 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 “USA PATRIOT Act Additional Reauthorizing Amendments Act of 2006.”

SEC. 2. DEFINITION. As used in this Act, the term “applicable Act” means an act entitled “An Act to extend and modify authorities needed to combat terrorism, and for other purposes.” (109th Congress, 2d Session).

SEC. 3. JUDICIAL REVIEW OF FISA ORDERS. Subsection (e)(103)(A) of section 105 of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1804), as amended by the applicable Act, is amended to read as follows:

“(4) (A) The term ‘production order’ means an order to produce any tangible thing under this section; and

“(B) The term ‘nondisclosure order’ means an order imposed under subsection (d).

“(2) The defendant or recipient of such order for writ of certiorari, the record shall be transmitted under seal to the Supreme Court of the United States, to which shall have jurisdiction to review such decision.

“(4) Judicial proceedings under this subsection shall be concluded as expeditiously as possible. The record, including petitions filed, orders granted, and statements of reasons for decision, shall be
maintained under security measures established by the Chief Justice of the United States, in consultation with the Attorney General and the Director of National Intelligence.

"(5) All petitions under this subsection shall be filed under seal. In any proceedings under this subsection, the court shall, upon request of a petitioner, review in camera any Government submission, or portions thereof, which may include classified information.

SEC. 4. DISCLOSURES.

(a) FISA.—Subparagraph (C) of section 501(d)(2) of the Foreign Intelligence Surveillance Act of 1978 (50 U.S.C. 1861(d)(2)), as amended by the applicable Act, is amended to read as follows:

"(C) At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under subparagraph (A) or (C) of paragraph (1) shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request."

(b) TITLE 18.—Paragraph (4) of section 2709(c) of title 18, United States Code, as amended by the applicable Act, is amended to read as follows:

"(4) At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under this section shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request, except that nothing in this section shall require a person to inform the Director or such designee of the identity of an attorney to whom disclosure was made or will be made to obtain legal advice or legal assistance with respect to the request for financial records under subsection (a).

"(f) FAIR CREDIT REPORTING ACT.—

(1) IN GENERAL.—Paragraph (4) of section 628(d) of the Fair Credit Reporting Act (15 U.S.C. 1681(d), as amended by the applicable Act, is amended to read as follows:

"(4) At the request of the Director of the Federal Bureau of Investigation or the designee of the Director, any person making or intending to make a disclosure under this section shall identify to the Director or such designee the person to whom such disclosure will be made or to whom such disclosure was made prior to the request, except that nothing in this section shall require a person to inform the Director or such designee of the identity of an attorney to whom disclosure was made or will be made to obtain legal advice or legal assistance with respect to the request for the identity of financial institutions.

SEC. 5. PRIVACY PROTECTIONS FOR LIBRARY PATRONS.

Section 2709 of title 18, United States Code, as amended by the applicable Act, is amended by adding at the end the following:

"(f) LIBRARIES.—A library (as that term is defined in section 213(1) of the Library Services and Technology Act (20 U.S.C. 9122(1)), the use of which is not subject to access to the Internet, books, journals, magazines, newspapers, or other similar forms of communication in print or digitally by patrons for their use, renewal, examination, or circulation, is not a wire or electronic communication service provider for purposes of this section, unless the library is providing the services defined in section 2510(19) ("electronic communication service") of this title.

This section shall become effective immediately upon enactment.

The SPEAKER pro tempore (Mr. PETTEN). Pursuant to the rule, the gentleman from Michigan (Mr. SENSENBRENNER) and the gentleman from Wisconsin (Mr. CONDERS) each will control 20 minutes.
right to challenge it. The conference report clearly delineated judicial re-
view for such challenges, including the ability of NSL recipients to challenge
an accompanying nondisclosure order. S. 2271 would extend the section 215 re-
cipient’s right to similar access to judicial re-
view, to correct and attach the non-
disclosure order.

Second, because of national security
concerns, the conference report con-
tained language that would allow the government to ask a recipient of one of these national security orders to iden-
tify the persons to whom disclosure will be or was made. The Director of
National Intelligence expressed con-
cern that without this safeguard, a re-
cipient could disclose the government’s
investigative efforts to a person with-
ties to hostile foreign governments or
entities.

The conference report permitted the
government to determine whether a re-
quest is warranted, and if the defend-
ant has made such a request to deter-
mine whether the disclosure affected an
ongoing investigation. An exception
was included for information that
might interfere with attorney-client relations, specifically barring the dis-
closure of the identity of an attorney
to whom a recipient planned to dis-
close. This bill extends the exception to prevent the government from re-
questing the name of counsel with
whom the recipient had already con-
sulted.

Finally, S. 2271 clarifies current law
that a library may only be subject to
an NSL request if it falls under 18
U.S.C. 2516(15), which defines an elec-
tronic communications service pro-
vider as any service which provides to
users thereof the ability to send or re-
cive wire or electronic communica-
tion. This change addresses the poten-
tial for misuse alleged by critics of the
legislation.

Mr. Chairman, over the last 5 years, the PATRIOT Act has been the focus of
virtually unprecedented congressional and public scrutiny. Opponents of this
legislation have relied upon exaggera-
tion and hyperbole to distort a demo-
strated record of accomplishment and
success.

The Justice Department and other agencies have properly used the PA-
TRIOT Act to detect, disrupt and dis-
mantle sales in New York, Virginia and
Oregon, and others struck. The PAT-
RIOT Act helped to down two PB-
II walls that prevented law enforcement
intelligence agencies from sharing crit-
ical information necessary to avert ter-
rorist attacks on American soil.

It has become a critical tool of Amer-
ica’s law enforcement arsenal and a
vital deterrent against terrorist sub-
version. It upheld our constitutional
values, and none of the provisions au-
thorized by the conference report have
been held unconstitutional.

Simply stated, the PATRIOT Act has
made America safer while safeguarding
our civil liberties. The conference re-
port contained provisions to address
claims that the PATRIOT Act might be
misused to violate civil liberties, and Senate 2271 contains additional provi-
sions to further allay these concerns. I
urge my colleagues to support this bill
and look forward to the eminent enact-
ment of the USA PATRIOT Improve-
ment and Reauthorization Act of 2005
into law.

The following material is a chro-
nology of the oversight of the PA-
TRIOT Act from October of 2001 to No-
vember of 2005 and a listing of addi-
tional provisions to address concerns
contained in the conference report of H.R.
3119:

OVERTHROW OF THE USA PATRIOT ACT FROM
OCTOBER, 2001, TO NOVEMBER, 2005

1. November 9, 2005, Department of Justice
classified briefing for Committee on the Ju-
diciary staff on press accounts of FBI use of
NSLs;
2. October 25, 2005, Department of Justice
classified briefing for House and Senate Com-
mittees on the Judiciary and Committees
on Intelligence staff on press accounts of FBI use of
NSLs;
3. October 6, 2005, Department of Justice
classified briefing for Committee on the Ju-
diciary Members and staff on press accounts of
mistakes in applications to the Foreign
Intelligence Surveillance Court under the
USA PATRIOT Act;
4. July 12, 2005, letter from Assistant At-
orney General William Moschella to the
House Committee on the Judiciary respond-
ing to July 1, 2005, letter regarding use of the
USA PATRIOT Act;
5. July 12, 2005, letter from Assistant At-
orney General William Moschella to the
House Committee on the Judiciary respond-
ing to July 1, 2005, letter regarding use of the
USA PATRIOT Act;
6. July 11, 2005, letter from Assistant At-
orney General William Moschella to Rep.
Bob Goodlatte responding to questions regard-
ing use of the USA PATRIOT Act;
7. July 11, 2005, letter from Assistant At-
orney General William Moschella to the
House Committee on the Judiciary regard-
ing use of the USA PATRIOT Act;
8. July 5, 2005, letter from FBI Director
Meuller to Senate Committee on the Judici-
ary responding to questions regarding use of
the USA PATRIOT Act;
9. July 1, 2005, letter from Assistant At-
orney General William Moschella to Rep.
Bobby Scott responding to questions regard-
ing use of the USA PATRIOT Act;
10. July 1, 2005, letter from House Com-
mittee on the Judiciary to the Attorney
General regarding use of the USA PATRIOT Act;
11. June 29, 2005, letter from Assistant At-
orney General William Moschella to the
Senate Committee on the Judiciary respond-
ing to April 5, 2005, letter regarding use of
the USA PATRIOT Act;
12. June 16, 2005, House Committee on the
Judiciary hearing on reauthorization of the
USA PATRIOT Act;
13. June 8, 2005, House Committee on the
Judiciary hearing on reauthorization of the
USA PATRIOT Act;
14. May 26, 2005, House Subcommittee on
Crime, Terrorism, and Homeland Security;
15. May 6, 2005, Senate Committee on
Crime, Terrorism, and Homeland Security
hearing on Material Witness Provisions of
the Criminal Code and the Implementation
of the USA PATRIOT Act; Section 505 that
addresses National Security Letters; and Section
804 that Addresses Jurisdiction over
Crimes Committed at U.S. Facilities Abroad;
16. May 10, 2005, House Committee on the
Judiciary hearing on continued oversight of
the USA PATRIOT Act;
17. May 5, 2005, House Subcommittee on
Crime, Terrorism, and Homeland Security
hearing on Section 212 of the USA PATRIOT Act
that Allows Emergency Disclosure of
Electronic Communications to Protect Life
and Limb;
18. May 3, 2005, House Committee on
Crime, Terrorism, and Homeland Security
hearing on Sections 231 and 223 of the
USA PATRIOT Act and Their Effect on
Law Enforcement Surveillance;
19. April 28, 2005, House Subcommittee on
Crime, Terrorism, and Homeland Security
hearing: Section 218 of the USA PATRIOT Act—If It Expires Will the “Wall” Return?;
20. April 28, 2005, Senate Committee on
Crime, Terrorism, and Homeland Security
hearing: Have Sections 206 and 215 Improved
Foreign Intelligence Surveillance Act (FISA)
Inquiries?;
21. April 26, 2005, letter from Assistant At-
orney General William Moschella to Senator
Patrick Leahy responding to April 4, 2005,
letter regarding use of the USA PA-
TRIOT Act;
22. April 26, 2005, House Committee on
Crime, Terrorism, and Homeland Security
hearing: Questions similar access to judicial
reviews of FISA orders;
23. April 25, 2005, Senate Committee on
Crime, Terrorism, and Homeland Security
hearing: Have Sections 204, 207, 214, and 225 of
the USA PATRIOT Act, and Sections 6001
and 6002 of the Intelligence Reform and Ter-
rorism Prevention Act of 2004, improved
FISA Investigations;
24. April 21, 2005, House Committee on
Crime, Terrorism, and Homeland Security
hearing: Have Sections 204, 207, 214, and 225 of
the USA PATRIOT Act, and Sections 6001
and 6002 of the Intelligence Reform and Ter-
rorism Prevention Act of 2004, improved
FISA Investigations;
25. April 19, 2005, House Committee on
Crime, Terrorism, and Homeland Security
hearing: Have Sections 204, 207, 214, and 225 of
the USA PATRIOT Act, and Sections 6001
and 6002 of the Intelligence Reform and Ter-
rorism Prevention Act of 2004, improved
FISA Investigations;
26. April 19, 2005, Senate Committee on
Crime, Terrorism, and Homeland Security
hearing: A Review of the Material Sup-
port to Terrorism Prohibition;
27. April 12, 2005, House Subcommittee on
Crime, Terrorism, and Homeland Security
hearing: Have Sections 204, 207, 214, and 225 of
the USA PATRIOT Act, and Sections 6001
and 6002 of the Intelligence Reform and Ter-
rorism Prevention Act of 2004, improved
FISA Investigations;
28. April 5, 2005, Senate Committee on
Crime, Terrorism, and Homeland Security
hearing: A Review of the Material Sup-
port to Terrorism Prohibition;
29. March 22, 2005, Department of Justice
law enforcement sensitive briefing for Com-
mittee on the Judiciary Members and staff
on the use of FISA under the USA PATRIOT
Act;
30. September 22, 2004, Senate Committee
on the Judiciary hearing: A Review of Coun-
ter-Terrorism Legislation and Propo-
sals, including the USA PATRIOT Act and
the SAFE Act;
31. May 20, 2004, Senate Committee on the
Judiciary hearing on FISA Oversight and
Reauthorization; and FISA Reporting on
Counter-Terrorism—A Review of the Material Support
Statute;
32. April 11, 2004, Senate Committee on the
Judiciary hearing on FBI Oversight: Ter-
rorism; and American Citizens’ Right to
Due Process in Government Surveillance
Activities and the USA PATRIOT Act; and
the SAFE Act;
33. February 3, 2004, Department of Justice
briefing on USA PATRIOT Act and their
effect on law enforcement practices
under the USA PATRIOT Act; and
the SAFE Act;
thorities granted by the USA PATRIOT Act; questioning regarding the USA PATRIOT Act; Attorney General, Daniel Bryant, to the House Committee on the Judiciary hearing on the USA PATRIOT Act; Mr. CONYERS. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker and my colleagues, let me just begin by pointing out that in the dissent from the bill reported, there are six precise examples of when the PATRIOT Act has been abused so that no one will be able to say that they don’t know where they are. They are on page 2 and 3 of the dissent that have been filed with the committee. What we have, we have passed the conference report already. It was passed on December 14, 2005. Because of the other body, and the serious objections that they have raised, we are getting now to three other points that are

5. June 6, 2005, House Committee on the Judiciary hearing on the U.S. Department of Justice, including its use of the provisions authorized by the USA PATRIOT Act; 46. September 20, 2002, letter from Assistant Attorney General, Jamie Brown to the House Committee on the Judiciary responding to questions regarding the USA PATRIOT Act; 47. August 7, 2002, Department of Justice briefing for House Committee on the Judiciary Members and staff on the use of FISA warrants under the USA PATRIOT Act; 48. August 26, 2002, letter from Assistant Attorney General, Daniel Bryant, to the House Committee on the Judiciary responding to questions regarding the USA PATRIOT Act; 49. July 26, 2002, letter from Assistant Attorney General, Daniel Bryant, to the House Committee on the Judiciary briefing for Committee on the Judiciary Members and staff on the use of FISA warrants under the USA PATRIOT Act; 50. July 20, 2002, Senate Subcommittee on the Constitution hearing: Tools Against Terror: How Security Have More Power? A Case Study in Preserving Our Freedoms While Defending Against Terrorism; and 51. June 13, 2002, letter from Assistant Secretary for Legislative Affairs at the Department of Homeland Security, Pamela J. Turnor, to the House Committee on the Judiciary responding to questions regarding the USA PATRIOT Act; 44. April 1, 2003, letter from the House Judiciary Committee to the Attorney General, to the House Committee on the Judiciary hearing on DOJ Oversight: Preserving Our Freedoms While Defending Against Terrorism; and 52. April 17, 2002, Senate Subcommittee on Administrative Oversight and the Courts hearing: “Should the Office of Homeland Security Have More Power? A Case Study in Information Sharing”; 53. December 6, 2001, Senate Committee on the Judiciary hearing on DOJ Oversight: Preserving Our Freedoms While Defending Against Terrorism; 54. December 4, 2001, Senate Committee on the Judiciary hearing on DOJ Oversight: Preserving Our Freedoms While Defending Against Terrorism; and 55. November 28, 2001, Senate Committee on the Judiciary hearing on DOJ Oversight: Preserving Our Freedoms While Defending Against Terrorism; and 56. October 3, 2001, Senate Subcommittee on the Constitution, Civil Rights, and Property Rights hearing: Protecting Constitutional Freedoms in the Face of Terrorism. ADDITIONAL CIVIL LIBERTIES PROTECTIONS CONTAINED IN THE CONFERENCE REPORT ON H.R. 3199, THE USA PATRIOT IMPROVEMENT AND REAUTHORIZATION ACT OF 2005 The conference report contains the following additional safeguards: Requires a description of a specific target in both the application and the court order for “roving wiretaps,” and specific facts in the application that show that the target’s true identity is unknown. Requires that the FBI must notify the court within 10 days after beginning surveillance of “roving wiretaps.” The notice must include the total number of electronic surveillances conducted under the court’s multipoint order. Includes new reporting requirements to Congress, including new details about the use of “roving” authority. Requires that for delayed notice search warrants that notice of the search be given within 30 days of its execution, unless the facts justify a later date, eliminating the open-ended period of delay permissible under current law. Allows for extensions of the delay period in giving notice of a search, but only upon an updated showing of the need for further delay. Also, it limits any extension to 90 days or less, unless the facts of the case justify a longer delay. Adds new reporting requirements to Congress on the use of delayed notice search warrants. Requires for section 215 orders, relating to investigatory records, a statement of facts showing reasonable grounds to believe that the records or other things sought are relevant to an authorized investigation into international terrorism or espionage. This provides additional safeguards to the original USA PATRIOT Act, which required the government to show that the records at issue were sought for an authorized investigation—without any factual showing. Requires a three part test for section 215 orders that establish the records are sought for: a foreign power or an agent of a foreign power; the activities of a suspected agent of a foreign power who is the subject of an authorized investigation; or an individual in contact with, or known to, a suspected agent of a foreign power who is the subject of an authorized investigation. This test combined with the government’s statement of facts should mitigate concerns of government “fishing expeditions,” while maintaining the flexibility for legitimate terrorism investigations. Explicitly guarantees the right for recipients of section 215 orders to consult legal counsel and seek judicial review. Requires that the FBI Director, Deputy Director, or Executive Assistant Director for requests for certain records, including library records, medical records, educational records, and tax return records, limits the scope of section 215 orders to matters that could be obtained via grand jury subpoena or a similar court order for the production of records. Limits retention, and prohibits dissemination, of personal information requests. Requires that the DOJ Inspector General conduct two separate audits of the FBI’s use of section 215 orders to: any noteworthy facts or circumstances relating to 215 orders, including any improper or illegal use of the authority; the manner in which information is re- tained, analyzed, and disseminated by the FBI; and an assessment of whether the mini- mization procedures protect the constitu- tional rights of United States persons. Requires enhanced reporting to Congress of section 215 orders, including a breakdown of its use to obtain library records, medical records, educational records, and other sensitive types of records. Requires public reporting of the aggregate use of section 215 orders. Requires recipients of National Security Letters (NSLs) to consult with legal counsel. Creates an explicit right to judicial review of NSL requests. Permits a reviewing court to modify or set aside an NSL if compliance would be unreasonable, oppressive, or otherwise unlawful—this is the same standard used to modify or quash subpoenas in a civil action. Provides for judicial review of the non-disclosure requirements. Includes a “knowing and willfully” standard that must be proven before someone who discloses an NSL can be subject to a 1-year misdemeanor offense. Requires the DOJ IG to conduct two comprehensive audits of the FBI’s use of NSLs. Requires the Attorney General and the Director of National Intelligence to submit to Congress a report on the feasibility of applying minimization procedures to NSLs to ensure the protection of constitutional rights of U.S. persons. Adds a new “sunshine” provision that requires annual public reporting on NSLs. Provides for expanded congressional access to significant FISA records currently provided to the Intelligence Committees. Includes a provision requiring the FISA Court to submit its rules & procedures to Congress. Creates new reporting requirements for the use of emergency authorities under FISA. Requires new reporting on the use of emergency disclosures of communications information made under section 212 of the USA PATRIOT Act. Requires the Department of Justice to submit a report to Congress on the Department’s data-mining activities. Mr. Speaker, I reserve the balance of my time.

CONCkYRS. Mr. Speaker, I yield myself such time as I may consume. Mr. Speaker and my colleagues, let me just begin by pointing out that in the dissent from the bill reported, there are six precise examples of when the PATRIOT Act has been abused so that no one will be able to say that they don’t know where they are. They are on page 2 and 3 of the dissent that have been filed with the committee. What we have, we have passed the conference report already. It was passed on December 14, 2005. Because of the other body, and the serious objections that they have raised, we are getting now to three other points that are
The first I would like you to know about in S. 2771 is that amazingly enough, after all the debate, this measure that we are considering today marks ineligibility for civil liberties for any tangible thing harder to challenge in court than the current conference report which allows a recipient to challenge the gag order immediately. This measure before us that we will be voting on would make the recipient wait at least one full year before challenging a gag order, it deems government certifications concerning possible harm to national security to be “conclusive.” This is far worse than what is permitted under the Patriot Act; it would allow the FISA court to ensure that the law and the Constitution are not violated. Second, the bill operates as a mere fig leaf, covering over serious problems in the underlying conference report. For example, the bill pretends to protect librarians from receiving National Security Letters, but then revokes that protection if the library offers internet access. The bill does nothing to prevent the government from using security letters to obtain confidential information having nothing to do with terrorism; nothing to protect secret physical searches of homes and offices; and nothing to rein in abusive roving wiretap orders.

If we are serious about combating terror in the 21st century, we must move beyond symbolic gestures and color coded threat levels, and begin to make the hard choices needed to protect our Nation. If we really want to prevent terrorists from targeting our citizens and our cities, we need keep assault weapons out of the hands of suspected terrorists. And if we really want to protect our people and secure our ports and other transportation hubs, the administration needs to honor the letter and the spirit of our security laws and fully fund our homeland security needs.

The legislation before us today endangers our civil liberties, while doing nothing meaningful to protect our citizens. I urge a no vote.

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

Mr. SENSENBRENNER. Mr. Speaker, I yield 3 minutes to the gentleman from North Carolina (Mr. COBLE), chair of the Subcommittee on Crime.

Mr. COBLE. Mr. Speaker, I thank the distinguished chairman from Wisconsin.

Mr. Speaker, pardon my immodesty. I believe that this bill has been thoroughly and consistently examined, but I don’t think there has been a committee other than the House Judiciary Committee, nor has there been a Subcommittee, other than the Subcommittee on Crime, Terrorism and Homeland Security, that has worked any more diligently than we have.

Now, the chairman used the words vulnerable and vulnerability in his opening statement. We are indeed, we were on 9/11, we are today. But as the chairman furthermore pointed out, much misleading and inaccurate information has been associated and directed to the PATRIOT Act. I used this example on the floor earlier, Mr. Speaker. A constituent of mine came to me all upset, concerned about the PATRIOT Act. A constituent of mine came to me all upset, concerned about the PATRIOT Act. We must get rid of the PATRIOT Act, he said to me. I said to him, give me an example how it has adversely affected you. He said, I can’t do it. I said, give me an example how it has adversely affected anyone you know. I can’t do it. I further said, give me an example where any third party has been adversely affected. Again he came up short.

This is the misleading information that has convinced many people across our land that it is no good. In this era of instant and universal communications, if a piece of legislation is as bad as my constituents thought it was, they would have some evidence as to some information to indicate to me why the bill is so onerous.

Granted, the bill expanded the parameters of law enforcement, but not to the detriment of law-abiding citizens. After 9/11, I made the statement that my most pressing fear is that the next attack will come by water at ports and/or harbors, the very issue that plagues us today with the ports issue. We are indeed still vulnerable, but we are not as vulnerable as we were on 9/11; and we are far more protected than we were then, because I think we now fully appreciate the enemy, the terror that has us by the head; and I think the PATRIOT Act, Madam Speaker, will serve a good purpose to that end.

I again thank the chairman for having yielded time to me, and I thank him for his leadership as we have pursued this effort in the past several months.

Mr. CONYERS. Madam Speaker, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. Madam Speaker, I want to say to my good friend and my respected chair and the Member who just spoke that one of the things you have to keep in mind is the information that they are saying hasn’t been brought forward to the public wouldn’t be brought forward to the public under what has been essentially a secret manner of investigation.

I again thank the gentleman to this legislation because it offers only superficial reform that would have little, if any, impact on safeguarding our civil liberties. Furthermore, it has become crystal clear that this administration is currently and will continue to abuse, attack, and outright deny the civil liberties of the people of this country in defiance of our Constitution. This administration is illegally wiretapping American citizens, illegally collecting information on peace groups, and illegally signing statements to ignore the torture ban recently enacted by this Congress.

Some of my colleagues will stand up here today and argue the PATRIOT Act had nothing to do with these nefarious activities, but my colleagues are not looking at the big picture. The administration is violating the laws Congress has passed and trampling on the Constitution of the United States.

I will not give this administration any cover to exploit political power. Congress has failed to do its job as a coequal branch of government. The administration’s attack on our democracy has to
be reined in. This Congress must not walk away from its role in providing a check and balance to the administration’s exercise of executive power.

This Congress was not zealous in oversight prior to 2001; but since that time, this Congress has ignored its constitutional duty, and 200 years of American democracy have suffered. The complicity of this Congress is clearly viewed by the administration as a license to ignore the laws it disagrees with, and then it demands Congress expanded police powers.

In the name of the Constitution of the United States of America, I reject this complicity. I will not vote to give a single new police power to this administration. I voted against the PATRIOT Act when it first passed, and I remain even more opposed to this legislation today.

The bill before us today enables the FBI to investigate any American for any reason without the checks and balances set up by our Constitution. The history tells us that unchecked police powers with little or no oversight will be abused and the citizens will be harmed. The administration’s record in this area is concrete proof that history repeats itself.

I am for police function that protects citizens of this great Nation, not a police function that is used to terrorize them. I urge my colleagues to vote against the PATRIOT Act reauthorization, to stand up for our Constitution, to stand up for our Bill of Rights, to remember the long struggle that was instrumental in establishing those liberties.

Mr. SENSENBERGREN. Madam Speaker, I yield myself 1 minute.

Madam Speaker, the statement we just heard is at variance with what has happened since the PATRIOT Act was enacted.

First, none of the 16 provisions that expand law enforcement powers has been held unconstitutional by any Federal Court in the country in over 4 years of being tested. Second, the PATRIOT Act requires the Justice Department Inspector General to report to Congress twice a year on civil liberties violations that have been investigated. We have gotten those reports. There haven’t been any. Third, there is a provision in the PATRIOT Act that said anybody who thinks their civil liberties have been violated can sue the Justice Department and get $10,000 of statutory damages in addition to proven economic damages and attorneys fees. So far, not a dime has been paid out in judgments or settlements under this section.

This is an example of how the PATRIOT Act has been distorted by those who are opposed to it. Let us talk about the PATRIOT Act, because the PATRIOT Act has passed muster, and the facts and the court decisions show it.

Mr. DANIELE. LUNGREN of California. Madam Speaker, I thank the chairman for yielding me time.

Madam Speaker, after 9/11, one of the most responsible things that this Congress did was to pass the PATRIOT Act. It created a balance; it held in check between the intelligence community and the law enforcement community, a wall that was specifically talked about in the 9/11 Commission report as one of the failures of our government to prepare for the threats that we had prior to 9/11. What we are doing now is reaffirming that responsible act by this Congress. This today is the final critical piece of the USA PATRIOT Act, reflecting the careful balancing of national security and the civil liberties of our citizens.

In total, over 30 changes, additional civil liberties protections, have been made to the base legislation. It reflects the reality that security must not be juxtaposed against the notion of rights.

It is absolutely true that the first civil right of all Americans is the right not to be murdered, not to be murdered by terrorists.

The three additional changes contained in the bill before us, S. 2271, go beyond what we had in the conference report itself. There are civil liberties protections concerning, first, the ability to challenge the legality of a section 215 order. Section 215 deals with business records, including library records. Secondly, it adds civil liberties protections concerning the protection of the confidentiality of a name of an attorney to whom information has been disclosed. Third, it places limitations concerning the use of national security letters with respect to libraries.

These 30-plus changes to the underlying legislation were made despite the fact that in this last year we had 13 separate hearings on the PATRIOT Act, more than that wall that existed between the intelligence community and the law enforcement community, a wall that was specifically talked about in the 9/11 Commission report as one of the failures of our government to prepare for the threats that we had prior to 9/11. What we are doing now is reaffirming that responsible act by this Congress. This today is the final critical piece of the USA PATRIOT Act, reflecting the careful balancing of national security and the civil liberties of our citizens.

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Ms. CONYERS. Madam Speaker, I yield myself 30 seconds.

Mr. SENSENBERGREN. Madam Speaker, let me just first say I believe it is inappropriate to even discuss the PATRIOT Act until we have had hearings to find out what is going on with the NSA wiretaps. The PATRIOT Act could be irrelevant if you are wiretapping at will, as the President has suggested; and we want to know exactly what is going on with those wiretaps before we do anything else. But this bill is on the floor, so we have to discuss that.

Unfortunately, I have to oppose this bill because it still continues to require no finding of individualized suspicion as a trigger to the secret record search powers in sections 215 and 505. The PATRIOT Act could be irrelevant if you are wiretapping at will, as the President has suggested; and we want to know exactly what is going on with those wiretaps before we do anything else. But this bill is on the floor, so we have to discuss that.

One thing it helps is the fact that the recipient of a national security letter can have their sensitive records searched without any showing that they are an agent of a terrorist organization or scheming with terrorist organizations or doing anything illegal. Instead, this continues the problems in the original PATRIOT Act. This bill addresses several of the problems, but doesn’t actually solve them.

One thing it helps is the fact that the recipient of a national security letter will be able to consult a lawyer without having to notify the government of the attorney’s name. This is merely cosmetic, because that has actually been the recent practice.
In terms of these interstate letters, the bill addresses the right to challenge the gag order which applies to the secret orders under 215, as well as the national security letters; but it says that you can’t make the challenge for 1 year. It obliges a 1-year period during which you can’t do anything. That makes the present law worse. Presumably, you could go in right away to challenge the NSA and see the secret orders; but now you have to wait a year. By the end of the year, you can’t do anything, because all the government has to do is certify that the gag order needs to stay in effect. The judge has no discretion as to overturning the certification. So although this issue is addressed, it is actually made worse.

Finally, Madam Speaker, there is a question on the protection of privacy of library patrons in terms of the Internet service providers. I would like to ask unanimous consent that the RECORD in this body debate that the notion library is an Internet service provider. The language is a little bit confusing.

Madam Speaker, I would enter into the RECORD a colloquy between the Senators from Illinois, Mr. SUNUNU, and the Senator from New Hampshire, Mr. SUNDIN, the chief patron of the bill. Assuming that he means what he said he meant on the floor of the Senate, we don’t have a problem with it. So I would like to ask unanimous consent to introduce into the RECORD the colloquy between the two Senators as to what section 5 actually means.

**PARLIAMENTARY INQUIRY**

Mr. SENSEN BRENNER. Madam Speaker, reserving the right to object, I have a parliamentary inquiry.

The SPEAKER pro tempore (Mrs. BIGGERT). The gentleman will state it.

Mr. SENSEN BRENNER. Madam Speaker, reserving the right to object, the record be clear that as manager of the bill, I do not necessarily agree with the debate that has taken between the two Senators in the other body.

**1515**

But if the gentleman from Virginia wishes to insert that in the RECORD for his own benefit, I will not object.

Madam Speaker, I withdraw my reservation.

The SPEAKER pro tempore (Mrs. BIGGERT). Without objection, it will be entered.

There was no objection.

Mr. SCOTT of Virginia. Madam Speaker, I would like to introduce this. It represents the intent of the chief sponsor of the bill, which we agree with. Although I understand the manager of the bill in the House may not.

**COLLOQUIUM BETWEEN SENATORS JOHN SUNUNU AND DICK DURBIN ON SECTION 5 OF S. 2271.**

**February 18, 2005.**

Mr. SCOTT of Virginia. Mr. President, at this moment, I wish to address the bill pending before the Senate, and that is S. 2271.

I commend Senator John Sununu of New Hampshire, who is here in the Chamber. Were it not for his hard work, we would not be here today. For weeks, while many of us were doing other things, Senator Sununu was working assiduously with the White House to find a way to address some very vexing and challenging issues when it came to PATRIOT. He has done an excellent job. I commend him and tell him that I have enjoyed working with him over the last 2 years, where we have found areas where we find common ground and tried to keep the PATRIOT Act as a tool to make America safe but also at the same time to protect our basic liberties

Every step along, as we considered changes to the PATRIOT Act, we have been supported by our Nation’s librarians. These are wonderful men and women—professionals who are devoted to the libraries across America, which are such rich resources. I thank the librarians of America, especially for their heroic efforts to amend the PATRIOT Act in a responsible way and equally as important, to defend our Constitution.

I understand that section 5 of Senator Sununu’s bill, S. 2271, will help protect the privacy of America’s library records. I ask the indulgence of the Chair that I might enter into the RECORD a colloquy between Senator Sununu relative to section 5.

I would like to ask Senator Sununu, through the Chair, if he could explain to me what section 5 refers to.

Mr. SUNUNU. Mr. President, I am pleased to be on the floor today and pleased to be able to see the light at the end of the tunnel on PATRIOT reauthorization, thanks to the work of Senator Durbin and others. We have legislation before us that will make the adjustments to the PATRIOT Act reauthorization conference report as is my understanding from the Senator from Illinois. He specifically mentioned section 5 of our legislation. As he began to describe, section 5 is intended to clarify current law regarding the applicability of National Security Letters to libraries.

A National Security Letter is a type of administrative subpoena, a powerful tool available to law enforcement officials, to get access to documents. It is a document signed by an FBI agent who is authorized to provide certain kinds of personal records on their customers to the Government. These subpoenas are not approved by a judge before being issued.

What we did in this legislation is add clarifying language that states that libraries operating in their traditional functions: lending books, providing access to digital books or periodicals in digital format, and providing basic access to the Internet would not be subject to a national security letter. There is no National Security Letter authority as a result of existing in current law that permits the FBI explicitly to obtain library records. But, as was indicated by the Senator from Illinois, librarians have been concerned that existing in current law that permits the FBI, through National Security Letters, to obtain records as a result. I ask the Senator from New Hampshire to provide basic Internet access, are not commercial providers, such as a telephone company or a traditional Internet service provider from whom consumers would go out and get their access to the Internet and e-mail.

Section 5 clarifies, as I indicated, that a library providing basic Internet access would not be subject to a National Security letter simply by virtue of making that access available to the public.

Mr. DURBIN. I thank the Senator from New Hampshire. As the Senator from Illinois is correct, there is no National Security Letter authority as a result. So I believe that the conclusion of the Senator from Illinois is correct, a library providing basic Internet access would not be subject to a National Security Letter as a result of that particular service and other services that are very much in keeping with the traditional role of libraries.

Some have noted or may note that basic Internet access gives library patrons the ability to send and receive e-mail by, for example, accessing an Internet-based e-mail service. But in that case, it is the Web site of the service provider itself that is simply making available a communications service—the Internet communication service provider itself—and not the library, which is simply making available a communications service and not the library.

So I certainly share the concerns of the Senator from Illinois and others who have very long and good reasons for other provisions. I think it does add clarity to the law as he described, in addition to providing other improvements to the PATRIOT Act as the Senator from Illinois indicated, this has been about providing law enforcement with the tools that they need in their terrorism investigations while, at the same time, balancing the need to protect civil liberties. I think, in the legislation before us, we have added clarity to the law in giving access to the courts to obtain and weigh section 5, and, of course, striking a very punitive provision dealing with counsel and not forcing the recipient of a National Security Letter to disclose the name of their attorney to the FBI. All of these are improvements to the underlying legislation, and I recognize that we had a overwhelming, bipartisan vote today to move forward on this package. I anticipate that we will have similar bipartisan votes in the days ahead to conclude work on this legislation and I think such improved PATRIOT Act signed into law.

Mr. DURBIN. I thank the Senator from New Hampshire, as well, because that clarifies some important provisions, such as basic Internet access, and within that access a patron can, for example, send and receive e-mail by accessing an Internet-based e-mail service such as Hotmail, for example, that does not mean the library is a communications service provider and, therefore, it does not mean that a library could be subject to these national security letters of investigation.

By way of comparison, a gas station that has a pay phone isn’t a communications service provider. It is within that access a patron can, for example, send and receive e-mail.

So a library that has Internet access, where a person can find an Internet e-mail service, is not a communications service provider; therefore, it would make no sense to purview of the NSL provision in 18 U.S.C. 2709. It is a critically important distinction. I thank the Senator from New Hampshire for making that clear and for all of his good work on this bill.

Libraries are fundamental to America. They are a symbol of our nation. They are available to everyone, regardless of social or economic status.

When we first introduced the SAFE Act, I went to the Chicago Public Library and announced the legislation. The library was established in 1873, and for over 130 years it has...
given the people of the City of Chicago the ability to read and learn and communicate. Here is what the mission statement says at that public library:

We welcome and support all people and their enjoyment of reading and pursuit of lifelong learning. We believe in the freedom to read, to learn, and to discover.

We function in the Senate and in Congress, in the bills that we pass, including the PATRIOT Act, that this freedom to read, learn, and discover is preserved for our children and our grandchildren.

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

Mr. SENSENBRENNER. Madam Speaker, I rise today to support the continued effort to reauthorize the United States PATRIOT Act. It is well overdue for this Congress to ensure those trying to protect the American people have all the tools necessary to combat terrorism.

With the passage of this bill, Congress will have demonstrated its overwhelming desire to protect our civil liberties while protecting our homeland. We have taken every precaution to ensure an overzealous government cannot overstep its constitutional responsibility.

Among other provisions, this legislation allows a person receiving a FISA production order to produce any tangible item that they deem necessary to challenge that order before a district court.

This bill also removes libraries from the definition of a wire or electronic service communication provider for purposes of granting the national security letters, unless, unless the library actually provides electronic communication service.

These are commonsense amendments that will continue to fine-tune the balance between our homeland security and our constitutional rights as American citizens. I thank Chairman Sensenbrenner for yielding me the time and for his outstanding work on this vital issue.

Mr. CONyers. Madam Speaker, I yield myself 15 seconds.

Madam Speaker, just to keep the record straight, in 1986, national security letters were limited to terrorists. The PATRIOT Act lowered the standard to anything relevant to an investigation, and now over 30,000 are issued every year. The sham fix does not help us at all.

Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. Nadler).

Mr. NADLER. Madam Speaker, we are engaged in a serious war with terrorism. But we are going after the wrong targets. We are not protecting ourselves, but we are attacking our liberties. We are not doing anything adequate to secure the loose nuclear materials all over the former Soviet Union before they are smuggled to al Qaeda to make atomic bombs.

We search only 5 percent of the 9 million shipping containers that come into our country every year, any one of which could contain a weapon of mass destruction.

But what are we doing? Well, the President has orchestrated a secret conspiracy to violate the criminal law by ordering clearly illegal domestic surveillance.

And now we renew the PATRIOT Act with some of the worst provisions only cosmetically changed and continuing to threaten civil liberties. Section 215 allows the government to obtain business reports about people, including library, medical and various other types of business records, as long as they are ‘sought for a terrorism investigation.’

The government simply has to come up with a statement of facts showing there are reasonable grounds to believe that tangible things sought are relevant to an authorized investigation. Relevant? Almost anything can be relevant.

To make matters worse, the recipients of a section 215 order are subject to an almost unreviewable automatic gag order. Now we are told, under this bill, that judicial review can take place after a year. At best. A year? And in order to prevail in challenging a gag order, a certification by the government that disclosure would harm national security or impair diplomatic relations would be conclusive, unless shown it would be in bad faith.

Conclusion? No evidentiary showing, no evidentiary showing, no evidence is a absurd. That means there is no test at all. Section 505 authorizes FBI field office directors to collect in secret almost limitless sensitive personal information from entities simply by issuing national security letters.

The FBI can simply say they want your private and sensitive information and they can get it. This is very much like the writ of assistance the British used to grant in 1761 that helped start the American Revolution. Under the conference report, recipients would theoretically have the ability to challenge these gag orders, but again that will be virtually impossible.

As with section 215, the government’s assertion that the gag order is necessary to protect the national security would be a conclusive presumption that the government is telling the truth that the gag order could stand.

You can only challenge the government’s bad faith. This automatic permanent gag rule very likely violates the first amendment, as two courts have already found. We ought to have real protections. We ought to have some procedural safeguards in the PATRIOT Act such as our entire American tradition demands.

The conference report does not replace the section 215 showing of relevance standard with the three-part test that was the basis of the Senate compromise which provided some meaningful due process protections. It should.

The conference report does not restore the section 505 previous standard of specific and articulate facts connecting the records sought to suspected terrorist. It should.

The conference report does not allow recipients of section 215 orders and national security letters a meaningful court challenge to the gag order. It should.

And, finally, the conference report does not sunset section 505, national security letters, in 4 years. It should.

I urge my colleagues to expand the PATRIOT Act reauthorization so that we can mend the bill so it doesn’t destroy our constitutional liberties. Mend it, not end it. But this doesn’t help.

Mr. SENSENBRENNER. Madam Speaker, I yield 3 minutes to the gentleman from Florida (Mr. STEARNS).

Mr. STEARNS. Madam Speaker, I would just say to this side, this bill has gone through so many iterations, and passing this part of the PATRIOT Act was a cargo amendment that I included. I thank the chairman for allowing me to do that.

In Florida alone, local and State agencies have joined together and developed a unified strategy for prevention and enforcement against cargo theft, resulting in about a 25 percent decrease in cargo thefts. Unfortunately, my colleagues, the FBI estimates, and these are only estimates because we do not have any way to track this information, overall national loss from cargo theft remains at almost $6 billion annually.

The interagency cooperation must be expanded from the State level to include nation-wide enforcement. Cargo theft imperils our Nation’s security, and data indicates profits from cargo theft often go to organized crime or to terrorist activities.

For that reason, for 2 years I have been working on this amendment, which is included as part of the PATRIOT Act, to, first of all, combat this crime by increasing mandatory minimum sentencing and directing consolidation of cargo theft trend data—simply a collection of cargo theft data into the federal Uniform Crime Reporting system, so in fact that system we have a better understanding of
realization of the immediate threat we face. I call upon my colleagues to vote in favor of this bill. Due diligence has been observed ... investigated ... executed ... and critiqued. Now it is time to pass this Act.

Mr. CONYERS. Madam Speaker, I yield 3 minutes to the gentleman from Vermont (Mr. SANDERS).

Mr. SANDERS. Madam Speaker, this is an extremely important debate. I want to begin by expressing my disappointment that this bill is being considered as a suspension along with the naming of post offices. Well, you know what, this is not a post-office-naming bill. This is a bill that deals with constitutional rights. It is an issue about which seven States in this country have raised concerns, as have hundreds of municipalities from one end of America to the other.

This is a bill that should allow for amendments and serious debate and not be considered simply as a suspension.

Madam Speaker, many Americans are worried that our country could be that in terms of national security, our President believes that it is okay for a foreign government with terrorist ties to run major ports in America; that that is okay. But when some of us say that maybe kids or just ordinary American citizens should be allowed to read the books that they want in libraries without being investigated by government agents, without any evidence that they are engaged in terrorist activities or have any ties to terrorism, that we cannot protect.

Madam Speaker, there is growing concern in this country with regard to the state of our civil liberties and our constitutional rights. Whether it is the President of the United States engaging, through the NSA, in illegal wiretaps without court orders, or the widespread use of national security letters, millions of Americans, whether they are progressives, whether they are conservatives or in between, are very concerned about the government investigating the private lives, the private reading habits of ordinary Americans.

Madam Speaker, in June of 2005, I offered an amendment that passed with a very strong bipartisan vote, which said that libraries and book stores should be exempt from section 215, that it is wrong for the government to be able to access the reading records or the book purchases of innocent Americans unless they can establish that those individuals have ties with terrorism.

All of us want our government to be vigorous in protecting the American people against terrorism. But we want to do that in a way that does not undermine the constitutional rights of the American people. Unfortunately, the Republican leadership took that amendment, which passed with strong bipartisan support, and they tossed it out. They rejected the will of a vast majority of the Members of the House of Representatives and did not incorporate that language into the final bill.

Madam Speaker, this is an issue of huge consequence. Fighting terrorism is an enormously important issue, but we can and must do it without undermining the constitutional rights of the American people.

Mr. CONYERS. Madam Speaker, I yield 45 seconds to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Madam Speaker, as I indicated before, we need to have hearings on the NSA wiretaps. The question there is not whether or not the wiretaps can take place, but whether or not they take place in the concept of checks and balances.

Also, we need to know what kinds of wiretaps are going on, and it would be nice to have hearings on that before we consider the PATRIOT Act. But when one of the previous speakers talked about the due process involved, we have to remind people that the due process is not for the person whose records are being gathered, but due process on the library that does not have enough money to operate the library, whether or not they have a right to go out and hire a lawyer to protect somebody else’s rights.

The person affected does not have any rights in this situation. It is just the library and their own good will. If they want to go out and protect somebody’s rights, they have that opportunity. These are extraordinary rights, police rights and police powers; and we need to make sure that people actually understand what is going on here.

Mr. CONYERS. Madam Speaker, I yield myself the remainder of the time.

Madam Speaker, it has been said that there have been no abuses of the PATRIOT Act. Let me just run down what has already been reported and probably there have been more, since we filed our report.

It was used against Brandon Mayfield, a Muslim American, to tap his phone, seize his property, copy his computer files, spy on his children, take his DNA, all without his knowledge.

It has been used to deny, on account of his political beliefs, the admission to the United States of a Swiss citizen and prominent Muslim scholar to teach at Notre Dame University. It has been used to unconstitutionally coerce an Internet service provider to divulge information about e-mail activity and Web surfing on its system, and then gag that provider from even disclosing the abuse to the public.

Because of gag restrictions, we will never know how many times it has
been used to obtain reading records from libraries and book stores, but we
do know that libraries have been solicited by the Department of Justice, vol-
untarily or under threat of the PATRIOT Act, for reading information on
more than 200 occasions since September 11.

Finally, it has been used to charge and detain and prosecute Muslim stud-
ents in Idaho for posting Internet Web site links to objectionable material.

Let us not support this PATRIOT Act today.

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

Madam Speaker, I can’t believe what I have heard from my friends on the
other side of the aisle. If they succeed in defeating this bill, it is a case of be
sorry for getting what you ask for. This bill actually puts more civil lib-
erties protections into the PATRIOT Act than the conference report which
has already been passed by both Houses and is ready to be enrolled and sent
to the President for his signature.

So if you have your way and you vote down the bill that was authored by the
gentleman from New Hampshire, Senator Sununu, you are not going to have
the conference report on the PATRIOT Act which has already been passed
by both Houses and is ready to be enrolled and sent to the President for his
signature.

If you are for more civil liberties protec-
tions in the PATRIOT Act, vote for
this bill. If you are against them, vote
against this bill. But the fate of this
bill has no bearing on the fact that the
conference report on the PATRIOT Act
reauthorization has been cleared by
both Houses and is ready to go to the
White House. So think before you vote
no.

Today, I reject the idea that the Majority and
the Administration can use this bill as political
cover to gain enough support for passage of the
PATRIOT Act reauthorization. The fact re-
mains that the PATRIOT Act reau-
 thorization still needs more work, more safeguards, and
more oversight. As the 109th Congress con-
 tinues to discuss protecting the homeland and
civil liberties, I challenge my colleagues to have an open review and debate on improving the
PATRIOT Act, and to work together—in a bipartisan manner—to strengthen
civil liberties in a way that is consistent with the fund-
amental rights and freedoms this country was
done.

Mr. SHAYS. Madam Speaker, I strongly
support the PATRIOT Act, which plays an in-
 stallment role in the detection and prevention of
terrorist attacks.

Terrorists will strike again. It is not a ques-
ton of if, but of when, where and of what
magnitude. We are in a race to stop the terror-
ists before they use weapons of mass destruc-
tion against us.

The PATRIOT Act empowers our intel-
ligence and law enforcement communities to
play vital roles in helping the United States
win this race.

To fight the war on terrorism, our intel-
ligence agencies must have the right tools.
However, with these added tools, there must
be added oversight. The protection of our civil
liberties is of utmost concern to me.

For this reason, Congresswoman MALONEY
and I have offered H.R. 1310, the Protection of
Civil Liberties Act, which would reconstitute the
Privacy and Civil Liberties Oversight Board as
an independent agency within the Execu-
tive Branch.

The establishment and adequate funding of
the Privacy and Civil Liberties Board was a
crucial recommendation by the 9/11 Commis-
sion. In its Final Report on 9/11 Commission
recommendations, the commission notes “very
little urgency” and “insufficient” funding as it
relates to the establishment of the Board.

The bottom line is, we can no longer think
in terms of the Cold War paradigm of contain-
ment, reaction and mutually- assured destruc-
tion. The modern threat requires us to detect
and prevent attacks.

The PATRIOT Act improves our anti-ter-
rorism capabilities by focusing on intelligence
gathering, immigration, criminal justice and the
financial infrastructure.

Ms. DEGETTE. Madam Speaker, I rise
today in opposition to S. 2271, the “USA PA-
TRIOT Act Additional Reauthorizing Amend-
ments of 2006.

I am strongly committed to fighting and win-
ning the war on terror. The most solemn obli-
gation of government is to protect the citi-
zenn, and we need to make sure that law en-
forcement has the powers it needs to do so.

At the same time, governments throughout
history, including our own, have abused their
authority in the name of promoting such secu-
 rity. Americans should feel comfortable that
while government is protecting them from oth-
 ers, their private lives are protected from un-
warranted government intrusion. The right to
privacy is one of our most precious rights, a
hallmark of the American experiment.

I opposed the initial USA PATRIOT Act in
2001 because it threatened our civil liberties.
As I have said before, while the compromise makes some improvements to the original
USA PATRIOT Act, it does not go far enough
to preserve civil liberties.

It will remain too easy for the government to
fish through the private information of innocent
Americans. This includes medical, gun, library, and financial records. Institutions that receive
requests for information are still prevented
from talking about them, and their ability to
successfully challenge these “gag orders” is
limited or nonexistent. Government’s power to
conduct secret searches of one’s personal ef-
 fects without prior notice, so called “sneak and
peak” authority, remains too expansive.

S. 2271 only makes three changes to the
prior act. First, it allows recipients of Section
215 orders to challenge accompanying “gag
orders.” However, it delays any action for at
least one year and makes a successful chal-
 lenge virtually impossible. Second, it clarifies
that recipients of Section 215 orders and Na-
tional Security Letters (NSLs) do not have to
disclose to the government the identities of at-
tackers consulted to assist in responding to
these requests. Finally, it seeks to exclude li-
 braries from the reach of NSLs. Unfortunately,
there is considerable disagreement about
whether the language in S. 2271 actually will
accomplish its goal of clarifying that libraries
are not subject to NSLs.

These changes, taken as a whole, are at
best small improvements which, most signifi-
cantly, do not address the larger concerns I
discussed earlier. As such, I cannot endorse
S. 2271 and this reauthorization of the USA PA-
TRIOT Act.

I am pleased that Senator SPECTER and oth-
ers have said they will revisit the USA PA-
TRIOT Act to deal with the many problems
that remain. I look forward to a new bill that
more properly balances our need to protect
Americans and provide tools necessary in
fighting terrorism.

Ms. HARMAN. Madam Speaker, the Patriot
Act Conference Report which Congress will
amend today deals with the outcry leveled at
provisions in the original Patriot Act that allow
the government to have access to library
records.

I strongly agree that the original PATRIOT
Act was too broad: it permitted the FBI and
other agencies to issue National Security Letters (NSLs)—secret administrative subpoenas—without court approval to obtain a wide range of data from libraries that had little or nothing to do with fighting terrorists.

But embedded in the law was something I felt and still feel was essential to prevent and disrupt terrorist plots: it covered Internet sites at libraries that also function as Internet Service Providers (ISPs), places terrorists use to communicate with each other—something they have done effectively in the effort to evade being monitored.

Though it was extremely unpopular, I voted against early efforts to repeal Section 215 of the PATRIOT Act—the so called Library Provision—because those efforts included ISPs. Last year, Congressman BERNIE SANDERS and others pointed to the shortcoming as essential to prevent and disrupt terrorist threats (NSLs). The conference report is unacceptable, and the Senate-passed bill. Unhappily, those hopes were not fulfilled—but I took new hope when these deletions were refused to be included in the conference report and it became clear that there would be an effort to revise it to address concerns about its effects on civil liberties.

Yesterday's bill modifies the PATRIOT Act by barring the government from using NSLs to obtain records from libraries functioning in their libraries. ISPs, and I spoke for it on the floor. Today's bill modifies the PATRIOT Act by barring the government from using NSLs to obtain records from libraries functioning in their libraries. ISPs, and I spoke for it on the floor. Today's bill modifies the PATRIOT Act by barring the government from using NSLs to obtain records from libraries functioning in the form that protects both our safety and our liberty. By making the sunset provisions permanent, we are losing the opportunity for a meaningful review.

Time and time again, we have extended the reauthorization deadline in an effort to fix the flaws and yet once more we have brought forth legislation that compromises our civil rights in exchange for government control. As we saw in the administration was cavalier with domestic spying through the National Security Administration. Their ability to undermine the American public should worry my colleagues and makes me question the wisdom and other records in the same way this bill protects libraries. Checks and balances—including those contained in legislation sponsored by theIntelligence Committee Democrats and senior Judiciary Committee Democrats—would subject NSLs to judicial oversight and enhanced congressional scrutiny.

The specter of a terrorist attack on U.S. soil is very real. It is a prospect that keeps me up at night. I have supported modern tools to track 21st century threats, but not at the expense of our precious liberties, which are the fundamental foundation of American democracy. Today's bill to amend the PATRIOT Act is a step in the right direction.

Mr. BROWN of Ohio, Madam Speaker, today, the House considers S. 2271, The USA PATRIOT Act Additional Reauthorizing Amendments Act.

I opposed the original 2001 PATRIOT Act because it failed to strike an appropriate balance between giving law enforcement agencies the tools necessary to protect Americans from terrorism and maintaining the freedoms that protect America from tyranny. Like the 2001 bill, the PATRIOT Act reauthorization conference report is unacceptable, and the amendments proposed by S. 2271 again fall short of the mark.

Last year, the Senate unanimously agreed to legislation striking an appropriate balance between security and liberty. That bill offered an option for terrorism investigations without giving up our rights and freedoms. By contrast, S. 2271 would make minor changes to the PATRIOT Act, and the final result falls well short of the standard set by the Senate legislation.

We must insist on real PATRIOT Act reform that protects both our safety and our freedom. Until then, I cannot support fig leaf legislation intended to cover up the basic problems of the PATRIOT Act.

You not only have to do the right thing, you have to do it in the right way. This act and these amendments do neither.

Mr. BLUMENAUER. Madam Speaker, I strongly oppose S. 2271, Additional Reauthorizing Amendments to the PATRIOT Act. This legislation fails to address any of the core fundamental flaws with the original PATRIOT Act and makes controversial provisions permanent which threaten American's civil liberties. By making the sunset provisions permanent, we are losing the opportunity for a meaningful review.

The lack of transparency is further demonstrated with the Combat Methamphetamine Epidemic Act. Methamphetamine has taken Oregon, as well as this country, by storm. I fully support efforts to combat this epidemic; however, I will not vote for the egregious PATRIOT Act just because it includes methamphetamine provisions. This is a cheap tactic and we should not be using victims of this epidemic as political chess pieces.

I have no doubt that we can keep America safe without compromising our civil liberties. Sadly, the bill does compromise our rights. Mr. UDALL of Colorado, Madam Speaker, while I will vote for this bill, I cannot be enthusiastic about it because it does very little to improve the laws it amends. And I cannot help regretting that the House is not being allowed to even consider improving the bill itself.

By refusing to make amendments to be considered, the Republican leadership not only is missing an opportunity to refine and clarify the language of this Senate bill, it is insisting on preventing any attempt to broaden the bill so it will do more to strike the right balance between fighting terrorism and respecting civil liberties. This is not the right way for us to do our work.

The bill in effect amends the conference report on H.R. 3199, the bill to revise and renew various provisions of the “USA PATRIOT Act” (more commonly called simply the “PATRIOT Act”) that was passed by the House last year. I voted against that conference report.

I support renewing the new tools the PATRIOT Act provided to fight terrorists. But I also thought then—and still think today—Congress should take care to protect Americans’ civil liberties. And, after careful review, I concluded that the conference report did not do enough to reduce the potential that the author- ity it gives to the FBI and other agencies could be abused or misused in ways that intrude on Americans’ privacy and could threaten a potential that has led more than 300 communities as well as Colorado and six other States—governments that in all represent over 62 million people—to pass resolutions opposing parts of the PATRIOT Act. I hoped I could vote for the conference report, because earlier the Senate, to its cred- it, did a better job than the House in respond- ing to the concerns that prompted such resolutions, while still providing ample tools that the government can use to work against the threat of more terrorist attacks, at home and abroad.

I could have supported enactment of the bill as passed by the Senate, and I hoped that the conference report would closely resemble that Senate-passed bill. Unhappily, those hopes were not fulfilled—but I took new hope when those deletions were refused to be included in the conference report and it became clear that there would be an effort to revise it to address concerns about its effects on civil liberties.

Specifically, I hoped that the conference report would be revised to include provisions like those in H.R. 1526, the “Sneak and Fish Act.” I am a cosponsor of that bill, which would amend the PATRIOT Act in several important ways.

It would modify the provisions regarding “roving wiretaps” to require that: (1) an order approving an electronic surveillance specify either the identity of the target or the place to be wiretapped; and (2) surveillance is to be conducted only when the suspect is present. It would require Congress to pass resolutions opposing such legislation in the event the government would be revised to include provisions like those in H.R. 1526, the “Sneak and Fish Act.” I am a cosponsor of that bill, which would amend the PATRIOT Act in several important ways.

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bring the conference report into line with the "SAFE" Act.

Instead, those negotiations resulted in the bill now before the House, on which the only choice allowed by the Republican leadership is "yes" or "no."

The bill would make some revisions in the conference report. Specifically, it would—(1) allow recipients of a production order under Section 215 of the PATRIOT Act to ask a judge of the special court established by the Foreign Intelligence Surveillance Act (FISA) to modify or quash the "gag" rule that bars disclosure of the order; (2) end the rule that recipients of a Section 215 order or national security letter (NSL) must name any attorney consulted about the order or NSL; and (3) clarify that libraries, the services of which include offering patrons access to the Internet, are not subject to NSLs, unless they are functioning as electronic communication service providers.

However, a challenge to the gag rule could not be brought until a year after an order or NSL is issued. This bill would effectively nullify a conclusive a government certification that a waiver may endanger national security unless it was made in bad faith.

At best, these are very minor improvements in the conference report. And the language of the bill is ambiguous on several points—which is why the Republican leadership should have allowed consideration of clarifying amendments.

But, unfortunately, both the House and the Senate have approved the conference report and it is now up to the President to be signed into law. So, the choice now before the House is whether to pass this bill or whether we instead will allow the conference report to become law without even these minor improvements.

And on that question, I think our country is better served by enactment of this inadequate and incomplete bill than by its defeat—and so I will vote for it.

Mr. PAUL. Madam Speaker, contrary to its proponents' claims, S. 2271 fails to address the core concerns which the PATRIOT Act or protect innocent Americans against future abuses of their civil liberties. Rather, passing this bill makes the permanent authorization of the PATRIOT Act.

Mr. FARR. Madam Speaker, I rise in opposition to S. 2271, the PATRIOT Act Amendments.

James Madison, our 4th President, said, "I believe there are more instances of the abridgment of the freedom of the people by gradual and silent encroachments of those in power than by violent and sudden usurpations."

The PATRIOT Act and its subsequent amendments are exactly what the "Father of the Constitution" was talking about.

Democracy means the "common people rule". And the "common people" of the 17th district have proclaimed that Americans should not have to compromise their civil liberties in order to combat extremism. The local governments of Pacific Grove, Salinas, Santa Cruz, and Watsonville, California have all passed resolutions expressing their concerns with the anti-privacy and anti-liberty nature of the PATRIOT Act.

As we promote democracy at other countries, should we not ourselves be practicing and preserving democracy within our own society?

Madam Speaker, I urge a no vote on the PATRIOT Act amendments.

Mr. STARK. Madam Speaker, I rise in opposition to S. 2271, the USA PATRIOT Act. Additionally, Reauthorizing Amendments Act of 2006. This bill is a great example of what happens when you put Republican Senators in a room with Dick Cheney to negotiate over Constitutional rights. It's like two foxes negotiating over the henhouse without upsetting the neighbors.

Examining this deal more closely, we see that giving the American people the right to consult a lawyer or challenge a gag order in court is somehow considered a concession by the Bush Administration. Other than that, it's the same old PATRIOT Act that criminalizes speech, protest, and meetings of citizens while also eliminating the right to due process and a search warrant. This bill permanently extends 14 of 16 expiring provisions of the PATRIOT Act. Government can still listen in on your phone conversations without any proof that a terrorist is using the phone and can conduct secret searches of your property. The law will still allow the Government to look at your phone bill, Internet Service Provider, insurance company, or any other business demanding information about you. The only difference is that businesses no longer have to tell the FBI when they consult an attorney about the request.

A government official can still forbid a business from telling anyone that records have been obtained, although this gag would last for an initial one-year period rather than indefinitely. However, the gag can be renewed and there is absolutely no legal basis for the supposed grand compromise. Finally, the Bush Administration has magnanimously agreed not to look at your library borrowing records, although this agreement makes it easier for them to find out what websites you visit while at the library.

Madam Speaker, the PATRIOT Act can never be fixed because it starts with the fundamental presumption that the Constitution gets in the way of protecting Americans. In fact, we need the Constitution more than ever to protect us from politicians who think they're above the law.

Ms. ESHOO. Madam Speaker, I rise in opposition to S. 2271. This bill makes a few cosmetic changes, but the changes do little to address the serious civil liberties concerns that I and countless Americans have raised during the debate over the reauthorization of the PATRIOT Act.

For example, nothing has been done to integrate needed checks and balances into the National Security Letter (NSL) process. NSLs are requests for financial, telecommunications, credit, and other business records issued directly by government agencies in national security investigations without the approval of a judge. Before the PATRIOT Act, the FBI and other issuing agencies could issue an NSL only if there was some nexus to an agent of a foreign power or terrorist. Post-PATRIOT Act, the government only has to show the request is relevant to an investigation. The lowering of this standard has resulted in an all-time high number of NSLS issued. Passage of this legislation will do nothing to change this disturbing trend or enhance congressional or judicial oversight over NSLS.

This bill also fails to address issues related to the President's National Security Agency (NSA) domestic surveillance program. I strongly believe this program must be subject to stringent restrictions, including the Foreign Intelligence Surveillance Act (FISA). Congress should not stand by in silence and allow this controversial program to continue unchecked.

Unfortunately, in spite of having adequate time to conduct constructive discussions to fix the PATRIOT Act, reauthorization Conference Report, the sponsors of S. 2271 chose again to exclude Democrats from negotiations. Instead, they've offered a bill that...
makes only a few superficial changes to the Conference Report, and because this bill is being considered under suspension of the rules, we don’t have an opportunity to offer meaningful amendments that could greatly improve the PATRIOT Act and ensure the protection of privacy and civil liberties as well as our national security.

I oppose this bill and find it regrettable that an important opportunity to initiate real reforms to this legislation has been squandered.

Mr. PENCE. Madam Speaker, later this afternoon, I will consider additional reauthorizing amendments to the PATRIOT Act. The PATRIOT Act Conference Report is a balance between liberty and security. Chairman Sensenbrenner and those of us serving on the House Judiciary Committee dedicated ourselves to achieving this end. The additional safeguards that we will agree to today will further enhance the safety and security of the American people, and I enthusiastically support that. It is time, after two extensions and a debate worthy of the high standards of American democracy, that we send the PATRIOT Act forward for his signature.

We all lived through September 11th. I was here at the Capitol that day. I saw the evil of our enemies written in the smoke rising above the Pentagon. And we are reminded yet today that their desire to do such violence in our homeland and in the homeland of our allies is real.

Since September 11th, we have seen attacks on buses and subway cars in London, attacks on commuter trains in Madrid, hotel bombings in Amman, and nightclub bombings in Bali. Osama bin Laden and a preoccupation of Zawahire have spoken recently in videotapes to the American people, and I enthusiastically support that. It is time, after two extensions and a debate worthy of the high standards of American democracy, that we send the PATRIOT Act forward for his signature.

Madam Speaker, on that I demand the yeas and nays.

The question was taken.

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 32) to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks.

The Clerk read as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

SECTION 1. TRAFFICKING IN COUNTERFEIT MARKS.

(a) SHORT TITLE; FINDINGS.—

(1) SHORT TITLE.—This section may be cited as the “Stop Counterfeiting in Manufactured Goods Act”.

(2) FINDINGS.—The Congress finds that—

(A) the United States economy is losing millions of dollars in tax revenue and tens of thousands of jobs each year to the manufacture, distribution, and sale of counterfeit goods;

(B) the Bureau of Customs and Border Protection estimates that counterfeiting costs the United States $200 billion annually;

(C) counterfeit automobile parts, including brake pads, cost the auto industry alone billions of dollars in lost sales each year;

(D) counterfeit products have invaded numerous industries, including those producing auto parts, electrical appliances, medicines, tools, office equipment, clothing, and many other products;

(E) ties have been established between counterfeiting and terrorist organizations that use the sale of counterfeit goods to raise and launder money;

(F) ongoing counterfeiting of manufactured goods poses a widespread threat to public health and safety;

(G) strong domestic criminal remedies against counterfeiting will permit the United States to seek stronger anticyfizerering provisions in bilateral and international agreements with trading partners.

(b) TRAFFICKING IN COUNTERFEIT MARKS.—Section 2320 of title 18, United States Code, is amended as follows:

(1) Subsection (a) is amended by inserting after “such goods or services” the following: “,

or intentionally traffics or attempts to traffic in labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature, knowing that a counterfeit mark has been applied thereto, the use of which is likely to cause confusion, to cause mistake, or to deceive”;

(2) Subsection (b) is amended to read as follows:

“(b)(1) The following property shall be subject to forfeiture to the United States and no property right shall exist in such property:

“(A) any article bearing or consisting of a counterfeit mark used in committing a violation of subsection (a);

“(B) any property used, in any manner or part, to commit or to facilitate the commission of a violation of subsection (a).

“(2) The provisions of section 393 of this title relating to civil forfeitures, including section 393 of this title, shall extend to any seizure or civil forfeiture under this section. At the conclusion of the forfeiture proceedings, the court, unless otherwise requested by an agency of the United States, shall order that any forfeited article bearing or consisting of a counterfeit mark be destroyed or otherwise disposed of according to law.

“(3)(A) The court, in imposing sentence on a person convicted of an offense under this section, shall order, in addition to any other sentence imposed, that the person forfeit to the United States—

“(i) any property constituting proceeds from an offense; and

(ii) any property constituting a tool of the person’s online or offline activities that were directly, as the result of the offense;

“(B) any of the person’s personal property, or intended to be used, in any manner or part, to commit, facilitate, aid, or abet the commission of the offense;

“(C) any property that is relevant to the commission of the offense.

“(D) any property constituting proceeds from an offense; and

“(E) any property constituting a tool of the person’s online or offline activities that were directly, as the result of the offense;

“(F) any property constituting proceeds from an offense; and

“(G) any property constituting a tool of the person’s online or offline activities that were directly, as the result of the offense;

“(4) When a person is convicted of an offense under this section, the court, pursuant to section 3664, shall order the person to pay restitution to the owner of the mark and any other victim of the offense as an offender;

“(5)(A) The term ‘victim’, as used in paragraph (4), has the meaning given that term in section 3663(a)(1).

(B) Subsection (c) is amended as follows:

“(1) The term ‘counterfeiting mark’—

“(A) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(B) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(C) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(D) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(E) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(F) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(G) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(H) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(I) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(J) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(K) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(L) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(M) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(N) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(O) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(P) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(Q) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(R) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(S) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(T) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(U) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(V) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(W) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(X) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(Y) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;

“(Z) that is used in connection with trafficking in any goods, services, labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature;
hangtag, documentation, or packaging of any type or nature that is designed, marketed, or otherwise intended to be used in connection with the goods or services for which the mark is registered in the United States Patent and Trademark Office; and

'(iv) the use of which is likely to cause confusion, to cause mistake, or to deceive; or'

and

(B) matter following subparagraph (B) to read as follows:

"but such term does not include any mark or designation used in connection with goods or services which is a designation applied to labels, patches, stickers, wrappers, badges, emblems, medallions, charms, boxes, containers, cans, cases, hangtags, documentation, or packaging of any type or nature used in connection with such goods or services, of which the manufacturer or producer was, at the time of the manufacture or production in question, authorized to use the mark or designation for the manufacture or production of such goods or services so manufactured or produced, by the holder of the right to use such mark or designation.'

(4) Section 2320 is further amended—

(A) by redesigning subsection (f) as subsection (g); and

(B) by inserting after subsection (e) the following:

'(f) Nothing in this section shall entitle the United States to bring a criminal cause of action under this section for the repackaging of genuine goods or services not intended to deceive or confuse.'.

(c) SENTENCING GUIDELINES.—

(1) REVIEW AND AMENDMENT.—Not later than 180 days after the date of enactment of this Act, the United States Sentencing Commission, pursuant to its authority under section 994 of title 28, United States Code, and in accordance with this subsection, shall review and, if appropriate, amend the federal sentencing guidelines and policy statements applicable to persons convicted of any offense under section 2318 or 2320 of title 18, United States Code.

(2) AUTHORIZATION.—The United States Sentencing Commission may amend the federal sentencing guidelines in accordance with the procedures set forth in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note) as though the authority under that section had not expired.

(3) RESPONSIBILITIES OF UNITED STATES SENTENCING COMMISSION.—In carrying out this subsection, the United States Sentencing Commission shall determine whether the definition of "infringement" contained in section 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note) is adequate to address situations in which the defendant has been convicted of one of the offenses listed in paragraph (1) and the item in question is counterfeit traffic which was not an infringing item but rather was intended to facilitate infringement, such as an anti-circumvention device, or the item in which the defendant trafficked was infringing and also was intended to facilitate infringement in another good or service, such as a counterfeit label, documentation, or packaging. Taking into account cases such as U.S. v. Sung, 87 F.3d 194 (7th Cir. 1996).

SEC. 2. TRAFFICKING DEFINED.

(a) SHORT TITLE.—This section may be cited as the "Protecting American Goods and Services Act of 2005".

(b) COUNTERFEIT GOODS OR SERVICES.—Section 2320(e) of title 18, United States Code, is amended—

(1) by striking paragraph (2) and inserting the following:

'(2) the term "traffic" means to transport, transfer, receiv, dispose of, to another for purposes of commercial advantage or private financial gain, or to make, import, export, obtain control of, or possess, with intent to so transport, transfer, receive, dispose of, or use the counterfeit traffic;

and

(2) by redesigning paragraph (3) as paragraph (4); and

(3) by inserting after paragraph (2) the following:

'(3) the term ‘financial gain’ includes the receipt, or expected receipt, of anything of value; and

(c) CONFORMING AMENDMENTS.—

(1) SOUND RECORDINGS AND MUSIC VIDEOS OF LIVE MUSICAL PERFORMANCES.—Section 2318(e) of title 18, United States Code, is amended by striking paragraph (2) and inserting the following:

'(2) the term ‘traffic’ has the same meaning as in section 220(e) of this title.

(2) COUNTERFEIT LABELS FOR PHONORECORDS, COMPUTER PROGRAMS, ETC.—Section 2318(b) of title 18, United States Code, is amended by striking paragraph (1) and inserting the following:

'(1) the term ‘traffic’ has the same meaning as in section 220(e) of this title.

(3) ANTI-BOOTLEGGING.—Section 1101 of title 17, United States Code, is amended by striking paragraph (b) and inserting the following:

'(b) DEFINITION.—In this section, the term ‘traffic’ has the same meaning as in section 220(e) of title 18.'

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBERGER) and the gentleman from Michigan (Mr. CONTERS) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin.

Mr. SENSENBERGER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material in H.R. 32 currently under consideration.

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

There was no objection.

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

Madam Speaker, I rise in support of H.R. 32, the Stop Counterfeiting in Manufactured Goods Act. This legislation, which is substantially similar to the House-passed legislation, which is substantially similar to the House-passed legislation, would protect legitimate businesses from the negative impacts of counterfeiting.

As amended by the other body, H.R. 32 includes changes to the definition of "traffic" contained in Federal counterfeiting statutes to permit the prosecution of persons who import or export counterfeit products or possess counterfeit products with the intent to transport, transfer, or distribute such products.

Counterfeiting is a serious problem. Legitimate businesses work hard to build public trust and confidence in their products. When a legitimate company’s name is attached to counterfeit products, that company may suffer financial losses and may also have its reputation tarnished as a result.

In addition, counterfeit products are often purchased by unsuspecting consumers who have come to rely on the quality of a product from a company they trust and know. What unsuspecting consumers of counterfeit products often receive is a low-quality, and potentially dangerous, imitation. Some of these products are such poor imitations of the original that they have caused physical harm to consumers.

The FBI has identified counterfeit goods in a wide range of products including pharmaceuticals, automobile parts, airplane parts, baby formula, and children’s toys. The U.S. automotive industry has reported a number of instances of brake failure caused by counterfeit brake pads manufactured from wooden chips. Counterfeits of other products, such as prescription or over-the-counter medications, may have serious health consequences if consumed by consumers.

Under this legislation, section 2320 of title 18 would be expanded to include penalties for those who traffic in counterfeit labels, symbols, or packaging of any type knowing that a counterfeit has been applied. Additionally, H.R. 32 would require the forfeiture of any property derived directly or indirectly from the proceeds of the violations as well as any property used, or intended to be used, in relation to the violation. It also requires that restitution be paid to the owner of the mark that was counterfeited.

In fiscal year 2003, the Department of Homeland Security reported 6,500 seizures of counterfeit-branded goods including cigarettes, books, apparel, handbags, toys, and electronic games with an estimated street value of $94 million. According to the U.S. Customs and Border Protection, the number of seizures for violations of intellectual property rights increased by 11.8 percent between fiscal year 2003 and fiscal year 2004 to 7,255 seizures for an estimated value of $139 million. Fortune 500 companies are spending between $2 million and $1 million a year each to fight counterfeiting.

The counterfeiting of manufactured goods produces staggering losses to businesses across the United States and around the world. Counterfeit products deprive the Treasury of tax revenues, add to the national trade deficit, subject consumers to health and safety risks, and leave consumers without any legal recourse when they are financially or physically injured by counterfeit products.

Finally, I want to thank and congratulate the gentleman from Michigan (Mr. KNOLLENBERG), the author of the House-passed legislation, for his tireless efforts to address the counterfeiting problem. He has crafted a good piece of legislation that has broad bipartisan support. I urge my colleagues to support this important bill.
Madam Speaker, I reserve the balance of my time.

Mr. CONYERS. Madam Speaker, I support this bill with great enthusiasm. I yield as much time as he may consume to the gentleman from Virginia (Mr. SCOTT). No one has worked harder on the committee than this gentleman.

Mr. SCOTT of Virginia. Madam Speaker, I rise in support of H.R. 32, the Stop Counterfeiting in Manufactured Goods Act.

The bill amends existing law in a matter designed to intensify the effort to prevent counterfeiting of goods. Counterfeited goods victimize the manufacturer and shortchange purchasers with substandard products. They also expose all of us to risks from unsafe products and deprive Americans of jobs and other benefits from commerce when the authentic goods are not sold.

The sale of counterfeit goods is illegal. This bill clarifies any ambiguity that now exists in current law. So, Madam Speaker, when we began working on this bill on a bipartisan basis at the subcommittee level, there was a concern when drafted that the bill went too far and actually criminalizes current legitimate, honest, and law-abiding practices by law-abiding merchants who legally purchased authentic goods and repackage them in various ways to enhance sales of such goods.

We forged an agreement which addressed the potential problem to the satisfaction of all those who had expressed concerns about it. So this bill addresses the problem of counterfeiting of manufactured goods in a manner that should now be considered non-controversial.

Accordingly, Madam Speaker, I support the bill, and I urge my colleagues to do the same.

Mr. SENSENBRENNER. Madam Speaker, I yield 4 minutes to the gentleman from Virginia (Mr. KOLLENSBERG), the author of the bill.

Mr. KOLLENSBERG. Madam Speaker, thank you very much for allowing me to speak on my bill, H.R. 32, the Stop Counterfeiting in Manufactured Goods Act. I sincerely want to salute the chairman, Mr. SENSENBRENNER, for the effort he has made. And I also wanted to thank the ranking member, Mr. CONYERS, and Mr. SCOTT and anybody else that wants to rise, I appreciate the hard work and the support you have given this bill.

I introduced this bill last year in response to the concerns of many manufacturing companies about the proliferation of counterfeit products, especially auto parts. Simply put, counterfeit auto parts alone cost American jobs. Every year, counterfeiters cost the U.S. an estimated $200 billion, and that is climbing. Counterfeit auto parts alone cost the automotive supplier industry over $12 billion annually.

To put it in more tangible terms, it is estimated that if these losses were eliminated, the auto industry could hire 200,000 additional workers.

Counterfeit products not only damage our economy, as the chairman just mentioned; they compromise the safety of all Americans. Counterfeit auto parts, including brake pads, have been found in taxi cabs; fake prescriptions drugs have been confiscated; babies have been found fake, and even, and this is serious, military combat vehicles have received counterfeit parts.

Oftentimes there is no way, virtually no way of telling the difference between a legitimate and a counterfeit product. That is why H.R. 32 prohibits the trafficking in also counterfeit labels, patches, and medallions.

This legislation also requires convicted counterfeiters to not only surrender confiscated counterfeit goods but also, more importantly, the equipment used to make those products. H.R. 32 will help dig up the counterfeiting networks by the roots, to stop criminals from reusing machinery and defrauding the American people.

I do just want to briefly address why we have to pass H.R. 32 again, when the House passed it last year by voice vote. First, the Senate added a technical clarification to address the concerns of some Internet marketplace companies that this bill would unfairly punish them for crimes committed by third parties. I support this technical change.

The intent of this bill is not to punish the victims of counterfeit schemes but, rather, to penalize those that blatantly and consciously pursue the sale of counterfeit products.

Second, the Senate added additional anticontfeiture provisions that broaden the activities deemed criminal under current law to include international property violations, and I fully support the addition of these provisions.

Madam Speaker, in closing, I want to again thank Judiciary Committee Chairman Jim SENSENBRENNER for his work on this bill. His committee has been tasked to do so many things over the last several months, so many pressing issues; and it took some time to bring this about. I sincerely appreciate everything he has done to bring this along. I also want to thank everybody else who was involved in bringing this bill to a final legislative finish.

We should all be proud of this bill, and I urge my colleagues to support its passage.

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

Madam Speaker, I rise proudly in support of this legislation and thank the chairman of the committee and his staff and others for working with us to ensure that this bill does not overreach.

The measure was designed to target illegitimate actors who trade in counterfeit trademarks, ranging from auto parts to fake labels for handbags or cologne. We all agree that manufacturers have a right to ensure that fake goods are not marketed in their names and that their own goods are not marketed under fake names.

The bill as originally written, however, went further than that. It was vague on the issue of whether someone other than the manufacturer could affix marks to goods that correctly identify the source of the goods. This struck at the very heart of the parallel importation problem. We all want to know how we can lawfully obtain genuine goods and make them available in discount stores without deception.

Not only has this practice been upheld by the Supreme Court, it also saves consumers billions of dollars each year.

Through negotiation with the majorities and affected parties, we have been able to revise the legislation to protect manufacturers, target illegitimate actors, and leave a legitimate industry unscathed. More specifically, because the bill amends the definition of a counterfeit trademark to include packaging and labeling formats which can be used lawfully by a variety of businesses, the new language clarifies that counterfeit packaging was made under the authority of the United States trademark owner is not prohibited.

Such repackaging can include combining single products into gift sets, separating combination sets of goods into individual items for resale, inserting coupons into original packaging or repackaged items, affixing labels to track or otherwise identify products, removing goods from original packaging for customized retail displays, and moving products from large end caps or display modules into smaller ones.

In deciding whether to bring a cause of action under the new law in situations involving the repackaging of genuine goods, it is expected that the government will consider evidence that clearly shows an intent to deceive or confuse. Such evidence could come in the form of altering, concealing or obliterating expiration dates or information important to the consumer use of the product; for example: safety and health information about the quality, performance or use of the product or service; statements or other markings that a used, discarded or refurbished product is new; or statements or other markings that the product meets testing and certification requirements.

Also relevant to a decision to bring a criminal action would be a meaningful variance from product testing and certification requirements, placing seals on product containers that have been opened or otherwise adulterating the genuine product.

Finally, the bill was modified to clarify that it was not intended to allow criminal actions against persons who, with no intent to deceive or confuse, traffic in goods or services that were originally manufactured under the authority of the United States trademark owner. In this regard, the phrase “the use of which is likely to cause confusion, to cause mistake, or to deceive”
is not intended to create a new element for this cause of action but, instead, reiterates what is already reflected in the definition of “counterfeit mark.”

So I congratulate the bipartisan effort that made this measure far more useful and appealing, and I urge my colleagues to support this legislation.

Mr. GILLMOR. Madam Speaker, as an original co-sponsor of H.R. 32, I am proud to rise in support of this important legislation.

Each year, counterfeit manufactured goods cost American businesses billions in lost revenue and exacerbate the global challenges that this sector of our economy already face on a daily basis. Madam Speaker, in my district alone, manufacturing accounts for 50 percent of all jobs. This legislation will make a significant impact in ensuring that northwest Ohio’s long and vibrant manufacturing history is not lost as a result of criminal actions designed to make a quick profit and deprive consumers of high-quality manufactured goods.

Finally, I want to thank my colleague from Michigan, Mr. KIOLEBENBERG, for his leadership on the Trade in Counterfeit Goods and Packaging Act. Mr. SENSENBRENNER, for ushering it to the floor just two weeks before National Manufacturing Week is set to kick off.

Madam Speaker, I would urge all of my colleagues to show their support for the manufacturing community by voting in favor of this legislation.

Mr. LEVIN. Madam Speaker, I rise in strong support of H.R. 32, the Stop Counterfeiting in Manufactured Goods Act. This legislation responds to a serious and growing problem: the trafficking of counterfeit goods.

We’ve all seen movies in which someone buys what looks to be an expensive Rolex watch from a street vendor, only to find out later what they’ve really purchased is a cheap imitation that doesn’t even keep proper time. Lately, it’s the DVDs of the movie themselves that are increasingly likely to be counterfeit. In the area of pharmaceuticals, counterfeit drugs are now being sold in this country and around the world. The packaging makes them look like the real thing, but the pills inside often lack the active ingredient people are relying on to treat their illnesses, or contain the wrong active ingredient altogether. According to the Food and Drug Administration, upwards of ten percent of the drugs worldwide are counterfeit. People buy what they believe are name-brand parts, like brake pads and spark plugs, only to find that they spent good money on counterfeit goods that do not meet safety and performance requirements. Beyond the obvious safety problem for consumers, the trade in counterfeit parts costs the automotive parts industry an estimated $12 billion a year. This is a heavy loss to a U.S. auto parts industry that already faces immense challenges.

The fact of the matter is that—whether it’s counterfeit DVDs, video games, medicines, auto parts, or watches—the United States economy is losing millions of dollars in tax revenue and tens of thousands of jobs because of the manufacture, distribution, and sale of counterfeit goods. We need new tools to deal with this growing problem, and that’s what this legislation does. This bill expands criminal penalties to include those who traffic in counterfeit labels and packaging, setting fines of up to $2 million and a prison sentence of up to ten years for those who intentionally sell or distribute counterfeit labels and other false packaging. It also requires the offender to make restitution to the owner of the mark. In addition, the bill requires the forfeiture of any property derived from the proceeds of the violation, as well as any property used in connection with the offense.

I urge all my colleagues to join me in supporting this needed legislation.

Mr. CONYERS. Madam Speaker, I have no other requests for time, and I yield back my time.

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

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that we suspend the rules and concur in the Senate amendment to the bill, H.R. 32.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate amendment was concurred in.

A motion to reconsider was laid on the table.

Supporting the Goals and Ideals of National Engineers Week

Mr. INGLIS of South Carolina. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 681) supporting the goals and ideals of National Engineers Week, and for other purposes.

The Clerk read as follows:

H. Res. 681
Whereas engineers use their scientific and technical knowledge and skills in creative and innovative ways to fulfill society’s needs;

Whereas in just this past year, engineers have helped meet the major technological challenges of our time—from rebuilding towns devastated by natural disasters to designing an information superhighway that will speed our country into the next century; whereas engineers are a crucial link in research, development, and demonstration and in transforming scientific discoveries into useful products, and we will look more than ever to engineers and their knowledge and skills to meet the challenges of the future; whereas engineers play a crucial role in developing the consensus engineering standards that permit modern economies and societies to exist;

Whereas the recent National Academy of Sciences report entitled “Rising Above the Gathering Storm” highlighted the worrisome trend that fewer students are now focusing on engineering in college at a time when increasing numbers of today’s 2,000,000 United States engineers are nearing retirement;

Whereas the National Academy of Engineering, education, and culture. His many credits include an order given at Valley Forge for more engineers and engineering education, an order which led to the founding of the U.S. Air Force Academy.

There is no doubt that we have worked very hard and come a long way
since the days of President Washington to become the world's leader in innovation, and there is no doubt that engineers have been there every step of the way. From landing a man on the Moon to providing new colors in our children's crayon boxes, engineers have played a role in nearly every facet of our lives.

I applaud the National Society of Professional Engineers for having this week to raise public awareness of the role engineers have to play in American prosperity. If we are to remain competitive and a world leader, how-ever, it is not only important, but imperative, that we continue to attract young people to this profession. It is imperative that we provide them with the education and tools necessary to excel in this demanding and rewarding profession. It is also imperative that we see that the teachers have not just the knowledge but also the enthusiasm to inspire and stimulate students to excel in math and science.

It is my pleasure to join with my colleague from Illinois (Mr. LIPINSKI) as an original cosponsor of H. Res. 681, and I urge my colleagues to support its adoption.

Madam Speaker, I reserve the balance of my time.

Mr. LIPINSKI. Madam Speaker, I yield myself as much time as I may consume.

Madam Speaker, I rise today in support of H. Res. 681 supporting the goals and ideals of National Engineers Week. Engineers have helped make our country great, from their service in the American Revolution to developing key modern industries such as aerospace and energy. I would like to honor and recognize the more than 2 million engineers in the United States and the contributions that they have made to our country.

Engineers combine imagination and creativity with math and science training to solve problems. Engineers in the past have helped us to build boats to cross the seas, railroads to take us West, and the Internet to communicate with the world. Today, we need the innovative capabilities of engineers to confront the new challenges before us. Engineers will help America develop energy independence, find solutions to confront global climate change, and make our Nation more secure.

But there is a growing concern that America is falling behind other countries when it comes to engineering. U.S. students continue to score below international averages on math and science tests. In 2004, China graduated more than six times the number of engineers that graduated in the United States. The National Academy of Sciences recently released a report entitled, "Rising Above the Gathering Storm," which raised questions about America's future technological competitiveness. This report, echoed by President Bush in his State of the Union address, emphasized the need for government to take a number of actions, including addressing the poten-
tial shortage of engineers. We must act quickly to take up this challenge. We cannot afford to let our future falter, and that future requires that we continue to lead the world in technological innovation. This innovation is supplied by engineers.

National Engineers Week seeks to raise public awareness about engineers' contributions to our society and our quality of life and has inspired future engineers for more than 50 years. Founded by the National Society of Professional Engineers and including more than 100 society, government, and business sponsors and affiliates, including Boeing, the American Society of Mechanical Engineers, the American Society of Civil Engineers, National Engineers Week draws upon local and regional experts to promote high levels of math, science and technology literacy. Annually, it reaches thousands of parents, teachers and students in communities across the country. From locally conducted competitions, such as the Future City Competition, to events such as Introduce a Girl to Engineering Day, this week helps inspire the next generation of engineers and scientists.

The Future City Competition is a great example of how National Engineers Week has touched students across the country. The competition encourages sixth and eighth grade students to use problem-solving skills, teamwork, research and presentation skills, practical math and science applications, and computer skills to present their vision of a city of the future.

The team from St. Barnabas Catholic School in Chicago recently won first place in the regional competition. This team included several students who come from my district. These students then went on to the national competition. At the national competition, they also won an award for their work in aerospace engineering.

These students had a great opportunity to learn more about the many factors that go into building a city. They then applied this knowledge to a real problem. Working with teachers and mentor engineers, they solved problems ranging from energy supply to waste removal to transportation needs. These students are the ones we will rely on in coming years to help us address these challenges in the real world.

If we are going to produce more American engineers, one step that we need to do is to improve our STEM education, that is, science, technology, engineering and math education, but we must also do research and inspire our children to become interested in engineering.

When I was a kid growing up in Chicago, I was fascinated by the way things worked, as most kids are. I had a physics teacher in high school at St. Ignatius. His name was Father Fergus. He took this fascination that I had and got me interested in engineering, just as I hope that the events of National Engineers Week will do for more children.

I went on to earn a bachelor's of science degree in mechanical engineering at Northwestern and a master's degree in engineering-economic systems at Stanford University. I am one of only nine Members of this body who has an engineering degree, but people come up to me often and ask me how does the training as an engineer help you. Certainly it helps in understanding science and technology issues, such as energy independence, find solutions to math and science education, and transportation and manufacturing issues.

But engineering is more than that. Simply put, engineering is problem solving. Training as an engineer teaches you how to analyze a problem and how to put the steps together to solve that problem, no matter what the problem may be. It helps teach the type of analytical and innovative thinking that has made America a world leader technologically, militarily and economically. We must do everything we can to encourage and inspire future engineers so that America continues to be a leader in this increasingly competitive world.

Finally, I would like to thank the gentleman from South Carolina (Mr. INGLIS) for his involvement with the National Engineers Week resolution. I would especially like to thank the engineers who have contributed so much to America, to honor them for their commitment to the country's work for the betterment of our society. I ask my colleagues to pass H. Res. 681 in deserved recognition.

Mr. INGLIS of South Carolina. Madam Speaker, I yield myself such time as I may consume. I note that my distinguished colleague from Illinois referenced his engineering education. You notice he stopped short of talking about his Ph.D. in political science. That is where he went to the dark side. He could have fallen into the law after that, even worse. But he came to Congress instead, so we are happy to have him here and happy to have the expertise he offers.

As one of those political scientist leaders myself, I would point out there are some national security implications to what we are describing here. The United States graduates in order of magnitude something like 60,000 engineers a year. China graduates perhaps north of 200,000 engineers a year. That has implications for us as a society.

Also, the U.S. Department of Labor predicts that in the future new jobs will require math and science training and technical ability four times more than science and technology issues. There is a growing need, as Mr. LIPINSKI was saying, for people trained in science and math and engineering,
spite of the fact that out of 100 high school students only two of those students will typically go on to ever get a degree in engineering or science. That is of concern.

And that is why I join with the gentleman from Illinois in urging my colleagues to submit this resolution supporting the goals and ideals of National Engineers Week.

Mr. BOEHLERT. Madam Speaker, I rise today in strong support of H. Res. 681, a resolution recognizing the importance of engineers and supporting National Engineers Week.

From the grandest of skyscrapers to microchips and the smallest of medical devices, engineers continue to design and construct products that are vital to our daily lives and our Nation’s economy. Unfortunately, American students today are losing interest in engineering. The National Academy of Sciences report, “Rising Above the Gathering Storm,” notes that, “after secondary school, fewer U.S. students pursue science and engineering degrees than is the case of students in other countries. About 6% of our undergraduate majors in engineering; that percentage is the second lowest among developed countries.” We need to get American students at all levels back into science and engineering classes. Our Nation’s continued global and economic leadership depends on our ability to inspire the next generation of engineers.

H. Res. 681 recognizes and supports the goals and ideals of National Engineers Week as an important part of educating and building a competitive workforce for the 21st century. For example, National Engineers Week exposes students that might otherwise never dream of a career in a technical field to opportunities in engineering through programs such as the “Future City Competition” (a contest for middle school student teams to design a visionary city) and the “Global Marathon For, By and About Women in Engineering” (a 24-hour long series of presentations intended to attract young women into the engineering workforce). During this week, students and professionals at all levels will be motivated to explore the vast opportunities open to them in the field of engineering.

In conclusion, I would like to thank the National Society for Professional Engineers for its ongoing efforts to educate children and adults about the importance of engineering. I would also like to thank Congressman INGLIS and Congressman Linsk for their leadership on this important issue. I ask that you join me in recognizing the importance of engineering in our daily lives and the positive impact of National Engineers Week by voting in favor of H. Res. 681.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, I would like to express my strong support of H. Res. 681, supporting the goals and ideals of National Engineers Week. Engineers put ideas into motion. They must possess the creativity and analytical skills to innovate.

Texas is our Nation’s energy State. Its roots are in big oil and big skies.

These days, much of the wealth generated by Texas oil is being put to good use to “fuel” the technology economy. Engineers are a critical part of that fuel.

Our State is investing millions of dollars to develop cleaner-burning alternative fuels that are more efficient and better for the environment. Engineers, working behind the scenes, are involved at every stage.

I am proud that my State is showing leadership at a time when this Nation desperately needs to invest more in research, particularly in energy research.

Texas’s tenacity and frontier spirit is strong, and I commend engineers in Texas and across this Nation for the wonderful work they do.

Madam Speaker, I join my colleagues on the House Science Committee in support of H. Res. 681 and National Engineers Week.

Mr. ADENHOLT of South Carolina, Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from South Carolina (Mr. INGLIS) that the House suspend the rules and agree to the resolution, H. Res. 681.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 6:30 p.m. today.

Accordingly (at 4 o’clock and 2 minutes p.m.), the House stood in recess until approximately 6:30 p.m.

[1830]

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. ADENHOLT) at 6 o’clock and 30 minutes p.m.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on motions to suspend the rules previously postponed.

Votes will be taken in the following order:

H.R. 4054, by the yeas and nays; S. 2271, by the yeas and nays.

DEWEY F. BARTLETT POST OFFICE

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 4054.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. DENT) that the House suspend the rules and pass the bill, H.R. 4054, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 413, nays 1, not voting 38, as follows: [Roll No. 19]

YEAS—413

Ackerman, DeLauro
Ahn, DeMint
Akin, DeSaulnier
Allen, DeSoto
Andrews, DeWitt
Anderl, Desouza
Anderson, DeYoung
Anderson, Dicks
Andrews, Dingell
Andrews, Doyle
Baker, Drake
Baldwin, Drake, Jr.
Barrett (SC), Drake, Jr.
Barrett (MD), Drake, Jr.
Barrett (TX), Drake, Jr.
Bean, Drake, Jr.
Bednarz, Drake, Jr.
Berkeley, Drake, Jr.
Bergman, Drake, Jr.
Bertucelli, Drake, Jr.
Bishoff, Drake, Jr.
Bishoff (GA), Drake, Jr.
Bishop (NY), Drake, Jr.
Blackburn, Drury
Blumenauer, Drury
Bowden, Drury
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Bono, Drury
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Boyce, Drury
Bradley (NH), Drury
Bradley (PA), Drury
Brown (OH), Drury
Brown (SC), Drury
Brown, Corrine, Drury
Brown-Waite, Drury
Giannini, Drury
Burgess, Drury
Buxton, Drury
Buyer, Drury
Calvert, Drury
Camp, Drury
Campbell (CA), Drury
Cann, Drury
Capito, Drury
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Capito, Drury
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Carroll, Drury
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Castle, Drury
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Clay, Drury
Cleaver, Drury
Clyburn, Drury
Coble, Drury
Cole (OK), Drury
Conaway, Drury
Conyers, Drury
Cooper, Drury
Costello, Drury
Coster, Drury
Crenshaw, Drury
Crowley, Drury
Cubin, Drury
Cummins, Drury
Dale (AL), Drury
Davis (CA), Drury
Davis (IL), Drury
Davis (KY), Drury
Davis (TN), Drury
Davis, Tom, Drury
Deal (GA), Drury
DeGette, Drury
Delahanty, Drury
Delaroche, Drury

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Ms. CARSON changed her vote from “nay” to “yea.”

So (two-thirds of those voting having responded in the affirmative) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

USA PATRIOT ACT ADDITIONAL REAUTHORIZING AMENDMENTS ACT OF 2006

The SPEAKER pro tempore (Mr. ADERHOLT). The pending business is the question of suspending the rules and passing the Senate bill, S. 2271.

The Clerk read the title of the Senate bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and pass the Senate bill, S. 2271, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 280, nays 138, not voting 14, and as follows:—

[Table with votes]

PERSONAL EXPLANATION

Mr. GUTIERREZ. Mr. Speaker, I was ill today and, therefore, missed votes in this chamber. I would like the record to show that, had I been present, I would have voted “yea” on rollcall vote 19 and “nay” on rollcall vote 20.
REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 4167, NATIONAL FOOD UNIFORMITY ACT OF 2005

Mr. GINGREY, from the Committee on Rules, submitted a privileged report (Rept. No. 109-389) on the resolution (H. Res. 710) providing for further consideration of the bill (H.R. 4167) to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements, and for other purposes, which was referred to the House Calendar and ordered to be printed.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 415

Mr. LEWIS of Georgia, Mr. Speaker, I ask unanimous consent to have my name removed as a cosponsor of H.R. 415. The SPEAKER pro tempore (Mr. DENT). Is there objection to the request of the gentleman from Georgia? There was no objection.

REMEMBERING KIRBY PUCKETT

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

Mr. GUTKNECHT. Mr. Speaker, baseball fans everywhere, and in Minnesota in particular, mourn the passing of Kirby Puckett. Kirby Puckett was born to play baseball. He lived for the game. In an era of oversized egos and greed gone mad, he was a throwback to an earlier time.

Kirby was the ultimate underdog. Born to humble beginnings, he thrilled to kids that could not afford to buy an autograph. Like a humbling, he did not know that his stubby body could not fly. Propelled only by an infectious enthusiasm, he amazed us with leaping catches that mere mortals would have conceded to the bleachers.

We always knew that with Kirby in the game the underdog Twins always had a chance. With his bat, his glove or with his smile, he made everyone around him play better.

He embodied the essence of all that baseball is supposed to be. The game will go on, new heroes will emerge, but there will never be another Kirby Puckett.

PATRIOT ACT REAUTHORIZATION

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

Ms. JACKSON-LEE of Texas. Mr. Speaker, I hold the Constitution dear and I also believe that we can secure our homeland and we can find the right way to do the PATRIOT Act, but it concerns me when we have allowed the expansion of this act to expand the surveillance of Americans.

We did not do what we should have done today because, in fact, national security letters can be issued to any American without showing any culpability or affiliation with terrorist acts or terrorists. In addition, our libraries are not protected because if you have one Internet service at your library, national security letters can be issued, and that has been done and have been issued under the old bill immediately now has to wait a year. So that means that you are going to be raided with any materials that the government asks for and you cannot even have a gag order issued.

I know that we can protect the Constitution, the rights of Americans and still protect national security. Why did we not do it right? This is not the right PATRIOT Act, and for that reason, I had to vote ‘no.’ I hope we get it right some day and protect the Constitution.

VENEZUELA’S DICTATOR

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

Mr. POE. Mr. Speaker, it is abundantly clear that the President of Venezuela, Hugo Chavez, is neither a friend of democracy nor a friend of the United States. Mr. Chavez has consistently rattled the anti-United States sabers. He made best friends with Fidel Castro and Cindy Sheehan, and he supported radical revolutionaries in Latin and South American countries.

Mr. Chavez has also radically altered his own country’s political institutions, creating a disgusting and disgraceful dictatorship that does not deserve our support.

Why is it then, Mr. Speaker, that the United States gives Mr. Chavez’s government millions in direct aid each year? As our friend and Congressman, LOUIE GOHMERT says, ‘Why do we pay them to hate us?’

Mr. Speaker, it is absolute hypocrisy to fund, to corrupt communist dictator on Monday and then complain about his antidemocratic actions on Tuesday.

Do we give money to Venezuela because we need them as a source for crude oil? If so, this is another reason we should become energy self-sufficient and not depend on Third World dictatorships for oil.

Mr. Speaker, this ought not to be.

NEW MEDICARE PRESCRIPTION DRUG BENEFIT PROGRAM A SUCCESS IN FLORIDA

(Ms. GINNY BROWN-WAITE of Florida asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, for the very first time in American history, every senior citizen will have access to prescription drugs. This provides a national standard for the regulation of precursor chemicals which are necessary to the manufacture of methamphetamine.

This legislation provides a uniform, national standard for the regulation of precursor chemicals which are necessary to the manufacture of methamphetamine. Currently, we have a hodgepodge of State laws and regulations. This provides a national standard that is uniform and this is very important.

Key provisions are as follows: limits the amount of pseudoephedrine sales, and pseudoephedrine has to be an ingredient to make methamphetamine. They cannot do it without it.

It requires that pseudoephedrine and other precursor chemicals are sold from behind the counter. In many cases now you can go in and pick them up.

Requires purchasers of these chemicals to show I.D. and sign a logbook.

Restricts Internet sales of precursor chemicals.

When we look at this, Mr. Speaker, we see that in 1990 there were only two States that had 20 clandestine meth labs each. California had 20 or more and Texas had 20 or more. Then you see
the spread of this epidemic. By 2004, practically the whole Nation was blanketed by small meth labs. The only exception would be in the New England States in the Northeast, and that is rapidly being taken over as well.

So this is something that is spreading rapidly. However, it is important to realize that 70 to 80 percent of the methamphetamine in the United States is now coming from super labs, mostly in Mexico, in the form of crystal meth. So these small, clandestine meth labs are no longer quite so relevant because almost all of the meth coming into the United States is coming out of Mexico.

This legislation does something that is really critical. It seeks to cripple the super lab meth production by tracking large international shipments of pseudoephedrine. As I mentioned earlier you have to have pseudoephedrine to make methamphetamine.

It requires the five largest exporting countries of pseudoephedrine and the five largest importing countries of pseudoephedrine to report and track shipments of pseudoephedrine and report to the United States. Failure to comply would lead to a reduction in U.S. imports of that country by as much as 50 percent.

We think this is the best regulation we have been able to come up with yet to track the international sale of pseudoephedrine and superlab production.

Additional provisions toughen penalties against meth producers and traffickers, improves and authorizes new funding for the drug courts program, provides help to States to protect drug-endangered children.

In Nebraska in 2005, nearly 6,000 children were living in foster care situations. This is a State with only 1.7 million people. An estimated 50 percent of foster care children in Nebraska, roughly 3,000, are in the foster care system because their parents are meth users or abusers.

An Arkansas study indicates that the average meth addict costs the State and local agencies $47,500 per year because of crimes, child and spouse abuse, incarcerations, etcetera.

One recent study indicated that a prenatal child exposed to meth can cost as much as $250,000 in health care just for the first year alone and can cost up to $1.7 million to get that child to age 18.

It is a hugely important problem and very stressful. I believe this legislation is a critical first step to ridding our communities of this plague, and I urge support of the conference agreement.

I would like to just show one last picture. This is a young woman who was photographed each year from 1979 until her death in January of 1989, and as you see these pictures, you see her steady deterioration until what looks like an event of maybe 50 years in a period of 10 years, and it culminated in her death. This is something we have to get rid of.

MESSAGE FROM THE SENATE

A message from the Senate by Ms. Curtis, one of its clerks, announced that the Senate has passed a bill of the following title in which the concurrence of the House is requested:

S. 2330. An act to make available funds included in the Omnibus Public Health Appropriations Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3199) entitled “An Act to extend and modify authorities needed to combat terrorism, and for other purposes.”

☐ 1990

NATIONAL INTEGRATED BALLISTIC INFORMATION NETWORK PROGRAM

The SPEAKER pro tempore (Mr. DENT). Under a previous order of the House, the gentlewoman from New York (Mrs. McCARTHY) is recognized for 5 minutes.

Mrs. McCARTHY. Mr. Speaker, once again, we are threatened budget cuts that affect our local law enforcement agencies’ effectiveness. Not only is the COPS program facing cuts and the criminal background check system for firearm purchases underfunded, but now the National Integrated Ballistic Information Network program is also in jeopardy.

The NIBIN is used by forensic experts to analyze the unique marks made on bullets and cartridge cases when guns are fired. The images of these markings can be compared with other images in more than 200 Federal, State, and local law enforcement laboratories. By tracing and comparing these markings, police can track the history of a gun used in a crime. The report indicates which crimes are related and make sure the appropriate law enforcement agencies are working together to find the criminals responsible for these crimes.

NIBIN makes law enforcement agencies more efficient by making sure that two agencies are not duplicating their work. In large part, NIBIN has been a success. Last year, the Los Angeles Police Department arrested a man for vandalism and possession of a firearm. The gun has tested and identified as being used in an attempted murder only a month before. If not for ballistics testing, this individual would have gone free and the attempted murder case would still be unsolved.

In my own State of New York, an individual was arrested for unlawful possession of a weapon. The gun was entered into the NIBIN database and was discovered to have been used in an unsolved assault with a deadly weapon incident that occurred in a different jurisdiction. The weapon was then stopped, and was taken off the streets because of ballistics testing. This is happening on a daily basis.

There are countless other success stories throughout our Nation; but, unfortunately, NIBIN’s future is in doubt. Budget cuts are jeopardizing the future of this program. The Bureau of Alcohol, Tobacco and Firearms administers NIBIN and may be forced to cut spending. Congress funding of this great program would be a tragedy resulting in more criminals getting away with horrendous acts of violence. ATF needs more, not less, funding for this particular program.

Last year the ATF said that they last year said the ATF needs to better promote and improve NIBIN. Many law enforcement agencies do not participate in NIBIN simply because they do not have the resources to enter the information into the database. The Justice Department report suggests purchasing equipment for high-crime areas and developing a plan for lower-incidence areas to share ballistics technology.

The report also states it is imperative that we deal with the backlog of ballistic evidence not yet entered into the database. A similar problem exists in the National Instant Background Check system, and I have introduced legislation to give States grants to make sure that data is entered.

We must also fund new ballistic technologies that can provide matches on portions or fragments of bullets found at crime scenes. Mr. Speaker, since 9/11 our law enforcement officers have accepted new responsibilities in the war on terror. But this current budget wants to cut programs that staff local police forces and provides them with bullet-proof vests. Let us work together to make their jobs easier, not more difficult. Let us fully fund the ATF’s National Integrated Ballistic Information Network. This will catch repeated offenders before they commit another crime and make sure our law enforcement agencies are on the same page when it comes to investigating crimes that have been related.

A VISIT TO AREAS AFFECTED BY HURRICANE KATRINA

Mr. Speaker, I also want to take a moment or two to talk about the trip that we had with Speaker HASTERT and Leader PELOSI on Thursday, Friday, and Saturday. With grateful thanks to Speaker HASTERT, he took us down to Mississippi, Louisiana and Alabama, mainly to see the disaster areas 6 months later and what is happening in those States.

The American people, I know, tend to forget what is going on; but when you go to these States, they need our help desperately. I have been watching CNN and certainly have followed what is going on down there; but when you see it with your own eyes, it is more than anyone can ever imagine: to see whole trailer trucks just thrown into the wetlands due to force of this hurricane; to see the housing just collapsing on a daily basis; and to see our local government officials trying to make ends meet but without a budget because there are no businesses that provide a
tax base. There are no homes there. And the people certainly have to come back to bring back the communities.

In my opinion, it is up to the Federal Government. I know we are trying, but we have to do a little bit better. It is our moral responsibility to help these people. We have never known when a hurricane will happen in our own back yard, so I hope the American people do not forget the people of Hurricane Katrina. There is still much work to be done.

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

(Mr. DREIER addressed the House. His remarks will appear hereafter in the Extentions of Remarks.)

INTRODUCTION OF H.R. 4808, UNFAIR CHINESE AUTOMOTIVE TARIFF EQUALIZATION ACT

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

Mr. JONES of North Carolina. Mr. Speaker, on March 1, Mr. KILDEE of Michigan, a Member of Congress, joined me in a bill, H.R. 4808, which would prevent imports of passenger cars from China until the United States and Chinese tariffs on these items are equal.

Mr. Speaker, I think we all know that our trade deficit with China is well over $200 billion. We all agree that we live in a world where we have to work with each other and trade with each other. The problem is that under the current agreement, these cars that will be coming in from China put us at a disadvantage, our workers and our car companies.

Let me just share with you that if we ship a car from America to be sold in China, the Chinese Government slaps a 28 percent tariff on American-made cars. If those Chinese cars come into America, we charge them a 2.5 percent tariff on their cars. That is not a level playing field.

I think China has enough advantages, quite frankly. They manipulate their currency, violate intellectual property rights, utilize heavy equipment, government subsidies, pay their workers just pennies a day, and they do not have to worry about the labor and environmental standards that Americans must abide by. The tariffs just give China another unfair advantage, an advantage that threatens the job of every worker in the United States auto industry.

I hope that my colleagues on both sides of the aisle will join us in this fairness issue. That is all this is about, fairness, because our workers work hard to produce a quality product. When we send to China, they, again, put a 28 percent tariff on our cars going to China, while we only put a 2.5 percent tariff on passenger cars coming to America.

Mr. Speaker, there is something else that we fail to realize. With that $200 billion trade deficit, in The Wall Street Journal this week it said: “China defends outlay to increase by 17.4 percent, the most in 4 years.” The Chinese are making money off the American people, and they are taking that money and, in many cases, they are putting it into their military.

Now, I am not so concerned about China and America going to war, but I do know this: China is trying to build an army. What is the Army being built for? What is the Army being built for? What is the Army being built for? We have soldiers out there without KEVLAR vests, where parents are left to literally do bake sales to raise the money for their children so they can have the protection that their government and their taxpayers expect and are responsible for, yet nothing. We have literally members of the armed services running around like scrap metal collectors trying to solder their Humvees, yet nobody has asked a single question as to how that happened; why is that happening.

We have Paul Bremer, the President’s ambassador, who now writes a book and says that he had asked for 500,000, or doubling the size of the troop level, for 3 years. Nobody has asked for it. The United States said nobody ever asked for more troops. If they want more troops, we will send more troops. General Abizaid and Paul Bremer, the President’s ambassador, have said that he had asked for more troops, and neither the Secretary of Defense nor the President of the United States acknowledged that memo. Yet what do we have? Nobody is holding them accountable. Nobody is holding anyone accountable in the administration.

We have a great deal of incompetence. We are at $480 billion in Iraq, with 2,300 Americans, our fellow citizens, having lost their lives. Well over 15,000 are wounded, permanently many of them, yet not a single question of what happened here. What is the competency here?

Now, take a look at this on Medicare. It is not just isolated to Iraq. We have now had that policy, and that policy has run its course. We now have a civil war. The Americans find themselves in the middle of, between the Sunnis, the Shiites and the Kurds all fighting each other, and nobody has

Mr. EMANUEL. Mr. Speaker, last week, a number of Americans were able to see the President on the videotape on Katrina and see also what has happened down in New Orleans since that time, or the lack of action there. We also witness every day the civil war that is engulfing Iraq and a policy of failure to bring stability to Iraq, the chaos that has engulfed our Medicare prescription drug plan, and also the flare-up over our port security and selling major assets of America’s infrastructure to foreign companies. We have soldiers out there without KEVLAR vests, where parents are left to literally do bake sales to raise the money for their children so they can have the protection that their government and their taxpayers expect and are responsible for, yet nothing. We have literally members of the armed services running around like scrap metal collectors trying to solder their Humvees, yet nobody has asked a single question as to how that happened; why is that happening.

We have Paul Bremer, the President’s ambassador, who now writes a book and says that he had asked for 500,000, or doubling the size of the troop level, for 3 years. Nobody has asked for it. The United States said nobody ever asked for more troops. If they want more troops, we will send more troops. General Abizaid and Paul Bremer, the President’s ambassador, have said that he had asked for more troops, and neither the Secretary of Defense nor the President of the United States acknowledged that memo. Yet what do we have? Nobody is holding them accountable. Nobody is holding anyone accountable in the administration.

We have a great deal of incompetence. We are at $480 billion in Iraq, with 2,300 Americans, our fellow citizens, having lost their lives. Well over 15,000 are wounded, permanently many of them, yet not a single question of what happened here. What is the competency here?

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asked the questions of what happened to the troops, the amount of troops, what happened to the KEVLAR vests, the Humvees; how come there are not enough men and women that the ambassador and the general had asked for.

Not a question. Nobody is accountable. Nobody ever got fired, let alone the questions about the intelligence going into it.

Take Medicare. We debated here on this floor, and I voted against that bill and said it was going to lead to great confusion to seniors. Rather than a simple plan, letting negotiations happen, letting reimportation happen, letting generics hit the market, which all would drive the price down of prescription drugs and save money. Members here said and the administration said it will only cost $390 billion over 10 years. Before the ink was dry, it rose to $790 billion. So all the taxpayers are going to have to pay double what they were told and everybody in the administration knew.

One person who said, here is what the report said, was under threat of being fired if they let that information out. Yet now, with 2 years to prepare, 2 years to get ready, the Web site, run by HHS, had information wrong. The catalogue they sent out to every senior had it wrong. It has led to massive confusion where seniors now are sometimes double enrolled, cannot get enrolled, and where States are having to step in for the poorest of the poor because they cannot get their plan. It is run like, as some people say, they couldn’t run a one-car parade if they tried.

Again, that massive incompetency and the inability of this Congress to have oversight and keep people’s feet to the fire and hold them accountable, to ask the questions and get the answers the American people want are not being done today.

And the incompetency is not isolated to Medicare or Iraq. Take the response to Hurricane Katrina: when we saw that tape, we now learn that, in fact, Mr. Brown, or known to the rest of us as Brownie, was doing a heck of a job, and he gets fired, and yet it is Chertoff who is still head of the Homeland Security Department, had no idea what was going on, no line authority, never involved himself, and we had a massive disaster.

When you run through the economy, Iraq and the deficit, what this President has done, I would settle, and I think the rest of the country would be quite happy if we had a competent conservative rather than the compassionate conservative that we were promised. The American people are not looking for a compassionate conservative, a fiscal conservative, or a social conservative, competent, conservative would do America well.

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

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

HONORING FIRST SERGEANT BRAD KASAL

Mr. KING of Iowa. Mr. Speaker, I ask unanimous consent to speak out of order.

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

There was no objection.

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

Mr. KING of Iowa. Mr. Speaker, I am honored to deliver the story of an American hero, First Sergeant Brad Kasal, to this Chamber and to the American people.

Sergeant Kasal was born in the small town of Afton, Iowa, where he was raised on a small family farm and where he learned Midwestern values which would later serve him very well in his service in the United States Marine Corps. Sergeant Kasal is 39 years old and has served three tours of duty in Iraq and Kuwait. He is a member of Weapons Company, Third Battalion, First Marine Regiment, also known as “Thundering Third.”

When you hear Sergeant Kasal’s story of courage and sacrifice, it is not surprising that he comes from a solid family of patriots who have also served our country.

Brad Kasal’s brother Jeff is a retired Army paratrooper who served our country in Operation Desert Storm with the 82nd Airborne and now works in Iraq. Brad’s brother Kelly served in the United States Army, and his brother Kevin also served in the United States Marine Corps. And 50 years ago, their father, Gerald, served in the Iowa National Guard.

But even among the patriotic Kasal family, Sergeant Brad Kasal’s experiences set him apart. During his three tours of duty in Iraq and Kuwait, Sergeant Kasal has received two Purple Hearts. His first was awarded for an incident in August 2004 for shrapnel wounds to the face, neck and shoulder from a rocket-propelled grenade. His second Purple Heart came from events which took place on November 13, 2004, when Marines were in their fifth day of Operation Phantom Fury, which was a battle to free Fallujah from the grip of the terrorists.

Sergeant Kasal was patrolling the streets and had the duty of clearing terrorists from buildings when he saw a fellow marine wounded and leaving a building. He told him that three more of their men were still inside and under attack.

Without regard for his own life and safety, Sergeant Kasal charged into the building to defend and rescue his men. It was then that he saw several dead Iraqis, the wounded Marines, and a terrorist confronting him with an AK-47 rifle less than 2 feet away. While he managed to dodge the bullets and kill the terrorist, he was not able to sneak up behind him and open fire. Sergeant Kasal was hit by those bullets and fell to the ground. He was dizzy and disoriented from his wounds, but he immediately began caring for his wounded comrades. Sergeant Kasal knew he had to stay alive to save himself and the others. As he struggled to remain conscious, a grenade dropped onto the ground next to a wounded marine.

Responding to his instinct to protect his comrade, Sergeant Kasal threw his own body over Private First Class Alexander Nicoll. Thankfully, Sergeant Kasal’s helmet and body armor protected his vital organs, but he took the full blast of shrapnel to his back, shoulders and legs. For the next 45 minutes as he lay grievously wounded, Sergeant Kasal used his 9 millimeter handgun to defend himself in a prolonged shootout where he suffered another bullet wound.

This picture shows Sergeant Kasal being helped from the building still clutching his trusty 9 millimeter handgun. He explained that he kept the gun because he was being evacuated through a kill zone where he knew a number of terrorists remained, and he feared his weapon might be needed to fend off more potential attackers.

Long after he was rescued, Sergeant Kasal learned the full extent of his injuries. Ultimately, he lost 60 percent of his blood. He took 40 pieces of shrapnel wounds, and suffered seven bullet wounds. Despite his wounds, Sergeant Kasal said his efforts and wounds were worthwhile. The marine whom he shielded, Private Nicoll, had survived the battle.

Sergeant Kasal must undergo constant medical procedures and therapy, but his ultimate goal is so he can resume his service in the Marine Corps to defend you and me and the people of our country.

Marine First Sergeant Brad Kasal does not think of himself as a hero. He is a model Marine and hero for Americans.

In all wars, there are stories of bravery and heroism. The story of Marine First Sergeant Brad Kasal stands out among them. There is no doubt that Sergeant Kasal’s actions on November 13, 2004, prove he is an honorable marine with a bigger passion for his fellow marines and our country than his own life and safety.

Sergeant Kasal believes the values he learned in his Iowa upbringing, as well as the strong spirit of the Marine Corps, gave him the strength and will to persevere in an otherwise unsurvivable situation.

Sergeant Kasal makes me proud to be an Iowan and an American; and I thank him for his bravery, honor, and patriotism.
In recent years, since the launch of wars against Afghanistan and Iraq, the military has purged several Farsi and Arabic translation specialists because they were discovered to be gay. This shocking and incomprehensible personnel decision has prompted my friend and colleague, Frank, to relabel the Pentagon policy: “Don’t ask, don’t tell, don’t translate.”

How is that for a forward-looking national defense strategy? At just the moment when we need to understand Mideastern culture and win over hearts and minds of its people, the military dismisses the people who speak their language. The 9/11 Commission cited a shortage of Arabic speakers, and, thus, an inability to translate key intelligence as a handicap in our ability to predict the September 11 attacks.

Mr. Speaker, I have been outspoken in my opposition of the Iraq war and my belief that now is the time to bring our troops home. But I am antiwar, not antigay, not antimilitary. I want us to have the strongest possible national defense, a goal that is in no way incompatible with rooting out intolerance and protecting equal rights.

There is no trade-off, no balance of competing interests in this case. If “don’t ask, don’t tell” fails the social justice test and detracts from national security, what possible use could it have?

I would have thought that a 3-year $250 billion war that is stretching the military to its point would compel the Congress and the Pentagon to reexamine this block-headed policy.

Mr. Speaker, I hope that we will.

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

Mr. Speaker, I ask unanimous consent to address the House for 5 minutes at this time.

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

There was no objection.

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

Mr. Speaker, in the world we live in today, there is nothing more important than American security. This is one reason I was surprised to learn there is a plan to let a foreign government, through its government-controlled company, run major ports throughout our country, including part of the military port in my district in southeast Texas.

We hear that the UAE ports deal will actually help us with homeland security. My question is: Are we now going to outsource national security as well?

The recent disturbing decision to allow the United Arab Emirates to have a stake in operations in U.S. ports is a dangerous decision that defies common sense.

History has shown that friends of the United States come and go. Those who are our friends today may not be our friends tomorrow. The UAE, although alleged friends today, have not been our friends in the past; and there is nothing that proves that they will continue to be our friends in the future.

The UAE recognized the Taliban. It laundered money that financed the 9/11 terrorists, and it continues to participate in the Arab boycott against our ally, Israel. This country harbored terrorists that played a role in killing 3,000 people on September 11. We cannot sit by while our enemies take advantage.

Mr. Speaker, last time I checked, we were at war against the Taliban. I find it extremely hard to believe that we would want to give a country that supported our enemies access to our ports. If this deal were to go through, these same foreign entities would get access to U.S. manifests showing what cargo is being shipped and where and when it is going.

According to a recent Zagby poll taken in October 2005, it found that over 70 percent of those who lived in the UAE do not like the United States. If this arrangement goes through, who is going to stop a potential terrorist from posing as someone else, going to work for one of these ports, and gaining access to information with the intent to harm Americans? We do not need to take this risk with national security.

Currently, only 5 percent of the more than 14 million containers entering our Nations’ ports are screened by the U.S. Coast Guard, which is in charge of port security, seems uneasy about letting this take place.

Many Americans across our land are opposed to this foreign operation in our homeland. The port of Beaumont in Texas, one of the operations proposed to be run by this UAE deal, ships one-third of the military cargo going to Iraq and Afghanistan. This is more than any other U.S. port. We want to give a foreign government access to U.S. military shipping information? I think not.

We cannot allow our ports to be infiltrated by foreign governments. And this is not just a port issue. It is an issue of national security. For this reason, I have joined colleagues from across the aisle in introducing a bill...
that which will stop this UAE operation from going through. I have joined the gentlewoman from Florida (Ms. WASSERMAN SCHULTZ) in introducing legislation to prevent this dangerous and deceptive deal. This deal should become a “no deal” before it becomes an order.

Mr. Speaker, just last week we introduced the Port Security Act of 2006. This is the House version of legislation already introduced in the Senate. This bipartisan legislation will prohibit foreign state-owned companies from controlling operations at U.S. ports and stop the UAE deal by mandating a congressional review of existing foreign state-owned companies that are operating in American ports. There is an innate and inherent problem, not to mention a serious national security risk, with letting state-owned foreign companies buy interests in American ports.

I am not opposed to foreign privately owned companies operating in our country. I understand we live in a global economy. Foreign ownership of a hotel or car company is one thing, but foreign government ownership in port operations, especially those that handle military cargo, is absurd.

There are entirely too many issues that need to be ironed out before we start offering our ports and our national security up to foreign governments for sale or for lease. This decision is unwise. It is a risky business. This ought not to be. And that is just the way it is.

The SPEAKER pro tempore. (Mr. DENT). Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

Ms. KAPTUR. Under a previous order of the House, the gentlewoman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

FOREIGN OPERATIONS REQUEST

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

Mr. PALLONE. Mr. Speaker, the President’s budget request for fiscal year 2007 proposes 20 percent more military aid to Ethiopia than to Armenia. This request is a clear breach of an agreement struck between the White House and the Congress in 2001 to maintain parity in U.S. military aid to Armenia and Azerbaijan.

Mr. Speaker, the parity agreement is unfortunately a battle that the Armenian people have had to fight in the past. The fiscal year 2005 Presidential request was similar in that it called for more military funding to Azerbaijan.

However, the Congress reversed the President to keep parity in the fiscal year 2005 Foreign Operations Appropriations Act. After that battle and the President’s 2006 budget request that included parity, I thought the President’s fiscal year 2007 budget would continue that policy. But unfortunately that was not the case. A lack of military parity would, in my opinion, weaken ongoing peace negotiations regarding Nagorno Karabakh, among other things.

It will also contribute to further instability in the region, and it undermines the role of the United States as an impartial mediator of the Nagorno Karabakh conflict. Mr. Speaker, the government of Azerbaijan is urging the Government of Azerbaijan for walking away from the organization for security and cooperation in Europe’s Key West peace talks, the most promising opportunity to resolve the Nagorno Karabakh conflict in nearly a decade.

Mr. Speaker, unfortunately, the administration’s budget also calls for drastic cuts in economic assistance to Armenia. I was discouraged to see that the President requested a 30 percent decrease in economic aid from $74.4 million last year to $50 million this year. Technical and developmental assistance and investment is essential to Armenia. This funding is key to democratic stability and economic reform in the country.

Mr. Speaker, is this the message we want to send to our friends in Armenia? Do we want to cut economic aid to a country that is terrorized by its neighbors and is shut off on its eastern and western borders due to an illegal blockade by Turkey and Azerbaijan?

Mr. Speaker, in the coming weeks I will advocate to the Foreign Operations Subcommittee to restore military parity, to increase economic assistance to Armenia and to provide for humanitarian aid to the people of Nagorno Karabakh. It is incredibly important to reward our allies and to send a message to Azerbaijan and Turkey that ethnically charged genocides, illegal blockades of sovereign nations, and the constant harassment of the Armenian people will not be tolerated.

AMEND THE FOREIGN ASSISTANCE ACT OF 1961

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

Mr. ROHRABACHER. Mr. Speaker, today I am introducing, and I have just introduced a bill, to amend the Foreign Assistance Act of 1961 to limit the provisions of the United States military assistance and the sale, transfer or license of United States military equipment or technology to Ethiopia.

The bill requires that before the United States provides military equipment to the regime in Addis Ababa that our President certifies that the Government of Ethiopia is not using our equipment or technology against prodemocracy advocates or peaceful civilian protesters in Ethiopia. Is that too much to ask?

It is an outrage that in Ethiopia that over 80 opposition leaders and human rights activists and journalists have been recently charged with treason, violent conspiracy and genocide. These prisoners of conscience face brutal captivity and the possibility of death sentences. They include 10 newly elected members of the Parliament and other officials of the opposition Coalition for Unity and Democracy Party, that is the CUD.

These brave souls face charges filed against them by a corrupt and repressive government. This same government blatantly stalled the last election, making a sham out of the democratic process. Five of those being charged with criminal behavior work for the Voice of America. One of those being held is Dr. Berhanu Nega. He is an American citizen and mayor of Ethiopia’s largest city. Dr. Nega is an advocate of democracy. He faces the death penalty for his involvement in mass protests over the election fraud that took place in Ethiopia during their last election.

Now, in January, the British Government cut the equivalent of $88 million in support to Ethiopia. This was due to its concerns about the governance and human rights issues arising from this disputed election. Other international donors have taken similar measures.

My legislation requires certification by the President of the United States that our military equipment provided to Ethiopia is not being used to beat down those who would bring honest and democratic government to that troubled land. In Ethiopia, it is incumbent upon us as Americans to be on the side of those struggling for honest and democratic government, not on the side of their oppressor.

No pragmatic strategy can justify the United States backing a regime that stole the last election and has brutalized their own people and will, at some point, disintegrate from its own corruption and incompetent ways. I ask my colleagues to join me in recognizing and supporting the democratic movement in Ethiopia, just as we did with a similar movement in Ukraine just 2 short years ago and in other countries throughout the world where the future was in play and human freedom was in the balance.

That is what being an elected representative of the American people is all about, standing for our ideals and our principles. And nowhere could that be made more clear than to stand with the people of Ethiopia, who are struggling to make a democratic government, to form a democratic government, and to have honest government and the recognition and respect for people’s rights within their own country.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. CUMMINGS) is recognized for 5 minutes.
Mr. CUMMINGS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

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

Mr. STUPAK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Texas (Ms. JACKSON-LEE) is recognized for 5 minutes.

Ms. JACKSON-LEE of Texas addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.

THE STATE OF HEALTH CARE: REPUBLICAN EFFORTS FOR HEALTH CARE REFORM

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentleman from Pennsylvania (Mr. MURPHY) is recognized for 60 minutes as the designee of the majority leader.

Mr. MURPHY. Mr. Speaker, I will be joined in a little bit by my friend and my colleague, Dr. PHIL GINGREY of Georgia, for this next hour. It is important that we lay out a large segment of what we believe is a critically important agenda to reform health care in America.

We know that few things are more valuable to us than the health of our families. When the health of our families is threatened, we feel frightened, we feel vulnerable, and we desperately search for help. I think few would challenge that the United States provides, as available, the best health care in the world, dedicated and caring physicians and nurses and hospitals and professionals, and we have made huge technological advances in fighting disease and prolonging life. Our research and medical technology is second to none. It significantly advances every year.

However, despite these many accomplishments, the American health care system is burdened by severe problems that lower quality and increase costs and too often make this system unaffordable and inaccessible for millions of Americans. Too many families, unfortunately, are only able to window-shop for health care coverage, and they feel as though they cannot go into the store.

Tonight, those colleagues of ours on our side of the aisle, who are part of our health care team, will be talking about a number of important issues to advance this cause. Mr. Speaker, before I go into this, let me pause, if I may, for a moment, and say usually when I have been here for Special Orders to talk traditionally was walking up to the Capitol to make a call to my mother to let her know. She then would get on the phones and call all her friends. My mother was a nurse, worked for many years at hospitals in Cleveland, as well as in industrial settings.

I am sad to say that since I last spoke in the Chamber, my mother had died, but I am sure she is still doing her own monitoring, notifying her friends, and meeting my father now to talk to him and to say, make sure you pay attention to this message.

It is a message that I hope Americans will attend to as well. Because while there are all these costs of health care, what we are going to be talking about tonight is ways of changing health care and not simply shifting the burden of health care to one or the other. Let me talk about a few of the costs that we need to pay attention to. Health care costs are skyrocketing. In 2005, the federal government spent over 45 percent of mandatory spending on health care programs, including almost $300 billion for Medicare and $131 billion for Medicaid. Medicaid costs now consume about 70 percent of states' budgets, and it is rising more than the rate of inflation. This, nearly half a trillion dollars, does not even include the billions that we spend at the Federal level on discretionary health care spending for Department of Veterans Affairs, $31 billion; the National Institutes of Health, which has increased over 100 percent in the last 10 years under President Bush, to $25.5 billion; the Centers for Disease Control and Prevention, $8.2 billion; the Indian Health Services, $4 billion; Early Head Start, $6.8 billion; and the Women, Infants and Children program, $5.3 billion.

When we add to this also the costs paid for by employers and paid for by families across the Nation, the numbers are staggering.

The Federal Government has made a number of attempts over the years to deal with some of these increased costs, such things as dealing with the budget, where we try and increase copayments on prescription drugs, or we deal with premium costs in private or federally or State-funded health care programs, which have all been geared towards trying to share the costs.

This higher cost-sharing requirement, in many cases, is designed not only to reduce some of the overall costs to the Federal budget, but also to help encourage patients to change some behaviors, such as not going to expensive emergency room settings for common ailments, such as colds and flu and scrapes and bumps, but instead to see their doctor. These increased copays are usually enacted to change these behaviors, and yet we need to be doing other things in order to actually change some of the flaws in our health care system.

But let us make a point of this: whenever Congress has enacted those important issues to try and change some behaviors and actually save money, unfortunately, the Congressional Budget Office, which is there to tell us how much we are spending and give us some accurate numbers, simply is unable to do this at all.

The Congressional Budget Office can only talk about savings when more money comes out of pocket, but they cannot and are unable to talk about savings that come from trying to prevent the problems we are talking about tonight.

The CBO does not provide what is called dynamic scoring, a potential cost savings, the Federal Government in essence ties its own hands so we can only focus on cost sharing and not directly change efficiency and reduce errors in health care. We do not deal with the biggest drivers of these costs. We did not have a way here to look at this.

Let me give you an example. If we were to ask the Congressional Budget Office how much it costs to immunize children in America, they will calculate them with several important inoculations that they receive in their infancy and young childhood, the CBO could give us that number. But ask them what this saves, what this saves in reduced hospital visits and the other medical complications, and they simply are not able to tell you.

Ask the Federal Government CBO what treatment programs for alcohol and drug abuse save, and they cannot tell you.

Ask them what Early Head Start's medical programs save when we get children to the doctor early. They cannot tell you.

Ask also what would happen if we made our medical records system more efficient and eliminated many of the costly errors in the system. They cannot tell you.

The CBO can tell us that, in the Deficit Reduction Act passed by the House, that $150 million invested in there, through efforts of my office and others, in order to help hospitals in high Medicaid areas use electronic medical records in order to reduce costs. But, unfortunately, the CBO cannot tell us what those costs are.

I am going to be talking a little bit more about these costs, but first I would like to yield to the gentleman from Georgia, Dr. PHIL GINGREY, to lay out some general outlines of some other things we are going to be talking about tonight, Dr. GINGREY, a friend and colleague, who we often are on the floor together talking on these health care aspects, will lay out in general some of the things we will be talking about.

As I said, I opened up naming some of the huge cost increases in health care, but Dr. GINGREY will lay out the general plan of where we need to go to make some substantive reforms in the health care system so that we are no longer talking about cost shifting, but really talking about saving money, and, more importantly, saving lives.

I yield to Dr. GINGREY.
Mr. GINGREY. Dr. MURPHY, thank you so much and thank you for starting this Special Hour and allowing me to get over, as we have a great line-up of members, I think five members, of the Republican Healthcare Public Affairs Team that was formed, with Dr. MURPHY and I co-chairing the committee of the Republican Conference at the beginning of this 109th Congress. We have been talking about a number of issues during the past year relating to health care, the Medicare Modernization Act and Part D, tort reform, which we passed in this House many times and are still laboring to finally get that into law.

But this gives us, really, a great opportunity to follow on to what our President said in the 2006 State of the Union address in regard to health care. Now, he did not spend a lot of time on health care, but what he said in just a couple of pages was significantly an important part of his address to the Nation.

This Presidency and this Republican majority are fully, fully committed to making sure that we bring health care into the 21st century and we continue to maintain the edge that we have in regard to health care. But we are not going to maintain that edge if we continue to use a 20th-century model. It is just like the radio and the television set and the computer. We have to do this. We absolutely have to do it.

Dr. MURPHY probably in his opening remarks talked a little bit about one of the issues that I want him to address in regard to electronic medical records, or health IT, if you will, information technology.

I was recently in Antarctica, and I was able to take my American Express card, actually, no, one of my bank cards, and swipe it and get U.S. dollars to buy some souvenirs. But God help me if I had been hit in the head in Antarctica, I probably wouldn’t have been able to talk to the doctors, because they wouldn’t know a thing about my health care record. I know that Dr. MURPHY and others have taken a leadership role on this particular issue.

So I want to just go ahead at this point and begin allowing my colleagues to talk about some of these issues that are so hugely important. Dr. MURPHY has already made some remarks and will speak further about health IT. Dr. MURPHY is on the Energy and Commerce Committee, where the health Subcommittee does so much work on Medicaid and other issues, as I previously have co-chaired the Healthcare Public Affairs Team.

Dr. MURPHY, I would be happy to yield back to you after we can go to the long-term care issue and come back, whatever you would prefer.

Mr. MURPHY. I would like to talk a little bit, if I may, about some of these issues about errors in hospitals.

I opened up by saying that we clearly have the best health care available in America, but I would like the Speaker and others to imagine this: when you go into a hospital or doctor’s office, generally you will see filing cabinets packed with paper records of a patient’s care. Now, imagine also if the patient has seen multiple doctors, there are multiple files, and probably stacked somewhere on top of these files are reports that are pending to be filed, and chances are pretty good that the records between doctors offices are disconnected, that is, one doctor may not know what the other physicians or treatment specialists have seen. Perhaps a patient has sent some for the lab tests or consultations they have been asked to do. Perhaps they have, and those records have not been returned, x-rays have not come back over, whatever that is.

But you have a situation of voluminous paper records, oftentimes scattered within a hospital in different departments or between different offices, and that results in the likelihood that important medical records could be lost or not retrieved at that moment when someone needs to be making decisions.

Having worked in both neonatal intensive care units, pediatric units, and my own private practice as a psychologist, this is critical. It is critically important to be able to access records and review them quickly. But a simple statement one was looking for in a file that was multiple volumes and oftentimes multiple inches thick, it could take hours to retrieve that important data.

The risk of that is that some information may be missing. The risk is that important information may be missed. One study even found that one in seven medical records was missing vital information, and this could then lead to redundant tests or misdiagnoses, redundant treatments or inappropriate treatments.

Health administration paperwork costs almost $300 billion annually, equal almost $1,000 per person in America, or actually 31 percent of all health care expenditures in the United States; and yet we have hospitals with 21st-century technology that can use a 64-cut CT scanner that can give us three dimensional films of patients’ hearts, but we are still using an 18th-century paper system to keep track of these things.

The RAND Corporation reported that these critical errors that come from redundant, unnecessary misplaced information adds $162 billion in health care costs per year, a huge avoidable expense. Part of our move as the Republican conference here is to make sure that we encourage and fund through incentives hospitals and doctors’ offices to move towards health information technology.

Medication errors alone cost Medicare about $29 billion in costs. Whenever we talk about cost savings in programs such as Medicare and Medicaid, we are not slashing care, it is improving care; it is not denying access to care, it is bringing access to care. And that is vitally important.

Anyone who has ever had a prescription that could not be read or the pharmacist had to call back or the patient wasn’t sure if it was duplicating another medication recognizes how these errors cost the system. The best, the very best specialists have their eyes blindedfold when it comes to trying to deal with these.

In the Deficit Reduction Act, as I mentioned a few minutes ago, $150 million were put in the fund to use grants in high Medicaid populations, but throughout the Nation we see many health information technology companies emerging at hospitals and insurance companies investing billions of dollars, a critically important issue. So next time when one goes to the doctor’s office and sees the papers gone, but to see, for example, in VA setting records on a computer, calling up x-rays on a computer, looking at CT scans and MRIs, and, yes, even watching films of surgery on their computer screen, recognize that this is part of the core we need to go with 21st-century medical technology.

But also know this: the physician who did the test or radiologist who did the x-ray can immediately send it over secure and confidentially to one’s physician, who can then review the record.

In fact, I have been in physicians’ offices, since, unfortunately, a few months ago I had an accident in Iraq and then had a CT scan in Baghdad and an MRI done in Germany, and found that what could happen here is the records could then be sent over on computer disk to physicians in Washington, D.C. and Bethesda who could then review those tests and then consult, without having to call for new tests and repeat those. It wasn’t just the wording that they had of what was taking place in the medical test. They could actually see it themselves.

Repeat this story millions of times a day across America. Think please why the RAND Corporation says we could have savings of $160 billion; and in addition to that, when you look at the savings that come from otherwise lost days in the workplace, another $120 billion in savings.

Let me mention one other area that we can track with electronic medical records, and that is infection rates. A bill that I am working on to actually fund incentives in hospitals and medical practices to reduce infections is critically important.

Health-care-acquired infections cost the United States about $50 billion in annual medical costs. Now, these infections are such things as staphylococcus, methacycline-resistant staphylococcus aureus, urinary tract infections, pneumonia, et cetera, where what happens is through such low-tech issues as hand-washing or cleaning equipment, because we take these things for granted so much, they are not done. Sadly, this leads to somewhere up above 75,000, some estimates
even as high as 90,000, deaths per year, so says the Center For Disease Control, and these, in many cases are preventible. Now, in some cases they are not, if someone comes in with an open wound or someone is taking immunosuppressant drugs.

But what we need to do here is actually help patients get better care. We can save massive amounts if we use Medicare and Medicaid to provide incentives and pay for performance for hospitals that reduce these.

But this is where, again, using electronic medical records helps, by having this information available that hospitals can review and pull up information and saying what is happening? Are we seeing trends within the hospital? Should we take action? Information that can come up as an immediate alert to the hospital medical staff, to medical directors and hospital personnel, to say infections are now detected within the hospital, we need to take affirmative, aggressive, and thorough action to isolate and deal with this. That being the case, we can save tens of thousands of lives a year and tens of billions of dollars.

Now, we point these out because it is so critically important. I hear time and again people misleading the American public that somehow we are trying to cut Medicare and Medicaid. That is not true.

What we are trying to do is improve the system. And any American family knows that whether it is your car or your house, that when you deal with using inefficient and cheap ineffective ways, you can end up paying much more because the tools you use may break or the system you are trying to use to fix the problem may actually be ineffective, and it is going to cost you more in the long run.

Doing poor health care, making wrong decisions in health care, is what is expensive. Making the right decisions in health care and making sure we have the highest quality is what lowers costs. And once and for all, we have to put these tools back into the hands of health care providers across the Nation, give them the information that is needed on every patient, every time, making sure those records are secure and so that physicians are competent and hospital personnel are competent.

Dr. David Brailer, the President’s appointee to take many of these actions in the area of health information technology, and Secretary Leavitt, the Secretary of Health and Human Services, are leading the charge in some of these advances along with us in Congress.

This is something that we want the American people to know, Mr. Speaker; that in so doing, we will actually be saving tens of thousands of lives and tens of billions of dollars. These are efforts we will not yield on, because we recognize that the number of deaths that occur per year from us having our eyes blindedfold and our hands and not being able to do the best in health care is actually more that occur in a single year than died in all of the Vietnam War.

We have the tools to do this, and we as a Republican Conference will continue to lead this Nation in moving forward to save lives and save money.

With that, I yield back to the gentleman from Georgia, Dr. Gingrey, to control the balance of my time.
nationwide of all Medicaid spending goes toward long-term care.

Moreover, two-thirds of these funds are used for institutional care, even though consumers prefer to remain in their own homes and communities. I am sure, Dr. GINGREY, that in your State of Wyoming, you have applied for waivers, kind of all efforts possible to keep people in their own homes.

People prefer to be in their own homes. There are times when they do need to be in long-term care. One of the bills that I recently introduced that I know many of my colleagues are on, is the Qualified Long-Term Care Fairness Act. We want to encourage people to participate in long-term care insurance.

This bill provides the same tax deduction available to those who itemize as those who do not. Currently only people who itemize on their income tax can take off the cost of long-term care insurance. This was obviously overlooked when they passed the bill, in that they only allow people who itemize.

We want to make sure that this tax deduction may be used for long-term care insurance. This premium, activities of daily living, diagnostic, preventative or rehabilitation services, and certainly other services prescribed by a licensed health care practitioner.

My bill also, by the way, covers home health care expenses. By taking out a policy, it really and truly helps the family so very much. We want to make sure that this additional tax deduction can be claimed by people who take that extra care to be sure that if they need nursing home care that they have the insurance to cover it.

You know, Mr. Speaker, in 2001, spending for long-term care services for persons of all ages represented 12.2 percent of all personal health care spending in the U.S. This was almost $1.24 trillion spent for health care.

Congress should encourage all Americans to purchase long-term care insurance. And certainly this is but one way that we can encourage our constituents to spend that money for a long-term care policy.

If I may take a moment just of personal privilege to tell a story about a very dear gentleman that everyone thought he was my dad; he was not. He had two daughters and he cared about those daughters.

Because he lived in the same community that I did, and because we were very close, people just thought that Arne was my father. Well, let me tell you, Arne was a very, very thoughtful father, because he took out long-term care insurance.

He developed Alzheimer’s, and needed to be in a long-term care facility. His wife had passed on and the progression was very, very fast. Arne passed away last year, but I can just tell the Members in the Chamber tonight and those who may be watching in the audience, that Arne’s children truly appreciated the fact that he took out that long-term care insurance. Because that way, the insurance paid for all of the time that he had to spend in the nursing home. And he was able to preserve his life’s savings to leave to his children, which is really what he wanted. And he also wanted to make sure that he was not a burden on the taxpayers.

I would ask as many people as possible to consider that kind of insurance to make sure that they are cared for and that their children or whoever is taking care of their long-term savings to, that they are also provided for. I think it is an excellent way to do it.

Mr. GINGREY. If the gentlewoman would yield for a second. This is such an important item, long-term care, and the anecdotal case that you just presented to us is touching and very personal, but very real and very practical, as you point out.

And we are going to talk a little bit later about, and I point out on this chart, health savings accounts; but I think the gentlewoman would agree that the opportunity to utilize money out of a health savings account to purchase at some point, maybe not when you’re 35 years old and you just had the plan and you are building it up for a couple of years, but as you mentioned, I think you said in your fifties, it probably is certainly time to start saying not only do I pay for an annual physical, and maybe a mammogram or colonoscopy out of my health savings account, but maybe I need to look very closely at purchasing long-term care insurance to protect my assets, Mr. Speaker, so that they are not all used up, as I or anybody else who suffers from some debilitating illness that lasts for a long time, in a nursing home, they have no insurance, they have exhausted all of their assets.

Mr. Speaker, I commend the gentlewoman for pointing to, in thinking outside of the box. I think that is part of why we as Members of the Republican Conference as a health care team, want to bring to our colleagues on a regular basis that we are thinking of ways to get the job done.

We are not just sitting back and accepting the same old, same old. And your bill, and I was not aware of the specifics of it, but that allowance for someone who does not itemize to actually get a deduction for the purchase of long-term care insurance I think is a great idea.

I commend the gentlewoman for that.

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I commend the gentleman. And certainly the use of any funds from a health savings account for this purpose accomplishes the same thing. It gives people a tax incentive to save, to also save and preserve their assets for the future.

And, you know, he did not have insurance. When he told me the cost of that rehabilitation, it was astronomical.

So, you know, we all want to believe that we are going to be as healthy tomorrow as we are today. But, that is not necessarily the case. And I remember when I reviewed the policy with Arne, because I was a little skeptical, he was 75 when he first started looking at it, and I was amazed what it did cover and how reasonable the cost was. And, you know, I asked him long ago about looking for a loophole. And it ended up being something that I did recommend to him, never realizing that a few years later he would need to have this.

So I commend the gentleman for promoting the health savings accounts and any other way that we can help seniors to better prepare for their future.
Trauma Center, closed because they were unable to staff the trauma center because people of the specialty and the hospital were having difficulty meeting the high cost of medical liability insurance. They could not get it. That traumatized our area. We live in a rural State. West Virginia, Charleston, is the magnet for all of southern West Virginia and eastern and western sides to come in case of a high-level trauma.

During this time, a young boy of 4 or 5 years old got a penny stuck in his throat and he lived about 10 minutes away from the trauma center, but the trauma center was not there. It was not open. So his parents, along with their physician, had to take him to Cincinnati, Ohio, to have this extracted from his windpipe. It had a happy ending. He was fine, but if they had not had that amount of time to go to Cincinnati to have the work performed, I do not know what would have happened to this young boy.

Throughout 2002, I met more constituents who were telling me that their doctors, even though they were not old retirement-age doctors, middle age, in their fifties, in the peak of their professional moving. They were moving to other States. They were retiring out of the practice of medicine and into administration because they absolutely could not afford to continue practice. We were losing our specialty physicians. I know there is a problem with the surgeons, orthopedists, OB-GYNs are one of the highest problem areas, and it was just cascading across our State.

We are known in our State as being one of the best places for trial lawyers to set up shop. We are very, what do I want to say, generous, and we have had a very good litigious society.

Mr. GINGREY. We like to use the expression in those situations: “It is easier to sue your doctor than it is to see your doctor.”

Mrs. CAPITO. Right and we were reaching that point in West Virginia. We had our doctors leaving.

Another thing, I spent Sunday night with a group of physicians here in Washington, D.C., and one of the things they told me repeatedly, no matter what State they were practicing in, is that more and more they have got to practice defensive medicine. Are you going to do the MRI, the Doctor? Are you going to do these things? They do not think it is called for, it is not medically necessary, they go ahead and do it because if they do not do it, there is that small fraction of a chance that something might have shown up or that they could come back and be sued because they did not proceed with a procedure that they did not feel was medically necessary.

And what happens when you practice defensive medicine? It costs go up and up and up and this was happening in West Virginia again, our large medical centers, we could not recruit our doctors. We would have residences throughout our State and as soon as the physicians were trained, educated, and ready to practice, they would leave the State. And this was really very difficult because the word was out across the Nation: West Virginia, if you want to practice medicine, do not go to West Virginia.

So we had all of this coupled with just the out-of-control law, we have a medical liability breach.

So we had a couple of situations in West Virginia and what happened? It was not the doctors. It was not the hospitals. It was not the health professionals. It was the everyday citizen in West Virginia coming to policy-makers, coming to their State legislators, coming to their Governor, coming to their Congresspeople and saying, you have got to do something. You have got to pass something. And by golly, in the State of West Virginia they have passed one of the leading, cutting-edge medical liability bills that exists now in any States in the Union.

And what has happened? Confidence is back in the health professions, more specialties are being recruited into our State. And just today I had a young man in his twenties who had just finished his residency at Lexington, Kentucky. He said, I am coming home to West Virginia because that is where I want to raise my family and practice medicine.

So medical liability does work. It does go to providing higher-quality care, refreshing your physician and health profession supply. It does go to bringing about an era of confidence that good-quality health care is going to be there for you. And so I would say in terms of, I know Dr. Gingrey has introduced the HEALTH Act again, and we are hoping that we will pass it out of the House of Representatives again, we will do that because we know it is important. I know what is happening in West Virginia is happening in other States across the Nation. And they are hearing from their everyday citizens, their folks who want to see their doctor when they want to see them, the doctor they have seen their entire life. And this is an extremely important issue to have before the American public.

The problem has been we have passed it here, and we have not heard anything about it. It had faded away. There is a chance that has not happened. I think the stronger voices are at the local level, just like they were in West Virginia where we did not think it could ever be done, the stronger those voices are, the more optimism we can have, we can meet the demands of a good and solid medical liability reform bill.

I want to join with my colleagues here on the Health Affairs Team who think it is something we need to talk about quite a bit.

And even though they do not think it is called for, it is not medically necessary, they go ahead and do it because if they do not do it, there is that small fraction of a chance that something might have shown up or that they could come back and be sued because they did not proceed with a procedure that they did not feel was medically necessary.

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If I could take just 2 more minutes here to talk about another health issue that is extremely important to me, and that is the prescription drug bill for seniors. It is something I worked on, and it is probably the number one issue as I have moved across the State over the last 5 years.

I was sitting in a dinner the other night after reading all the political rhetoric about the prescription drug bill and how it does not serve people, and actually one of my colleagues from the other side of the aisle in my own State called it a national disaster. I sat down next to a gentleman. He said, I want to talk to you about the prescription drug bill. I had to put a helmet on to hear what he had to say. I said, What is that? He said, I am going to save $4,000 this year. Thank you, Congresswoman, for passing that. Thank you for providing that first-time availability of a prescription drug bill through Medicare.

I want those who are watching to know this is an extremely revolutionary bill and an availability of a prescription drug bill for our seniors.

A lot of this spending is defensive medicine. It is unnecessary. She is talking about the trauma center in West Virginia that had to close because they could not get coverage. They could not get the neurosurgeon to take the liability or a thoracic surgeon to see that youngster with the penny lodged in his windpipe.

These are the issues; and, yes, everybody that comes into the emergency room anywhere in the country with a headache, doctors know physical diagnosis and ability to examine by looking in the eyes and checking the blood pressure. But they are not sending that patient home with a couple of aspirins and careful instructions to call the next day. They get a CAT scan and the most expensive one that is coming along for that particular year.

She did such a great job. Finally, in her last two minutes and I am so glad that she did that in regard to the Medicare Prescription Drug Act, part D. We have heard all of these naysayers. I am sure they were out there in 1965 when Social Security first time was introduced the optional Medicare part B which 98 percent of all Medicare people were paying upwards of $90 a month to be part of because it is a good program. This is a good program.
First of all, with regard to information, we need a free flow of information about prices, about cost to families, about cost of hospital care, cost when you go to see the doctor, the cost you incur when you go.

We also need a free flow of information about quality and outcomes, because if we have this flow of information, and information technology was mentioned earlier this evening, information technology is a critical part in providing this kind of information to the consumer and to ultimately the patient, to the doctor, to the hospital.

I often say what good is it if you do not have this information. If I go to the store to buy soft drinks or sodas for my family, I can go down the aisle, and there is a wide range of products, different brands, different prices, and I make an informed decision. But in health care, we cannot do that. So we need information.

Choices, that is the other one. If we had a wide range of choices in health care, wide range of insurance products, then we could create this competition that will bring the cost down. It is one of the things we hope to see in the Medicare prescription Part D program, where we create competition to drive the cost of pharmaceuticals down for our seniors in these plans.

Another way of providing choice is certainly the health savings accounts that were mentioned earlier, associated health plans which is something we passed in the House. And there is also a bill that I am a proud cosponsor of; this is a bill by Representative Shadegg, H.R. 2355, the Health Care Choice Act of 2005, which will allow people to shop for insurance products, health care insurance, across State lines, and thus, also have the opportunity and hopefully bringing the cost down.

The final piece of this is control. We do not have portability and control. I want to put health care destiny back in the hands of the patients and individuals because I believe by doing so we create true portability in health care, and if we do this, then we will solve a lot of the problems. We will free up our businesses, let them do what they do best, by providing work and wages and so forth, but let us let families have that portability in health care.

Those are the keys to health care reform. It is important to recognize, if you look at our health care system, 45 percent of all health care spending is in the form of Medicare and Medicaid and other Federal programs. Fifty-five percent of it is in the so-called private sector, and yet what we have is a price control system where everything is set by basically paying at the Medicare rate which creates a lot of rationing in health care. Yet, on the other side of the coin, when you look at what is happening to providers, providers are having to deal with the free ranging, inflated cost of supplies, pharmaceuticals, and this has created major distortions in our health care system. This also needs to be addressed.

So, again, if we can create competition by using those three principles I mentioned, then I believe we can truly start to bring the costs down in health care and make it more affordable, available and accessible for American families.

I thank my colleague from Georgia for yielding to me, and I appreciate this opportunity to comment on health care.

Mr. Gingrey. I thank Mr. Boustany so much for being with us this evening and for pointing out the rising cost of health care and why we need to do about it. I particularly appreciate what you said about transparency.

In the final few minutes, I am going to talk a little bit about the health savings accounts that the President has promoted and increased the amount of money that can be put aside, very much like an IRA, but this would be an IRA for health care. Because you are absolutely right; we use the expression, and maybe it is really apropos for health care, skinning the game. They are going to be better consumers. People do a great job shopping for an automobile or an appliance or new flat-screen television set, and they may go to eight different stores, discount, big box stores, trying to save an extra fifty bucks on a plasma TV. And people do that, and I do not blame them. We can do that in health care, too.

I think Mr. Boustany is absolutely right. There will be a day when we do have electronic medical records throughout the system. Secretary Leavitt is totally committed to this, and Dr. Brailer, as our good friend Mr. Murphy said at the outset of the hour, we will also need to be done as every body is interconnected, every medical office, every clinic, whether it is the size of Mayo or Rochester or whatever, or maybe just a two-doctor shop, everybody’s information about their patients is interconnected so that we know what their needs are and also the information that physicians, their pricing information, what does an OB/GYN typically charge for a routine hysterectomy or delivery or cesarean section; what does a vascular surgeon charge for the surgery they do. We call those endarterectomies, put in a graft to go around a blocked vessel. What does a general surgeon charge to
Mr. Speaker, at this health savings account, we have to remember what it means. I think that is a wonderful opportunity. I wanted to show maybe one last number in this context. As I pointed out, I think this is a wonderful opportunity. We hear a lot of criticism sometimes here on the floor of this Chamber, and sometimes out in the halls and maybe indeed sometimes back home in our districts, say, oh, you know, the health savings accounts are just something for the rich, and you Republicans only care about the people that have lots of money. Well, look, Mr. Speaker, at this health savings account, not just for the healthy and wealthy.

Seventy-three percent of those who have established, and there are about 3 million now and we predict within the next couple of years 10 million, and it is growing rapidly, 73 percent have families with children. Fifty-seven percent of these holding health savings accounts are over age 40; 35 percent are from households with four or more people; 40 percent are high school graduates or have technical school training as the highest level of education. It is true that I might add parenthetically, some of these folks are the most successful because they are hardworking and work by the sweat of their brow; 40 percent did not indicate any prior coverage.

So this is something for everybody, and for those who do not want that, the President has talked about refundable tax credits to purchase health insurance for an individual. When I say refundable tax credits, I mean somebody that, because they are a low- to moderate-income family, they do not typically pay taxes, they do not get any advantage from a deduction. So we actually give them money. A refundable tax credit means you give them money for the sole purpose of purchasing health insurance. These are some of the things that we wanted to talk about.

The gentleman from Louisiana, I would be glad to yield to him for a comment.

Mr. JUSTRAND. Mr. Speaker, I yield to the gentleman for yielding. I also point out another feature of health savings accounts and it is something very important to think about; and that is, as we get a large part of our generation to sign on to these health savings accounts, as our generation moves up into the Medicare years, that money will accrue and could be used for health care costs incurred at that time. It will help take some of the burden and the problems in the future potentially. So it is a good, good feature as we look at these. Again, it helps the individual, it helps the family to control their own health care destiny.

So I just wanted to point that out, in addition to these very good facts that you pointed out as well.

Mr. GINGREY. Mr. Speaker, I thank the gentleman, and just in the closing minutes, I would say that also it is important for people to know that while people maintain these health savings accounts and add to them each year, they enjoy the miracle of compound interest as these accounts grow. They can only be spent on health care, but typical insurance does not cover dental care or a lot of eye care. It certainly will not pay for a hearing aid, no cosmetic surgery. It does not help women who have infertility problems who need assisted reproductive technology so they can achieve the wonder of childhood and raising a child or children. All of those things can be paid for out of these health savings accounts.

We talked about purchasing long-term health care insurance, and when a person turns 65, they can actually use some of this money for long-term health care.

Well, that wraps it up. I see my time is drawing to a conclusion. I think the Speaker has tapped that gavel a little bit, and I do not want to cut into my good friend’s, the gentleman from Georgia on the Democratic side, and his special hour. So at that we will conclude.

BLUE DOG COALITION

The Speaker pro tempore (Mr. DENT). Under the Speaker’s announced policy of January 4, 2005, the gentleman from Arkansas (Mr. Ross) is recognized for 60 minutes as the designee of the minority leader.

Mr. ROSS. Mr. Speaker, I come to the floor of the United States House of Representatives this evening as a member of the fiscally conservative Democratic Blue Dog Coalition, a group of 37 Members of Congress who are outraged, absolutely appalled by these record deficits, record debt and the lack of common sense and fiscal discipline that we see in our Nation’s government these days.

I come to the floor to raise these issues not out of partisan politics because, Mr. Speaker, I do not know about you, but I am sick and tired of all the partisan bickering that goes on at our Nation’s Capitol. It does not matter to me if it is a Republican idea or a Democratic idea. I want a home want a commonsense idea, the kind of ideas that make sense for them in their everyday lives.

So I raise these issues, Mr. Speaker, quite frankly because I am concerned about the future of our country. As you walk the halls of Congress, it is easy to spot one of the Blue Dog Coalition Members’ offices, because we all have this poster beside our front door. The poster was created by a Democratic Blue Dog, and it says, as I got ready to come up here this evening, the U.S. national debt is $8,270,909,436,190. For every man, woman and child in America, including those being born as we speak, the amount of money that each person in America shares in the national debt is $27,000 and some change.

It is hard now, Mr. Speaker, to believe that from 1998 through 2001, our Nation for the first time in 40 years had a balanced budget; and yet, this administration, this Republican Congress, has given us the largest budget deficit ever in our Nation’s history for what amounts to 6 years in a row.

This is the budget that the President of the United States has presented to Congress. It is always presented under a lot of fanfare; a lot of publicity surrounds this budget. This budget for fiscal year 2007 totals $2.8 trillion, but what is alarming about it is that the deficit totals $429 billion.

If that is not disturbing enough, Mr. Speaker, as a Nation, we spend about a half a billion a day simply paying interest on the debt we already have, and on top of that, our national debt is increasing to the tune of about $1 billion a day. Our Nation is spending about $1 billion more a day than it is taking in; $260 million a day going to Iraq, $33 million a day going to Afghanistan, and a whole lot more not going to fund programs that matter to people because there are record cuts in this budget.

Just yesterday in Booneville, Arkansas, I was at the Dale Bumpers Research Center, one of 26 agriculture research centers that are not being cut, but they are eliminating the President’s budget for fiscal year 2007. Only in America can the President give us a budget that cuts the programs that matter to people, Medicare, Medicaid, veterans benefits, agricultural programs, and also give us the largest deficit ever in our Nation’s history at the same time.

So as an American, I rise this evening out of concern. As a small business owner, I rise this evening out of concern about these record debts and these record deficits. And at the end of this hour, Mr. Speaker, we will change the budget to show how much the national debt has risen just in the hour we have been on the floor this evening trying to talk about accountability and fiscal responsibility.

The numbers I have presented to you are bad enough. Lord knows we don’t need to make them worse. They are already the largest budget deficits in our Nation’s history that this Republican leadership has given us, but
what we have recently learned is, actually, when you look at America, the way that America requires corporations to look at accounting, the deficit is even worse than what we thought.

At this time I would call on the gentleman from Tennessee (Mr. Cooper), the co-chair for policy in the Blue Dog Coalition, who has helped discover this little-known publication, which is very, very disturbing.

Mr. COOPER. Mr. Speaker, I am grateful to my friend from Arkansas, and I appreciate his yielding to me. I am about to say something that very few people in America know. Hardly anyone in Congress knows it. This is not a partisan comment. I am about to reveal a document printed by this administration that received less distribution than the secret NSA domestic wiretapping activities of the administration.

This is a document that coincidentally was mailed in Christmas Eve last December. It is a document that was issued without a press release. There was no press notification about this at all. Instead of being like the budget that my friend from Arkansas showed, that was distributed to every Congressman, every Senator knows, that was distributed like the budget that my friend from Arkansas showed, that was distributed to every Congressman, every Senator knows, that was distributed, there was no press release. There was no press notice. The truth is this: when we look at our government, the way our government requires businesses to report their dealings with the IRS, our deficit was not $319 billion in 2005. Again, there is no reason for us to try to make these numbers any worse than they already are. They are already as bad as they have ever been in the history of our country. And these are not our numbers. These are numbers from the Department of the Treasury.

The deficit for 2005 was not $319 billion when using the accrual-basis form of accounting; it was $760 billion. That is a difference of $441 billion.

Now, John Snow, Secretary of the Treasury, in this report, in this document printed by the Department of the Treasury, signed by our President, appointed by President Bush, that is John Snow, in his words, which can be found on page 1 of this report.

Mr. Speaker, I yield once again to the gentleman from Tennessee.

Mr. COOPER. I yield to the gentleman for yielding, because there are probably some listeners who are confused about cash-basis accounting versus accrual accounting. The simplest way to explain it is this way. If you were to look at giant U.S. companies like General Motors or Ford, they would be just fine today if you look at them on a cash basis because they are generating cash. But if you look at them on a more accurate basis, the way the stock market does, the way investors will see that a cash basis ignores future obligations. For example, for retirees, for health care, for other benefits and obligations that should be kept and that have to be acknowledged.

That is what accrual accounting does. And lest people be confused, accrual accounting is not cruel, the way it may sound. Accrual accounting is actually the most compassionate form of accounting, because cash-basis accounting forgets the retirees and the sick. Accrual accounting remembers them. And it is vital we remember all of our retirees and our sick because their health benefits matter, and we have to take them into account in this country.

I know the gentleman is about to show the rule for business. This is a tough rule, and I look forward to the gentleman’s explanation.

Mr. ROSS. Well, every business in this country is required to use the accrual method if the business has inventory, if the business is a C corporation,
Mr. COOPER. Mr. Speaker, let me say amen to my friend's comments from Georgia. That was outstanding.

I have the pleasure of serving on the Budget Committee and this week, probably on Thursday, we will start marking up the budget for the United States of America. This is one of the most serious responsibilities that we could ever undertake. It is an incredibly complex document and process. You are talking about $2.7 trillion. You are talking about not only all the defense programs but all the programs that are talking about Social Security and Medicare and a world of other programs, parks, agriculture, you name it; everything that the Federal Government is involved in.

In the span of a few short hours, we will be able to offer a few amendments, and we try to do this on a bipartisan basis. It is hard, but let me report on what happened last year in last year's markup.

I offered a number of the Blue Dog amendments as part of our 12-point plan for reform. They were individual, commonsense measures such as, for example, getting a cost estimate on every bill here so we know the cost of what we are voting on; having a recorded vote so we can find out who is being requested. But probably, most importantly, we favored domestic spending caps so budget spending could not keep going up and up, and a pay-as-you-go approach so expansion of government was paid for, so that this generation paid our obligations, so we did not saddle future generations, including our men and women in uniform, with these terribly burdensome debts.

I offered that last year in the Budget Committee markup. My amendment passed on a 19–17 vote because four brave Republicans were willing to cross over and endorse a commonsense measure like that. But then the chairman of the committee realized that common sense had prevailed, and he leaned over and twisted the arm of a freshman Member of Congress and forced that gentleman to change his vote right in front of everybody. So then it was not a 19–17 victory for our side and commonsense, suddenly it turned into an 18–18 tie, and, unfortunately, if the committee, you lose on a tie vote.

That was as close as we came last year to getting some of these commonsense principles involved. Even most State legislatures have rules like the one individual spending items were being requested. But probably, most importantly, we favored domestic spending caps so budget spending could not keep going up and up, and a pay-as-you-go approach so expansion of government was paid for, so that this generation paid our obligations, so we did not saddle future generations, including our men and women in uniform, with these terribly burdensome debts.

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In fact, tonight, most of the Special Orders are devoted to revealing the Republicans’ Treasury report, because they did not want to get the publicity that it deserves. This is one of the most important documents of government that I have yet to meet another Member of Congress who knew about the existence of this document. It has been required by law to be published for over a decade now. Senator John Glenn of Ohio was the first person to request this document. The former Secretary of Treasury, Bob Rubin, and the Clinton administration, championed this document. But then the news was good. We were headed towards surpluses, and we achieved surpluses. Yet in the last 5 years, this document has been buried deep underground. I think it is high time we brought it above surface.

Mr. ROSS. I appreciate the co-chair for policy of the Blue Dog Coalition and a very important member of the Budget Committee bringing to the taxpayers’ attention this little-known document, the financial report of the United States Government. Again, our debt is $8,270,908,436,190.

Now as a member of the fiscally conservative Blue Dog Coalition, we do not come here on Tuesday nights to simply complain about how this Congress is out of control with its spending without a budget, but we come here to offer a solution. As the Gentlemen from Tennessee and Georgia mentioned, we have a 12-point reform plan to cure our Nation’s addiction to deficit spending. And I can tell you, one of the problems that taxpayers in this country have with this debate and with these deficits is the lack of accountability. I want to talk about that for a moment.

Some of you have heard this before and I am going to continue to talk about it, and I am going to mention one of those 11,000 fully furnished, brand new manufactured homes sitting in a pasture in Hope, Arkansas, get to the victims of Hurricane Katrina and Hurricane Rita.

Mr. COOPER. Are those the famous FEMA trailers?

Mr. ROSS. Those are the FEMA trailers. FEMA has spent an estimated $431 million of our tax money purchasing some 11,000 brand new, fully furnished, manufactured homes.

Mr. COOPER. Who is living in those homes?

Mr. ROSS. Nobody. Here is the story. FEMA shows up in Hope, Arkansas, my hometown now live 16 miles down the road in Prescott, Arkansas. They show up at city hall and say, we understand you have these inactive runways as a result of World War II. We want to use them as a so-called FEMA staging area.

The idea was these manufactured homes were going to come into Hope and then go to the people who lost their homes and everything they owned as a result of Hurricane Katrina and Hurricane Rita. They started coming. They started coming in October, and they came and they came, but they never went. So as a result of that, 25 percent of them now sit on these inactive, closed military runways, and 75 percent of them are sitting in a cow pasture. That is 11,000 brand new, fully furnished, manufactured homes sitting in a pasture in Hope, Arkansas, and FEMA just bought them. And FEMA at the same time is spending our tax money to provide housing in hotels and motels for some 12,000 storm victims.

If this is not enough, we all know about the tent city that is set up near Pass Christian, Mississippi, where families in the winter are living in a tent while FEMA has 11,000 brand new, fully furnished manufactured homes sitting in a cow pasture in Hope, Arkansas.

That is an aerial photo of some of the 11,000. There is the barbed-wire fence, and there are the manufactured homes. Most of them are 14 feet wide, 60 feet long. Some are 80 feet wide. And now that the drought is about to end and the rains are in, I do not have to tell you that they are going to be sinking. They are going to be sinking. They are going to be dammed.

What is FEMA’s response? Oh, no, not to get them to the people that need them. FEMA puts these trailers and motels and tents 6 months after the storm. Their response is we are going to spend $6-8 million graving this 290-acre cow pasture so we can store these manufactured homes for a future disaster. FEMA is moving these manufactured homes into a flood zone. Normally I would say that makes sense, but the reality is in this instance, everybody that lost their home as a result of Hurricane Katrina lost their home because they lived in a flood zone. FEMA says if you have land, we will give you a manufactured home. Everybody that lost their home as a result of Hurricane Katrina, they had land but it is in a flood zone. That is why they were.

Mr. Speaker, I appeal to the President and to the director of FEMA, what is worse, to have 11,000 brand new, fully furnished manufactured homes spread out over Mississippi and Louisiana and Alabama with the storm victims that lost their homes and everything they owned in a bunch of different flood zones, or have them all grouped together in a cow pasture at the Hope airport, an area prone to tornadoes, an area that is going to have a tornado every year for about every 10 days for the next 3 months.

Mr. Speaker, I am going to come to the floor of this Chamber and talk about this until FEMA gets moving, until FEMA comes to Hope, Arkansas, picks up these 11,000 manufactured homes they have purchased, and gets them to the people who desperately need them, people who for the sixth and seventh month in a row are living in hotel and motel rooms, people who are living in tents in Pass Christian, Mississippi.

This ran on the front page of the Arkansas Democrat-Gazette back in December. I do not know if this gentleman is still living in this tent or not. He was in December. I can tell you about 100 families are living in tents in Pass Christian right now. It is appalling to know as a country we are allowing people to live in tents. He has a job. He is back at work, doing the best he can for himself and his family. He is waiting on housing, and yet we have 11,000 brand new, fully furnished, manufactured homes purchased by FEMA, sitting in a cow pasture in Hope.

Mr. Speaker, I submit that as a member of the fiscally conservative Blue Dog Coalition, this is the kind of government waste that turns people off. I grew up in a little country church outside of Prescott, Midway United Methodist Church, and I heard a lot of sermons about being a good steward, and I can tell you FEMA is not being a good steward of our tax money with what they are doing. It is a total disgrace, an outrageous waste, a complete and total misuse of our tax dollars. What a debacle.

That same kind of lack of proper research, proper debate, and you are absolutely right, a lackadaisical congressional leadership, a Republican leadership that simply has just bent over for this administration. We have made a mockery of what our Founding Fathers said we should be doing as checks and balances. That is why they set three branches of government: the judicial, executive and legislative branches.

It is our job to provide the oversight, the investigation, the enforcement arm, to be able to make sure that there is a proper check and balance. But this House of Representatives under this Republican leadership has all too often just caved in and caved down, and that is why we are in the shape that we are in today.

Now, if we can talk just for a moment, which I want to do, about this port security situation that again points up the same fallacies. Mr. ROSS. It is about accountability. Mr. SCOTT of Georgia. It is about accountability, and it is also about our budget. For example, if you remember, after 2001 Congress appropriated a total of $765 million for port security programs, including $173 million for FY 2006, to help our seaports adopt important security enhancements.

The Coast Guard came and told us they needed more like $6 billion. Yet, like last year, the President’s budget
once again proposed terminating funding dedicated to port security, and then turned right around and takes that $6 billion and says let's give it over here to a company that is owned by a country that has direct financial ties to terrorist organizations.

How do we argue this, that the President's budget would propose terminating that funding that our Coast Guard, the one main element we have checking our ports, asked for, advocate terminating it, and then turn around and propose cutting: one center that is in development Block Grant program. One county, Cobb County alone, just in Georgia, $3.1 million, the Ron Anderson Center over in Powder Springs in Cobb County. Another center for senior citizens where they need it the most, cut out of this budget, another $2.5 million. Those community block grants are the lifeblood of many communities in Hope, Arkansas; in Tennessee; and all over.

Now, I mention this, as we will mention a few other things. There is so much in this budget that goes at the heart of what it is that he says he did not even know about?

Now, the truth is plain here, and we owe it to the American people. There are some of us in Congress who are willing to stand up and tell the truth and deal with this, because our financial security is vital, is extraordinarily important.

I want to just touch upon one additional thing. I want to talk about just for a moment, as my good friend from Tennessee pointed to, this budget and the meanness of these cuts, but where they hurt the most are with our military families, with our veterans.

I do not believe that the American people quite understand this, or quite are aware of this. We cut increased the health care costs for 1 million veterans. For the fourth year in a row, the budget raises health care costs for 1 million veterans by imposing new fees for veterans, costing them more than $6 billion over 5 years, and driving at least 200,000 veterans out of the system. That is what this budget does to our veterans.

It would double the copayment for prescription drugs from $8 to $15. That is what this budget does to veterans. It imposes an enrollment fee of $250 a year for category 7 and category 8 veterans, those who make as little as $26,000 a year. If increases health care costs for military retirees. The budget increases health care costs for military retirees under 65. As a result of these cuts, the premium for 3.1 million of the Nation's military retirees under 65. The premiums will double.

It fails to address the strain on our troops. I just returned from Iraq and Afghanistan. I was there talking with the troops. Despite recent reports of the tremendous strain that the Iraq and Afghanistan wars have placed on our troops, the President's budget fails to fund and plan adequately to recruit the number of forces that are authorized by law to help with that strain. The budget would fund 17,000 fewer Army National Guard and 5,000 fewer Army Reserve than are authorized by law. But it does not just stop there. It goes on and on.

You talk about your folks in Hope, Arkansas, and what they are faced with. Let me tell you what my people are faced with so much in Georgia, in one county, Cobb County alone, just from the cuts in the Community Development Block Grant program.

This is what the President has proposed cutting: one center that is in great need of help in terms of being built and being sustained through the Community Block Grant program of $3.1 million, the Ron Anderson Center over in Powder Springs in Cobb County. Another center for senior citizens where they need it the most, cut out of this budget, another $2.5 million. Those community block grants are the lifeblood of many communities in Hope, Arkansas; in Tennessee; and all over.

Now, I mention this, as we will mention a few other things. There is so much in this budget that goes at the heart of what it is that he says he did not even know about?

But, guess what? That is the good news. If you look at this document from the Department of Treasury, guess what our real debt is? It is not $8.2 trillion. I wish I were. It is a staggering $46 trillion. That is an unimaginable figure, $46 trillion. That is an unimaginable sum of money.

But get this: every American's share, every man woman and child in this country, the share isn't $27,000 like you see on the Blue Dog debt and deficit sign, please. We have a $375,000 apiece. For every full-time worker's family, the share is $375,000 apiece.

Mr. ROSS. Again, it takes a lot of skill for this administration, this Republican-led Congress, to give us the largest budget deficit ever in our Nation's history while also managing to cut all the programs that matter to those working families at the same time. How do they do that? By tacking on tax cut after tax cut.

Following this evening, I am pretty confident that the other side will show up, which I think probably is an indication that we are not making progress here in getting our message out about trying to restore some fiscal discipline and common sense to our Nation's government, and they will probably talk about how we had an opportunity to cut, to cut, $40 billion in spending and how we voted against it.

But what they will not tell you is that it was $40 billion in cuts to the most vulnerable people in our society. Medicaid, eight out of 10 seniors in Arkansas are on Medicaid. Yet our very government, which uses a cash-basis form of accounting, requires every business in America for the most part to use an accrual base of accounting.

Mr. ROSS. If the gentleman would yield, the point is we are not trying to make this any worse than it is. We aren't trying to be mean. We have a balanced budget. We wish the debt was being paid down. We wish we were not deficit spending. We don't have to try to make the numbers any worse than they already are. They already are setting records.

Just to clarify, the difference between these numbers and your numbers, the difference between the numbers in the budget and the numbers in the financial report of the United States Government is basically this simple: our government, our budget uses a cash-basis form of accounting, which gets you to these numbers.

Mr. COOPER. Which is illegal for most every business in America.

Mr. ROSS. The government, which uses a cash-basis form of accounting, requires every business in America for the most part to use an accrual base of accounting.

Mr. COOPER. This is real accounting, and people back home need to know that for every working family, it is a $375,000 obligation already. So what the gentleman is talking about, this $27,000, that is the price of a pretty nice car. This is the price of a luxury base. This is what every working family already owes to pay for the promises this Congress and this administration have already made for our Social Security beneficiaries, our Medicare beneficiaries, so many other good and worthy programs.

As my friend, the gentleman from Georgia, pointed out, today we are having to borrow most of this money from foreign countries. President Bush has borrowed more money himself from foreign nations than all previous Presidents combined. That is a staggering thing to comprehend.

I appreciate the gentleman yielding.
Mr. ROSS. Based on the accrual-basis form of accounting, the real United States deficit in 2005 was $760 billion.

Mr. COOPER. Over twice as large as the administration will admit.

If the gentleman will yield for one more moment, the Director of Office of Management and Budget, Josh Bolton, says the deficit only $319 billion; it is actually getting smaller, it is turning up. He says the President in just a few years will cut the deficit in half.

That is according to the cash basis. According to accrual, according to real accounting, what? The real deficit is $760 billion, and getting bigger all the time. So it is going in the opposite direction from what Director Bolton says. So who do you believe, Director Bolton of the OMB, or the Secretary of the Treasury, John Snow?

I think the American people need to know that both of these documents exist, both of them are official U.S. Government documents, put out by the Republican administration; but this is the one they have tried to keep hidden from the American people.

Mr. ROSS. A highlight from the financial report of the United States Government, this official government publication, you can find this on page 23, of the 26 agencies scored under the President’s management agenda, 17 of them were deemed to have “any of a number of serious flaws when it comes to financial performance.”

Then you go on to page 28, and this is a quote from David Walker, the Comptroller General of the United States of America, “The current financial reporting model cash-basis accounting provides a potentially unrealistic and misleading picture of the Federal Government’s overall performance, financial condition and future fiscal outlook, which is exactly why our government requires businesses to not use the cash-based form of accounting, rather accrual-based form of accounting.

Yet when you hear from our government, they never want to quote this report, they want to report the budget which uses what the Comptroller General of the United States refers to as an unrealistic and misleading picture, through the cash-based form of accounting.

I yield to the gentleman from Georgia, Mr. Scott.

Mr. SCOTT of Georgia. When you combine this with the startling revelation that half of this debt is being held by foreign countries, I go back to that word “security.” Is it in our best security interest to have our financial well-being held in the hands of foreign countries? That is about as ridiculous as holding our port security in the hands of a foreign company owned by a country that had terrorist dealings, that provided nuclear materials to Iran, a country of the hijackers that came from. This word “security” needs to reverberate throughout the American psyche.

But to validate what the gentleman from Georgia is saying, again I quote from David Walker, the Comptroller General of the United States of America, found on page 28 of the Financial Report of the United States Government for 2005, “Continuing on this unsustainable path will gradually erode, if not suddenly damage our economy, our standard of living, and ultimately our national security.”

Mr. ROSS. Now we have about 6 or 7 minutes left this evening to talk about being good stewards of our tax money, about being good stewards of the public trust.

But as I promised at the beginning of this hour, our national debt, about an hour ago, was $8,270,909,436,190. In the last 60 minutes, our national debt has grown approximately $41,666,000.

Mr. COOPER. Forty-one million dollars in an hour?

Mr. ROSS. In 60 minutes, in 1 hour, our national debt has increased to the tune of approximately $41,666,000 and some change. And so you can see an hour ago what the debt was: $8,270,909,436,190. That is no longer true. It is now $8,270,951,102,190.
Mr. COOPER. That much damage was done to our Nation’s future just in 1 hour.

Mr. ROSS. In the last hour.

Mr. COOPER. And that will continue every hour, every night.

Mr. ROSS. Again, we have got to be good stewards of our tax money. We have got to be good stewards of this country. We have got to get our Nation’s fiscal house back in order. We must restore fiscal responsibility to our government. It affects every one of us in a lot of different ways.

For example, our Nation is spending a half a billion dollars a day with a “B,” 500 million, a half a billion every day, simply paying interest on the national debt.

We could finish I-69 in Arkansas, creating all kinds of jobs and economic opportunities, just with 3 days’ interest on the national debt, or I-49, again with 3 days’ interest on the national debt.

Many of America’s priorities are going to continue to go unmet. Many of America’s needs are going to go unmet, from health care to education to veterans to infrastructure, until we get our Nation’s fiscal house back in order.

The Blue Dog Coalition has a way to do that. It is a 12-point plan, and the first and foremost of all of those 12 points is require a balanced budget. Forty-nine States do. My wife requires one in our household in Prescott, Arkansas.

The family business my wife and I own, our banker requires us to have a balanced budget. And it is time for this Nation, it is time for the politicians in Washington to have a balanced budget for our Nation.

I yield to the gentlemen from Georgia.

Mr. SCOTT of Georgia. Mr. Speaker, it is very important to point out, and you must get upon it, that just the interest, just the interest alone, is nearly $200 billion.

Now just think about that. The money that we are borrowing, we have to pay for. You got to add in the $200 billion in interest on top of that, which is more than five times the amount that we spend on education, the environment, and veterans care put together.

I submit to you, my friends in the Blue Dog Coalition, I just hope that the American people have been listening to us tonight, and I believe that they have. I hope that we have awakened a sleeping giant. Because, like I say, we are here and we are going to tomorrow.

The President does not have to run anymore. He does not have to go out and face the people. I believe, quite honestly, if he had to go out and face the people, I do not think he would have made that deal with the Arab immigrants. I do not think he would have done that.

But the fundamental question we have to go back to is from this startling information that you have brought to us, the question has to be, why? Why are we just discovering it and why is this great discrepancy there?

There are some serious questions that have to be answered by this administration. But you know what? They are not going to answer these questions unless and until we in Congress stand up and represent the interests of the American people and put their rights before us to do that, then, we are truly standing up for America, and America deserves that.

Mr. ROSS. I thank the gentleman from Georgia, and I thank the gentleman from Tennessee for joining me this evening as we try to hold this Congress accountable and urge a good dose of common sense and fiscal responsibility.

For folks with questions or comments or concerns, I encourage them to e-mail us at bluedogs, we are members of the fiscally conservative Democratic Blue Dog Coalition, bluedogs@mail.house.gov. That is bluedogs@mail.house.gov.

And, Mr. Speaker, we are here this evening for a simple reason and a simple cause: that is, to try and be good stewards for this Nation of the tax money and the trust that has been placed in us for the people.

We think this Congress is letting the American people down. I yield back.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. DENT). Members are reminded to address their remarks to the Chair and not to persons outside the Chamber.

ACCOUNTABILITY FOR ALL

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 4, 2005, the gentlewoman from North Carolina (Ms. FOXX) recognized for half the remaining time until midnight.

Ms. FOXX. Mr. Speaker, you know, last week I was sitting in the Chair when some of this same material was being presented here on the floor. And I jotted down some notes, thinking, well, one of these days I hope I am going to have a chance to make some comments about some of those things that are being said, not knowing I was going to be asked to come over here and use some of the Special Order, because a couple of my colleagues were called away who had planned to be here tonight. So I am doing this at sort of the last minute.

But I found my notes from last week, and I wanted to talk a little bit about some of the comments that were made last week, again on this issue, and some of the comments that are being made tonight. I am astonished again at the hypocrisy that is evident here on the floor of this House every day.

We have our Democratic colleagues standing up all of the time talking about how we need to cut spending, cut spending, cut spending, and how we have got a debt. But when we bring in bills and give them the opportunity to cut spending, they vote against them.

Much of the spending that is occurring now is the result of Democratic programs that were begun in the 1930s, 1940s, 1950s, 1960s, that have been put on automatic pilot.

One of the first meetings I came to when I was elected to Congress last year, I heard people talking about mandatory spending and discretionary spending, and entitlements. And I got up and I said, you know, I have read the Constitution, and nowhere in the Constitution do I see the words mandatory spending, discretionary spending, or entitlements.

A large part of the problem that we have in this Congress is that we have people who think in those terms. They think in terms of entitlement, and they have helped create in this society an entitlement mentality.

And when the President proposes, and the Republicans propose to try to change that mentality, the Democrats vote against it. The President said last year, “We have got a terrible problem with Social Security. The problem is that we are going to run out of money. There is not enough money in Social Security.”

And when the Social Security program was established back in the 1930s, nobody ever thought that anybody would get any money from it to begin with. The average age in those days was 59 years old. So Social Security was established to collect when people became 65, assuming nobody would collect from Social Security.

But lo and behold, this country has prospered and people are living a lot longer.

The average age now is about 78 years. People are thinking that they can retire at 65 and live on their Social Security, and that is just not possible. So the process makes a proposal, let us do something about Social Security.

Let us explain to the American people that the Congress controlled by the Democrats for over 40 years, as they admitted tonight, spent that money as it came in, did not put it aside for Social Security. I am ashamed to say that. Republicans had done the same thing. They came in, spent the money on Social Security, and that is just not possible.

They are not going to answer these questions unless and until we in Congress stand up and represent the interests of the American people and put their rights before us.
It is a cruel hoax that has been perpetrated on the American people. The average Social Security payment now is $921. I do not know anybody who can live on $921 a month; but when we tried to bring in proposals to do something about it, the Democrats went down. The Democrats go out and use terrible language to scare people about what is going to happen with Social Security. They talk tonight about lack of accountability. We really should have accountability in this country. We need accountability for all of us. We have to individually be accountable, and the Congress needs to be accountable. And part of our attempt to be accountable is to explain to people what the problems were with Social Security.

The Democrats just want to hide their head in the sand about it. They want to put the problem off and off and off. They do not want to deal with that. But it is a program that has developed an entitlement mentality in this country, and we have got to change that.

They talk about lack of accountability, and they talk about that in terms of FEMA. And I wonder, all of these people are talking about that and criticizing FEMA tonight for not putting together a plan and not being accountable, all of them voted for the Katrina money, all of them voted to give that money out with no plan and with no sense of accountability. Just a very small number of us voted against that because we wanted a plan and we wanted accountability.

Again, the hypocrisy is simply unbelievable when it comes to these folks. They talk about last week about how local communities have become dependent on the Federal Government, the COPS program, education funding, all of these programs that are being funded at the State level and at the local level. Again, that has developed a sense of entitlement for the local government. Who were in charge of the Federal Government, they wanted people to come to them and ask for the money, and they wanted to be the people with largesse in giving out that money. Unfortunately, we have developed that mentality in the country that local and State governments should be dependent on the Federal Government.

There is nothing in the Constitution that says the Federal Government has any business of us involved in education. And yet we are funding huge dollars in education and that, again, has developed a sense of entitlement for the local people. They think the Federal Government should be giving them this money. It is a real travesty because those dollars come to the Federal Government and just a portion of them go back to the local and State governments. Whereas, if we did not take that money to begin with and left it at the State and local levels, the folks there will be much happier with more from it, and they would be able to spend that money the way they want to spend it instead of based on the ideas of Federal bureaucrats who want to do that or even, perish the thought, some Members of Congress who decide how it should be done.

They went on and on and on about how any potential cuts would be cutting at the State level. And yet they say we need to cut the deficit. I really hope that the American people are going to be smart enough to see that these folks are talking out of both sides of their mouths. They want to cut things at the State level to increase spending. They want to increase spending for things that are constitutionally Congress, things that the Federal Government has no business doing; and yet they want to put us deeper in debt, ultimately to have to raise taxes. They know that that is going to be the net result of it. And it is unbelievable to me how they can get on the floor every night and talk about that.

They talked about Congress is living for today, leaving a burden to our children; we should be paying our own way. Well, again, last fall we had a reconciliation bill that would not only cut spending but cut the growth of spending. Did any Democrats vote for that? No. Not a single one. The only people who were in favor of that were Republicans and not all Republicans voted for that. But there were many, many of us who understood we have simply got to rein in the appetite of the Federal Government for spending. We simply cannot continue what we are doing. It is not going. And yet there are many people who are frightened to try to cut the Federal budget because they know that this will be used against them, that the issues will be distorted.

When we cut growth, we are accused of cutting programs. We are not cutting programs. We are trying to cut growth. We made modest, modest changes in the spending for Medicaid in that reconciliation budget. We went from 7.3 percent growth to 7 percent. Modest changes. And what we tried to do was rein in the abuses. We tried to make sure that people would not be able to put their family members on long-term care for Medicaid and avoid paying for that themselves.

Part of that mentality that has developed in this country is that we have an entitlement society. I talk to my colleagues a lot about the use of language, and I have said the words we use are important. If we stand up here and we talk about “mandatory spending” and “discretionary spending” as both Republicans and Democrats do, I will have to say then we are creating a mindset for people. We are saying there is such a thing as mandatory spending and discretionary spending. If we look at the Constitution, which ought to be the basis for why we do everything in this country, we never see those words “mandatory spending” and “discretionary spending.” The Congress is in charge of spending, and it is entirely appropriate that budget bills come out of the House of Representatives. That is our job and we should continue to do that. But we have got to break the habit of talking about discretionary and mandatory spending. The only mandatory spending that the Congress should be doing is to provide for a national defense. That is the main role of the Federal Government, and we should remember that. We have to remember that it is our job as a Federal Government to provide for the defense of this country. State governments cannot do that. Local governments cannot do that. The Federal Government is the only government that can do that. That is why we are fighting a war in Iraq and in Afghanistan, and all over this world we are fighting a war on terrorism. We did not create the war. The war came to us. But it is our responsibility as a Federal Government to do that.

I often wonder how we would have been able to have stayed in World War II, to win that war and to defeat the Nazis and to defeat fascism if we had had the kind of press that we have now and the kind of naysayers that we have on the other side. They would have gotten us out of that war long before we won that war because of the kinds of approaches that they have.

They do not understand the role of the Federal Government. They do not understand that that is what it is we should be about here. They want to do things that we have no business being involved in, providing 100,000 policemen across this Nation. We certainly do want to help the local governments solve their crime problems, but the way we can do that is get the Federal Government out of the way and let them do that at the local level, not by providing a pittance of money and then holding all kinds of strings attached to it and not allowing them to spend that money the way they need to spend it at the local level, just like we do in education, just like we do in Medicare, Social Security, and it is entirely appropriate that.

Last week when my colleagues were here talking about things that we should be doing and should not be doing, they brought up the issue of health care and talked about how we should not be cutting any kinds of funds out of Medicare. They talked about the Medicare part D plan and how it is not saving taxpayer dollars. They are going out and holding town hall meetings and talking about what a bad program it is and then encouraging the people in their districts to sign up for it. So, again, they are talking out of both sides of their mouths.

They talked last week about let us back up our promises by fully funding health care and education, and yet tonight they are standing up here and they are saying we have got to cut the deficit. We have got to cut back on spending. We are leaving a debt to our children and in Afghanistan, and all over this war. We are living on $921 a month; but when we tried to put in proposals to do something about it, the Democrats went down. The Democrats go out and use terrible language to scare people about what is going to happen with Social Security. They talk tonight about lack of accountability. We really should have accountability in this country. We need accountability.
What does that mean “fully funding” that? As far as I know, that is what socialists do. They fully fund their programs and keep people dependent on the Federal Government or on the type of centralized government that they have. They are saying that if we get out of doing business at the local and State level, then we are going to force the local and State agents or governments to raise taxes. Again, they do not understand the proper role of the Federal Government. It is up to the local and State level to call their hands and what they want to do with policing.

They talk about the Federal Government would renege on its fundamental commitment to community safety by cutting the money going out for the COPS program. Nowhere do I see again in the Constitution “community safety.” I do see where it is up to the Federal Government to provide for an army and for national defense, but they are doing this not with policing.

They say we are making progress in the battle against methamphetamines. Today in the PATRIOT Act we had the major methamphetamine legislation that is probably going to pass in this session of Congress, very, very important legislation worked on by many Members of Congress. Did they vote for it? No, they voted against it. Did they vote for the PATRIOT Act so that we could have the tools that we need to make sure that terrorists cannot come back and attack us as what happened on 9/11 because of a lack of effective dealing with that under the previous administration, ignoring all the signs that terrorists were going to be doing those kinds of things? No. They voted against it.

They really do believe that nobody is paying attention or that the people who are paying attention are only going to be hearing some of what they need to be hearing. They think that we are not doing what they are talking about when they are being hypocritical and when they are out and out lying.

Last week they talked about the higher education bill increasing the cost of college loans. That is absolutely wrong. What we are doing in the higher education act is to help students be able to get loans at a lower rate and have to pay back less money than they have had to pay back under Democratic administrations and under Democratic Congresses that want to make these loans more expensive and to keep people unsure of what it is they are paying for.

They talk about the fact that many people in our country are poor because they have not had the opportunities to be as prosperous as others; but what they want to do, they say, is have the Federal Government make them not poor. Again, that is socialism as I understand it.

We have what we have to do in this country is provide for opportunities to people. We are the freest country in the world. There is no place in the world where folks have the opportunities that they have in the United States of America. They can choose to go to college. They can choose to do any kind of work they want to do. They can do all kinds of things to create things for themselves. The government is not going to create prosperity.

There is one place last week, and I have to find the point that I was trying to make, where they talked about government spending money. Every time I hear that phrase “government investment,” it is like somebody scraping their fingernails across a blackboard for me. The government does not invest in programs. Government spends money. People invest in themselves and invest money, but the government does not do that. We do not get a payback on the money that the government spends. It is spent and it is gone.

Now, the government has certain obligations; we all know that. Again, most of the obligations are at the local and State level, not at the Federal level, but what our colleagues would like you to believe is that the Federal Government is really anything. They talk about the problems with Katrina and the problems with FEMA. I would contend that they, again, are talking out of both sides of their mouth. They believe that the Federal Government is responsible for everything so that what we should be doing is putting more money into FEMA, putting more money into these programs. The Federal Government is not equipped to do that. The Federal Government should not be the first responder.

In the Katrina situation, all levels of government, in my opinion, failed. I think none of them were prepared for what happened, but it is wrong to expect the Federal Government to go in and act like a first responder. The Federal Government should go in and take care of those things that the State and local governments cannot take care of. Leaving all those buses parked in New Orleans, not getting people out when they were told to get out, was the responsibility of the local and State governments. That was not the responsibility of FEMA. That was not the responsibility of the Federal Government, and yet, all that is lumped into the discussions of the failure of the Federal Government.

I am sorry, but I just do not think we are going to take that blame at this level. There is plenty of blame to go around for what things the Federal Government does not do, but we are not going to take the blame of not being prepared and not taking care of those people in New Orleans. That was the responsibility of those local and State elected officials, and it is a real shame that they did not do that.

I do think I can pass as an illustration. I have got it just about half full. Some people would say it is half empty. I think that this is an illustration of the problem that our colleagues see. Everything they see about this country is negative, negative, negative, negative. They have almost nothing good to say about it. You hear them night and night after night talking about the United States and talking about what they would change them. Only condemning, only saying negative things.

I happen to think that we live in the best country in the world and that we are doing a lot of things right. We are always going to have our problems, but we are doing a lot of things right. The people who are in elected office are perfect people, but we work hard at it, and we try to do the kinds of things that will make this country a better place.

I think always talking down the country and talking in negative terms is a very bad thing to do, and our colleagues, along with their willing accomplices, the mainstream media, do that all the time. You never hear the good news about what is going on in our economy, but a lot of good things going on in the economy. All they do is talk about negative things, and I am frankly tired of hearing them say that.

I want to point out some facts about the positive things that are going on in the economy. It has been growing for 17 straight quarters. You never hear that from the mainstream media. You never hear that from our colleagues.

The National Association for Business Economics predicts the economy will grow at a 4.5 percent rate in the first quarter of 2006. What is responsible for that? It is not because of government spending. The government does not create that kind of prosperity. That is created because of tax cuts and slowing down the rate of spending. But the tax cuts that the President proposed and this Congress instituted in the last 3 years are what is responsible for the positive things that have been happening in our economy.

After inflation, disposable incomes increased 2.2 percent in the last 12 months. You never hear that, again, out of our colleagues.

The Federal Reserve has reported that the median net worth of U.S. households increased 1.5 percent between 2001 and 2004. That is great news. We never read about it in the media. January’s unemployment rate fell to 4.7 percent, the lowest monthly rate since 2001, and the average earnings of the 1970s, 1980s and 1990s. Those are decades when Democrats were in control in the Congress. The unemployment rate was lower than the average of the 1970s, 1980s and 1990s. I think many of us can remember when interest rates in the 1980s were reaching 20 percent. It has been a long time since we have seen high interest rates and high inflation in this country. That has all come about in a Republican administration and a Republican-controlled Congress.

There have been 29 consecutive months of job gains in this country. That has come about not because of
government investment, additional government spending. That has come about because of cuts in taxes, which left the money in the hands of entrepreneurs and the people who create capital and create jobs, not coming from the government.

Our folks on the other side of the aisle can continue to spend. They, again, and their willing colleagues in the media and in Hollywood, they can try to change what are the facts, the people from the left, but the economy is strong, it is growing better every day under Republican leadership.

Do I want to see spending cut even more? You are right. Do I want to see tax cuts made permanent? You are absolutely right. We need to do that. We need to make the tax cuts permanent, and we need to put more money into the hands of the entrepreneurs and into the hands of business people who can truly create wealth, who can create jobs. The government cannot do that. I asked a lot of times by school groups, what is the difference between Democrats and Republicans. Well, there are a lot of differences between us, but usually we are in a time crunch and I do not have a whole lot of time to explain all of the differences. So I tell folks I am going to give them the short version of what is the difference between Democrats and Republicans. It really is sort of at the hub of the issue between what is the difference between us.

Democrats think that government can solve all of our problems: Take all the money you can from the public, give it to the government, let the government solve our problems. Republicans believe that Americans work hard for their money and they should be allowed to keep as much money as they possibly can; the government should only step in to do those things that are necessary for everybody to do for themselves.

The Democrats have turned that on its head. It would be cradle to grave. Again, socialism. They would do their best to try to take care of everybody. It would not be a very pretty picture, though. We can already see that. The hand of government in so many things in our country now is taking away a lot of the incentive for people to work. It is creating, again, this culture of entitlement mentality which is being used by our colleagues who talk on the one hand about decreasing spending but on the other hand talking care of everybody from the cradle to the grave and doing everything from the Federal Government level.

The 30-SOMETHING WORKING GROUP
The SPEAKER pro tempore (Mr. FITZPATRICK of Pennsylvania). Under the Speaker’s announced policy of January 4, 2005, the gentleman from Florida, Mr. MEEK, is recognized for 60 minutes.

Mr. MEEK of Florida. Mr. Speaker, it is an honor to once again address the
U.S. House of Representatives. We would like to thank the Democratic leader Nancy Pelosi, and our Democratic whip, Mr. Steny Hoyer, and also Mr. James Clyburn, who is our chairperson.

Also, we would like to come to the floor once again, Mr. Speaker, to share not only with the Members but with the American people the priorities not only of the Democratic Party, but of this side of the aisle on the Democratic side, and also the priorities of all Americans. Our vice chair, Mr. John Larson, communicates in the best way to many, many Democrats, Republicans, and Independents about our plan on this side of the aisle.

It would not be a plan, it would actually be action if we were in the majority. I think it is important to come up with a comprehensive approach, Mr. Speaker, and using a team effort to move us in the right direction as a country. We need to be homeland security, innovation, affordable health care, or other initiatives that we all embrace. If we can come together in a bipartisan way, then America will be stronger, and also other countries throughout the world will be stronger.

I am glad to be joined tonight by Ms. Wasserman Schultz from South Florida.

Congresswoman, I am glad we are continuing to have a level of consistency on the Republican majority. The gentleman over on the Republican side knows if we were in the majority, it would not be talk. We would be on the floor of the U.S. House of Representatives talking about things that would make this country better. I think the only thing that is stopping us from doing that is having enough votes in this House to have that vision turn into reality. I look forward to that day because I believe in this year Americans will have an opportunity to be able to promote their ideas and what they feel. Be it a Democrat, a Republican, a Green Party or an Independent, or a brand new voter, they will be able to have their voice heard.

Any of the Members in their office can ask to have a 30-something Working Group hour. When I have been home in the community you and I share, I noticed, and I think it is very, very important that we have a paradigm shift. I will go further and add that we need a shift in thinking here in Washington, DC, so that all Americans embrace, not just Democrats, Independents, and Republicans, but all Americans, even those that are not taking part in the voting process that we have throughout the country.

One may call it apathy of voting, but I think that would phrase it as a number of Americans having very little trust in this system, very little trust in what goes on here in the Congress, very little trust in what happens over at the White House. And I think it is very, very important that we have a paradigm shift. I will go further and add that we need a shift in thinking here in Washington, DC, so that all Americans feel a part of this process; so that all Americans feel that they are being treated with; and that all Americans know that the individuals that they elected from their communities, their cities or counties, that they have their best interests at heart when they come here to the U.S. House of Representatives.

Today we are going to talk about a number of issues, issues that are facing everyday Americans and things that we should be promoting here as Members of the U.S. House of Representatives of all parties, some of the things I think are very disturbing that not only I am reading in the paper but Americans are reading in the paper and watching on the news.

The whole issue as it relates to port deals, America being sold off not by foreign countries but by the policy that we pass here on this floor that has added to our debt to foreign nations, foreign nations are buying U.S. debt, unprecedented in the history of the Republic. Ever since we have been a country, no other time such as this time have other countries owned the country. I think it is important for us to remember because there are a number of my constituents and a number of Americans that have fought hard. Literally, their grandparents have fought hard for them to salute one flag. I think we are putting that spirit, that good history that we have and the future they fought for to allow our children and grandchildren to salute one flag, not to have foreign interests owning our debt. I think it is very, very important that we pay close attention to that.

I am very disturbing that not only I am reading in the paper but Americans will have an opportunity to buy U.S. debt, unprecedented in the history of the country. I have only been in the Congress a little over a month, and already, there are a number of my constituents that are facing our country right now. That is very, very unfortunate. The work of the 30-something Working Group is to make sure that we can promote ideas that all Americans embrace, not just Democrats, Independents, and Republicans, but all Americans, even those that are not taking part in the voting process that we have throughout the country.

Any of the Members in their office can ask to have a 30-something Working Group hour. ""
Mr. Speaker, I am very concerned about this because now we are tapping into funds that not only Federal workers but the people on the United States of America count on us to be able to govern correctly. In a letter to Congress, Snow urged lawmakers to pass a new debt ceiling immediately to avoid the first default on obligations in U.S. history.

Mr. Speaker, I am not talking about something that I embellished. This is what Mr. Snow said from the Treasury Department.

If I am the Republican majority, leave alone the leadership, I would be alarmed. I would sit up in my bed and say, we have to do something about it. What is unfortunate is that I know, as sure as my name is KENDRICK MEEK, representing Florida’s 17th Congressional District, and by that we have been validated to represent the people of the United States of America, I know the Republican majority is going to rubber-stamp what Secretary Snow needs, because it is an outrageous example of the kind of spending and borrowing that this majority has taken us into.

I think it is important to promote what we have been trying to do on this floor as Democrats, time after time again, promoting pay-as-you-go versus borrowing. We are not out of control, the Republican majority is out of control. It is not just me name calling or finger pointing. This is fact, not fiction. I can see with my eyes what we are doing what we call in Washington, DC, the Potomac two step. I go left, you go right; no, this is what is printed not only in the CONGRESSIONAL RECORD, when you have the Secretary of the U.S. Treasury, appointed by the President and confirmed by the Republican Senate, we have to be very alarmed. For Republicans and Independents that are paying attention to what we are saying on this floor, and other members, they cannot say that this is just the Democrats glossing over the facts.

Ms. WASSERMAN SCHULTZ. I am a freshman, and I have only been here a year, and I see this chart in between us. I am wondering, is this potential increase in the debt limit unprecedented? Is it the first time it has happened?

Here is a letter just written in February, February 16. This letter is to the ranking member, Mr. JOHN SPRATT, who is the ranking member on the Democratic side, again saying, Ms. WASSERMAN SCHULTZ, we must do this now, Mr. Speaker, saying we must raise this debt limit as soon as possible or they are going to have to go into the Federal retirement system and stop paying into that system.

I want to say to the Federal workers, because rubber-stamp what Secretary Snow needs and also believe in telling the truth, the Secretary goes on to say, Ms. WASSERMAN SCHULTZ, he believes once the debt limit is raised, we will be able to pay back into the retirement system.

These letters are coming so fast and furious, Ms. WASSERMAN SCHULTZ, we can’t get them up on the big board. Here is a letter, March 6, that was just yesterday. Secretary Snow, this is alarming. If we receive your letter, on my two letters beforehand?

Then he talks to the press. We have a problem. NASA is also located in Florida, but also in Houston, but Houston, we have a problem. He is saying to the United States Congress, we have a problem.

How did we come about the problem and having to raise the debt ceiling? It is because of the policies of the Republican majority that have rubber stamped everything the President said do.

Ms. WASSERMAN SCHULTZ, yes, there are a number of letters and alarms going off.

Ms. WASSERMAN SCHULTZ. I have another question. In looking over our third party validators, I am wondering if you have got the Secretary of the Treasury setting off alarm bells and really saying that there is fire in the theater, why is it that we have not seen a single alarm go off on the floor? Could it be perhaps that that something that the Republican leadership thinks is unwise to have their Members vote on? Is it this that is not the first time, as I asked you earlier, that the debt limit has been increased?

In looking at a chart just in the last few minutes, I notice that in December, I notice that in June of 2002 the debt limit was increased by $450 billion. And who was President then?

Mr. MEEK of Florida. President Bush.

Ms. WASSERMAN SCHULTZ. I believe President Bush was in office then. In May of 2003, the debt limit was increased by another $984 billion, with a B. In November of 2004, the year of the election, $800 billion. We have a $781 billion increase pending now, with a total increase of $3.015 trillion.

When President Clinton was in office, I thought it was a constraint on the State of the Union, for a long time until you were elected to Congress you were too, we had a system in place called PAYGO, pay-as-you-go, which is my understanding is similar to the way people prefer in America to run their households, where you do not spend the money that you don’t have, unlike what is going on under the Republican leadership where they appear to enjoy spending like drunken sailors and “no” doesn’t appear to be possible under this administration, unless, of course, it is to talk about continuing tax cuts for the wealthiest. We say “yes” to that. We say “yes” to anything politically that they want to advance. The “no” is to people who can’t afford health care, cutting Medicaid. Ms. WASSERMAN SCHULTZ, to say is to people who are struggling to pay for higher education.

So, if we went back to PAYGO rules, which we have proposed time and again and they have rejected time and again, this would be a situation where it wouldn’t be necessary to increase the debt limit because we would be only spending money that we have.

Here is another third party validator, which is the CONGRESSIONAL RECORD. In November of 2004, the year of the election, course it was defeated, 228 Republicans voted against it, it was defeated 264–165 when we proposed to return to the pay-as-you-go rules. Then again last year, it was defeated 232–194 and 224 Republicans voted against it.

So, to me to break this down in more simple terms, because PAYGO and billions and trillions and debt limit is something that if you are not dealing with it on a daily basis, it is somewhat difficult to understand. One of the things you like to do here is break things down for people that may be listening into regular terms, into the things that they deal with every day.

So I thought, Mr. Speaker, it would be a good idea, because a billion is a very big number, a billion is a hard concept to grasp, because most people don’t deal in the billions when they are dealing with their everyday normal activity, so let’s try to define what a billion is in the way that people think about things in their daily life.

Broken down, a billion hours ago, for example, humans were making their first tools in the stone age. That is how much a billion hours ago was, if you are thinking about what a billion means.

Let’s think about what happened a billion seconds ago. A billion seconds ago it was 1975 and the last American troops had just pulled out of Vietnam. That is how big a billion is. We are in 2006. That was 30 years, 31 years ago.

A billion minutes ago it was 104 A.D., Mr. Speaker, and the Chinese first invented paper. That is how long ago it
was, if you think about a billion in terms of minutes.

Then a billion dollars ago, under this administration and under the Republican leadership, a billion dollars ago was only 3 hours and 32 minutes at the rate that the administration and this Republican Congress spends money.

So we have a billion hours ago, it was the stone age; a billion seconds ago, it was 31 years ago; a billion minutes ago, it was 104 A.D. and we were first talking about the invention of paper. But under the Republican leadership and this administration, a billion dollars ago was only 3 hours 32 minutes at the rate of spending under this administration and the Congressional leadership. It is just astonishing, it really is, if you think about it, broken down in this way.

All the American people want is their confidence restored. All they want to see is that the people here in this Chamber are using their heads and applying some common sense and thinking about the budget and the money that we spend in the way they would like to think about their own household budget, spending the money that we have, spending it wisely, spending it on things that they care about, not giving away the store, which unfortunately, it appears to be the direction that we have been going in.

We are giving away the store in so many ways. Like the port deal, for example. We represent Miami, both of us. I represent Fort Lauderdale, I have both Port Everglades and the port of Miami abutting my district.

I went down to the port of Miami, you and I have both been there, it is one of the six ports that the Dubai Ports World deal impacts, and for the people that I have talked to in our community and the calls and communications I have been getting, it defies logic. They really just cannot believe that the President does not understand why people are so deeply concerned.

And when you think about it in a logical way, that this money is going to be spent to hire American workers to enhance port security, it makes a lot of sense.

Ms. WASSERMAN SCHULTZ. It has just been astonishing to me. Literally I have had more calls in a shorter period of time on this issue from constituents, and not the organized calls, not the calls that groups generate, that they, you know, send an e-mail out to their members and say, call your Congressman, he is in the House.

This is Joe and Jane Average Constituent who saw the news or read the newspaper or listened to the radio and called me and said, you know, what is going on here? Do these people not get it? How could they not get it? I have had little old ladies crying on the other end of the phone in my district office because the flames that have been fanned so much by this administration on the terror threat and national security, which is understandable because that is what we really needed to raise the level of concern in America about being conscious of our own security. That is understandable.

But for the President to be shocked by the American people’s reaction, that is what is so astonishing, that they are really the victims, I guess. Their decision is really the result of their own magnification of this issue.

And, you know, that they have not reified, with the funding that we need to enhance port security is just truly shocking.

Mr. RYAN of Ohio. I just want to make this point too, Mr. Speaker, that, you know, we are not saying that when the Democrats are in charge, we want to refocus our efforts on port security and make a little bit more of an effort. So it may not be 100 percent, but we are saying that it is a priority for us to make this kind of investment.

Mr. MEEK of Florida. The question, Mr. Speaker here is, does the Republican majority have the will and the desire to make the kind of change we need to take or make to protect this country? The will and the desire.

Now, the will may be there, but the desire is questionable. And I think it is important, because there are other priorities that the Republican majority, and I would say some of them join in with some of us Democrats, very few, unfortunately, it is in the single digits, because we are not able to promote some of the things that we need to promote to protect this country.

Now over the weekend, there were a lot of pundits out there talking about, wow, you know, this thing may very well change, this thing meaning the U.S. House of Representatives, the U.S. Senate, because the Republican majority, Mr. Speaker, has fumbled the ball time after time again.

Since this is now NCAA time, they have lost the ball when they were supposed to shoot a shot on behalf of protecting this country. The other team is taking it the other way. I think it is important to get yet again and say that the Democrats have to break this thing down so that we all understand. Some people say we need to put the cookie on the bottom shelf so that everyone can reach.

I think it is important. I am using a metaphor, but I think it is important that everyone understands. Folks are wondering why we are alarmed. Now I can tell you, I speak here with great confidence, Mr. Speaker, because I have the facts here not fiction. I think it is important, Mr. RYAN, that we...
Mr. MEEK of Florida. We are trying to work in a bipartisan way.

Ms. WASSERMAN SCHULTZ. There is a $6 billion gap between what the Coast Guard says they need and what the Republican Congress appropriated. Mr. RYAN of Ohio. You are making a strong point here.

Mr. MEEK of Florida. Mr. RYAN, it is not a point. This is fact, Mr. Speaker. I think it is important that we say June 18, 2004, Democrats supported an amendment to increase port container security by $400 million. Republicans have refused to allow it to be considered, the amendment to be considered. That means they moved on a procedural way.

June 9, 2004, Democrats supported Oney amendment once again in Appropriations Committee to increase container security by $400 million. Republicans defeated it on a party-line vote. That is House report 108-541, page 128.

Now, we have all of this stuff that will be on the Web site, Mr. Speaker, so that other Members can get to it, and it goes on and on and on.

Enough of this, the Democrats do not have plans. That is what the majority wants you to believe. We have plans. Unfortunately, they cannot be reality because the Republican majority does not want to work in a bipartisan way. And it is upsetting. It is beyond upsetting because our country is being jeopardized. Meanwhile, we have individuals that are hired by the Republican majority going out here talking to the people that are watching these cable shows and Sunday shows on TV to make sure the Members understand. That means Republicans voted one way against that, increasing the funding so that we can be able to do what was said, secure the containers more.

I want a chart here. I want the chart up here, because I want to make sure, just in case the Republican majority, some of the Members have their television turned down, that they are able to see what we are talking about. Because I think it is important. There it is right there. It is already there.

These containers here that are being checked, the 5 percent of them, and I am questioning that as a Member of the Homeland Security Committee if it is really 5 percent. As Democrats, Mr. Speaker, we are not saying that we want to do something about it, we are trying to do something about it. But the Republican majority is not allowing us to do so.

And we want to make sure that we share with them, because we want their constituents to know and we want our constituents to know that we are fighting on their behalf. All of us are Americans saluting one flag.

On October 7, 2005, during a meeting of House and Senate conferees, that is when House and Senate Members come together. When the House and Senate pass their individual bills, they select certain Members to be able to go into a room and work out the differences between that bill.

That goes back to in our generation a cartoon, I am just a Bill on Capitol Hill. Again, Senator BYRD and Representative OBETT, offered an amendment to improve the funding to enhance port security by $150 million. Republicans defeated it on a party-line vote.

Mr. RYAN of Ohio. I know you are getting on a roll.

Mr. MEEK of Florida. I wanted to do a couple more.

Mr. RYAN of Ohio. Mr. Speaker, I just want to make a point here. The last chart that we had up said that the Coast Guard is saying they need a $7 billion increase in funding. Now you are reporting the President and the Republican majority said, we want to listen to people in the field and give them what they need when they ask for it. Am I correct?

Mr. RYAN of Ohio. That is right. Again this is a third-party validator. This is from the Federal Register. Coast Guard estimate to implement the Maritime Transportation Security Act, how much money do we need to protect our ports is $7 billion.

What has the Republican Congress appropriated? $900 million, .9 billion. So we have got a long way to go here as you can see. So as Mr. MEEK is going to start reading this stuff, Mr. Speaker, this is billions.

Democrats were trying to put amendments on that were like $150 million. We are not even trying to increase it all that much. But we are saying we tried a billion. We tried $500 million.

Mr. MEEK of Florida. Mr. RYAN, it is not a point. This is fact, Mr. Speaker. I think it is important that we say when House and Senate Members come together, that is the purpose of House and Senate conferees, that is where we pass our bills, that is where we make sure that we are fighting on their behalf.

The Republican majority that is not even shaken by this. Meanwhile, 50 percent of our debt, almost 50 percent of our debt is being owned by foreign interests.

Ms. WASSERMAN SCHULTZ. What is amazing, and you are so right, what has happened in the last several weeks there has been an effort by the Bush administration since this DPW port deal has come to light to portray this as people who have a problem with Middle Eastern countries and even have gone so far as to say, well, why are you concerned, because Federal agencies control and conduct all port security.

I learned and knew this, but it was illuminated even more clearly when I went to the port that that is not the case. Yes, on the external port property, the government body running the port, in our case, in Miami it is the Board of County Commissioners in Miami, they are responsible for external security. But at a terminal in the Port of Miami Terminal Operating Company and under the five other terminals that DPW would take over, we are responsible for our own internal security. They will have intimate knowledge of the external security on the port property, and they are responsible for security internally.

This is a foreign government-owned company. This is not a private company from a foreign country. It is a foreign government-owned company.

Would it be okay with anyone in this country, not the least of which should be the Bush administration, if the same situation occurred in an airport? Would we let a foreign government-owned company run a terminal in our airports? Would we let them control loading and off-loading passengers or cargo coming into an airport? Not in a billion years. Really.

Why are they so unconcerned about port security? Let us look at what the Coast Guard is responsible for. Again, third-party
Mr. RYAN of Ohio. When you think about the $16 billion in corporate welfare that we have given to the energy companies; when you think about the billions and billions and billions of dollars that we have given to the health insurance industry through the prescription drug program that has been a total debacle, you will see that what the Democrats are saying is that we have a better plan.

We are not going to give $16 billion to the oil industry, the most profitable industry in the world, Mr. Speaker. We want to spend that money prudently, in a fashion that best represents the interests of the American people. That is what we are trying to do as Mr. MEEK went through. Mr. Speaker. Amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after amendment after 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the Republican majority is sitting here saying do not worry about it America, trust us. The UK, $223.2 billion owed of the United States of America debt. Taiwan, $71.3 billion. Korea, that should ring a bell with some people and especially our veterans. Germany, $53.8 billion. Germany, Germany should ring a bell with some of our veterans, $56.7 billion of our debt, and Canada, just north of, $53.8 billion. OPEC Nations, oh, wow, who are they? It happens to be Saudi Arabia, happens to be Iran, happens to be Iraq.

Ms. WASSERMAN SCHULTZ. UAE. Mr. MEEK of Florida. $67.8 billion. So, Mr. Speaker, when we start talking about raising the debt ceiling and responsibility, we balanced the budget. We did not have these issues. When I say “we,” I am saying the Democratic Congress balanced the budget without a single Republican vote.

The reason why I speak boldly on this issue is the fact that it is fact and it is not fiction and that we are sharing it with them. The real issue, when you talk about the ports, some Members may say that you have and a number of Members signed on to in the Senate, a number of Members who have signed on to it, Mr. Speaker, they are saying, well, you know, I do not represent a port city or a coastal city so I do not have anything to worry about. Well, guess what, these containers that we see here are all throughout America because these containers are loaded on to trucks and trains, and they go through America. If a terrorist wants to put a nuclear device in one of these containers to be put into activation in a certain U.S. city, they have the power to do so because they know that we only check 5 percent. That is not because we cannot check more. It is because we cannot get amendments passed here as Democrats in the minority to check more and protect America.

So I think it is important we do it. Mr. Speaker, I think it is important for us to say, Mr. Speaker, to the Members of this chamber that this is brinkmanship now with the debt ceiling. We are on the line here, and Secretary Paulson and I do not know if you went over this before.

Mr. MEEK of Florida. I did but go over it again.

Mr. RYAN of Ohio. March 6 sent a letter to who is the ranking Democrat on the Budget Committee. Today, it was reported in the Associated Press the Secretary told Congress yesterday in this letter, the administration is taking, quote, all prudent and legal actions, end quote, including tapping certain government retirement funds. Now they are tapping retirement funds to keep from reaching the $8.2 trillion national debt limit, and in the letter to Congress he said that he will move the debt ceiling immediately to avoid the first government default on its obligations in U.S. history.

If this outfit hasn’t gotten us into a real predicament, I don’t know what a predicament is. If we don’t raise the debt ceiling, we are going to default on our obligations. The United States of America, Mr. Speaker, for the first time in our history.

I would be happy to yield. Ms. WASSERMAN SCHULTZ. There is a very simple solution: we return to PAYGO rules. We return to the days when we spent what we had, like people in American households try to do every single day and able to do. But we have the ability to establish a rule. We have the ability to follow a rule that says we will only spend what we have. We have advocated, as Democrats, restoring the PAYGO rule, and we have been repeatedly rejected by the Republican leadership because they just want to continue to borrow and spend, borrow and spend.

Mr. RYAN of Ohio. So let us look at this. We talked about two things basically tonight. We talked about the ports and the debt ceiling. On the port deal, to try to increase spending, the Democrats offered, I don’t know, a dozen different amendments to try to increase funding from U.S. ports, and each time the Republican majority shot our idea down.

We had ideas. We offered solutions. The Republican majority, Mr. Speaker, shot us down. Ms. WASSERMAN SCHULTZ just talked about the pay-as-you-go system, where if you pay more for a program, you have to find money somewhere. You have to raise revenue or cut spending, but you have to pay for it so we don’t have to borrow from all these foreign countries.

Former Member Mr. Stenholm offered an amendment to try to implement PAYGO rules into the budget process. Mr. THOMPSON from California tried to do it. Mr. MOORE from Kansas tried to do it. Mr. MOORE from Kansas tried to do it on numerous occasions, to implement pay-as-you-go rules to try to constrain the reckless spending from our Republican colleagues, Mr. Speaker. And in each instance, Mr. MEEK, Ms. WASSERMAN SCHULTZ, the Republican majority who said we will not accept fiscal discipline, we will not accept increased funding for our ports; and the Democrats were the party offering the ideas and offering the amendments time and time and time again to prevent this from happening, where we owe Japan $682 billion, we owe China $250 billion, and we owe OPEC countries, Mr. MEEK, $67.8 billion.

Now, that is a shame. And I don’t like that. And I don’t think the American people like that.

I yield to my friend. Mr. MEEK of Florida. Mr. RYAN, you are 110 percent right. As we close, Mr. Speaker, since we have only 3 minutes or so left, once again we have seen this chart, and as I have said before, it will be in the National Archives. We are not trying to make history, but just to report what is going on here so the American people will know this.

In 224 years of great history in this great country of ours, 1776 to 2000, 42 Presidents, $1.01 trillion was borrowed from foreign nations. That is 224 years. And in 4 years, from 2001 to 2005, President Bush, and we don’t want to leave out the Republican Congress, borrowed $1.05 trillion from foreign nations, in 4 years, jeopardizing the financial security of this country.

Mr. RYAN, you are 110 percent right to be alarmed. Mr. RYAN of Ohio. Thank you. Thank you.

Mr. MEEK of Florida. You are 110 percent right to be alarmed.

Mr. Speaker, I challenge the Republican majority to give us a good way to talk about this. They can’t. They can’t. Mr. Speaker. We hope we can have what we call a paradigm shift, a change in the way we do business here in Washington, D.C., not on behalf of the Democratic Party but on behalf of the American people.

So we are looking for a comprehensive game plan, Mr. Speaker, because we only have one. We have one. History is on our side. The precedent is on our side of trying to do something about it. We ask for the majority to join us in this.

Ms. WASSERMAN SCHULTZ. Mr. RYAN, the point I want to add is this body has openings for people of courage, and we encourage them to apply for those jobs over the next several months.

Mr. RYAN of Ohio. Job openings.

Ms. WASSERMAN SCHULTZ. There are job openings for people of courage. We need a few more people of courage. There are a couple on that side, but we need a whole lot more.

Mr. RYAN of Ohio. Mr. Speaker, www.HouseDemocrats.gov/30something. That is www.HouseDemocrats.gov/30something. Members of Congress can go to this Web site and access all of the charts, see our third-party validators, and see why we are so alarmed at what is going on here in our Nation’s capital.

I yield to my good friend, Mr. MEEK.

Mr. MEEK of Florida. Mr. Speaker, with that we would like to thank not only the Democratic leadership but also many of us here in the House who are trying to work hard on behalf of the American people. I know we all are, but I think it is important that we bring these issues to the forefront.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. FITZPATRICK of Pennsylvania). The Chair would remind Members to address their remarks to the Chair and not to persons outside the Chamber.

Mr. Speaker pro tempore (Mr. FITZPATRICK of Pennsylvania). Mr. Speaker, the Chair would remind Members to address their remarks to the Chair and not to persons outside the Chamber.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to: Mr. COSTA (at the request of Ms. PELOSI) for today and the balance of the week.
SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Pallone) to revise and extend their remarks and include extraneous material:)

Mrs. McCarthy, for 5 minutes, today.
Mr. George Miller of California, for 5 minutes, today.
Mr. Emanuel, for 5 minutes, today.

EXPENDITURE REPORTS CONCERNING OFFICIAL FOREIGN TRAVEL

Reports concerning the foreign currencies and U.S. dollars utilized for Speaker-authorized official travel during the second, third and fourth quarter of 2006 and the first quarter of 2006, pursuant to Public Law 95-384 are as follows:

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. GERASIMOS C. VANS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 20 AND NOV. 28, 2005

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<th>Name of Member or employee</th>
<th>Date</th>
<th>Country</th>
<th>Per diem</th>
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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, HON. ALCEE L. HASTINGS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 2 AND DEC. 6, 2005

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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, MR. DANIEL SCANDLING, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 13 AND JAN. 20, 2006

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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO DENMARK, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN APR. 16 AND APR. 19, 2005

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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO NATO PARLIAMENTARIAN ASSEMBLY FALL MEETING IN COPENHAGEN, DENMARK, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN NOV. 11 AND NOV. 15, 2005

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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO COSTA RICA, EL SALVADOR, GUATEMALA, DOMINICAN REPUBLIC, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN DEC. 19 AND DEC. 23, 2005

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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO INDIA, THAILAND, VIETNAM, AND SINGAPORE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 10 AND JAN. 20, 2006

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<th>Name of Member or employee</th>
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<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
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<td>1/18</td>
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<td>1/18</td>
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<tr>
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<td>1/18</td>
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<td>1/18</td>
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<tr>
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Committee total: 52,565.66

1. Per diem constitutes lodging and meals.
2. If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3. Transportation expense is for entire trip.

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**REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, DELEGATION TO LEBANON AND FRANCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JAN. 23 AND JAN. 28, 2006**

<table>
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<th>Date</th>
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<th>Country</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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<td>U.S. dollar equivalent or U.S. currency</td>
<td>Foreign currency</td>
<td>Foreign currency</td>
<td>U.S. dollar equivalent or U.S. currency</td>
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<td>1/28</td>
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Committee total: 2,522.00

1. Per diem constitutes lodging and meals.
2. If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3. Transportation expense is for entire trip.

---

**REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON COMMISSION ON SECURITY AND COOPERATION IN EUROPE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 2005**

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<th>Transportation</th>
<th>Other purposes</th>
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Committee total: £19,415.03

1. Per diem constitutes lodging and meals.
2. If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005

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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SECURITY AND COOPERATION IN EUROPE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005

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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON AGRICULTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005

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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005

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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.


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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation.
### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON APPROPRIATIONS, OFFICE OF SURVEYS AND INVESTIGATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005—Continued

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### Visit to India, Pakistan, France, November 22–27, 2005:

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### Visit to India, Pakistan, France, November 22–27, 2005 With Codel Burton:

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### Visit to Switzerland, Belgium, The United Kingdom With Codel Issa, November 27–December 4, 2005:

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REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON THE BUDGET, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005

HON. TOM OSBORNE ................................................... 12 /19 12 /21 Tel Aviv/Israel/Jordan ... 362.00 .................... ( 3) .................... .................... .................... 362.00

HON. CHARLES BOUSTANY ............................................ 12 /19 12 /21 Tel Aviv/Israel/Jordan ... 362.00 .................... ( 3) .................... .................... .................... 362.00

HON. HENDRICK MEKK ........................................................................ 12 /27 12 /28 Kuwait .................... 340.00 ............... .................... .................... .................... 340.00

WILLIAM OSTENDORFF ................................................... 12 /27 12 /28 Kuwait .................... 340.00 ............... .................... .................... .................... 340.00

ROBERT DEGRASSE ........................................................... 12 /27 12 /28 Kuwait .................... 340.00 ............... .................... .................... .................... 340.00

DELEGATION EXPENSES .............................................................. 12 /27 12 /28 Kuwait .................... 273.78 ............... 758.71 .................... .................... .................... 1,032.49

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ARMED SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005


JIM BOEHNER, Chairman, Jan. 27, 2006.
### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON EDUCATION AND THE WORKFORCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005

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¹ Per diem constitutes lodging and meals.
² If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

JOHN BOEHNER, Chairman, Jan. 27, 2006.
### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON ENERGY AND COMMERCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005—Continued

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</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

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### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FINANCIAL SERVICES, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005

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</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation
4 Reimbursed the U.S. Treasury for all per diem and travel.

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### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON GOVERNMENT REFORM, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005

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1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation
4 Reimbursed the U.S. Treasury for all per diem and travel.
### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005—Continued

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**Committee total** 27,023.98 13,393.20 2,071.50 42,488.68

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOMELAND SECURITY, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 1 AND DEC. 31, 2005

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**Committee total** 802.00 802.00 802.00 802.00

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON HOUSE ADMINISTRATION, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN SEPT. 1 AND DEC. 31, 2005

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**Committee total** 1,523.27 3,156.20 3,156.20 3,156.20

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON INTERNATIONAL RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005

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**Committee total** 2,025.49 3,156.20 3,156.20 3,156.20

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

### REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON FOREIGN RELATIONS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005

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**Committee total** 27,023.98 13,393.20 2,071.50 42,488.68

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
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<td>689.00</td>
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<td>Matthew Ziegler</td>
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<td>12/9</td>
<td>Dominican Republic</td>
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<td>12/12</td>
<td>Dominican Republic</td>
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<td>10/15</td>
<td>Egypt</td>
<td>717.00</td>
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<td>12/5</td>
<td>Round Trip Airfare</td>
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</table>

Committee total          | 94,925.83 | 243,205.43 |                    | 1,523.27 | 339,098.53

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Indicates Delegation Costs.
4 Military air transportation.
# REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1, AND SEPT. 30, 2005

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Date</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sean Devery</td>
<td>12/17</td>
<td>12/20</td>
<td>China</td>
<td>12/17</td>
<td>12/20</td>
<td>1,164.00</td>
<td>11,845.15</td>
<td>13,009.15</td>
</tr>
<tr>
<td>Hon. Lynn Woolsey</td>
<td>10/1</td>
<td>10/2</td>
<td>Kuwait</td>
<td>10/1</td>
<td>10/2</td>
<td>394.00</td>
<td>396.00</td>
<td>790.00</td>
</tr>
<tr>
<td>Joini Tepjes</td>
<td>11/29</td>
<td>11/30</td>
<td>China</td>
<td>11/29</td>
<td>11/30</td>
<td>842.00</td>
<td>1,833.88</td>
<td>2,675.88</td>
</tr>
</tbody>
</table>

1. Per diem constitutes lodging and meals.
2. If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3. Military air transportation.

**REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1, AND SEPT. 30, 2005**

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Date</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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</thead>
<tbody>
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<td>10/2</td>
<td>10/3</td>
<td>Iraq</td>
<td>10/2</td>
<td>10/3</td>
<td>394.00</td>
<td>396.00</td>
<td>790.00</td>
</tr>
<tr>
<td>Hon. Brad Miller</td>
<td>10/1</td>
<td>10/2</td>
<td>Kuwait</td>
<td>10/1</td>
<td>10/2</td>
<td>394.00</td>
<td>396.00</td>
<td>790.00</td>
</tr>
<tr>
<td>Hon. Sheila Jackson-Lee</td>
<td>11/28</td>
<td>11/29</td>
<td>Pakistan</td>
<td>11/28</td>
<td>11/29</td>
<td>394.00</td>
<td>396.00</td>
<td>790.00</td>
</tr>
<tr>
<td>Hon. David Wu</td>
<td>11/26</td>
<td>11/27</td>
<td>China</td>
<td>11/26</td>
<td>11/27</td>
<td>933.00</td>
<td>6,637.34</td>
<td>7,570.34</td>
</tr>
</tbody>
</table>

1. Per diem constitutes lodging and meals.
2. If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3. Military air transportation.

**REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1, AND SEPT. 30, 2005**

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Date</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hon. Lynn Woolsey</td>
<td>10/1</td>
<td>10/2</td>
<td>Kuwait</td>
<td>10/1</td>
<td>10/2</td>
<td>394.00</td>
<td>396.00</td>
<td>790.00</td>
</tr>
<tr>
<td>Joini Tepjes</td>
<td>11/29</td>
<td>11/30</td>
<td>China</td>
<td>11/29</td>
<td>11/30</td>
<td>842.00</td>
<td>1,833.88</td>
<td>2,675.88</td>
</tr>
</tbody>
</table>

1. Per diem constitutes lodging and meals.
2. If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3. Military air transportation.

**REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SCIENCE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1, AND DEC. 31, 2005**

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Arrival</th>
<th>Departure</th>
<th>Country</th>
<th>Date</th>
<th>Per diem</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Matthew Szynarski</td>
<td>11/1</td>
<td>11/2</td>
<td>Korea/China</td>
<td>11/1</td>
<td>11/2</td>
<td>2,592.00</td>
<td>6,643.64</td>
<td>9,235.64</td>
</tr>
<tr>
<td>Matthew Szynarski</td>
<td>10/25</td>
<td>10/28</td>
<td>India</td>
<td>10/25</td>
<td>10/28</td>
<td>2,592.00</td>
<td>6,643.64</td>
<td>9,235.64</td>
</tr>
<tr>
<td>Christopher Szynarski</td>
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<td>12/2</td>
<td>Nepal</td>
<td>12/1</td>
<td>12/2</td>
<td>2,592.00</td>
<td>6,643.64</td>
<td>9,235.64</td>
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<td>Rick Beutel</td>
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<td>12/20</td>
<td>2,592.00</td>
<td>6,643.64</td>
<td>9,235.64</td>
</tr>
</tbody>
</table>

1. Per diem constitutes lodging and meals.
2. If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3. Military air transportation.
REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON SMALL BUSINESS, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005—Continued

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kennedy</td>
<td>11/18</td>
<td>Kuwait</td>
<td>394.00</td>
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<tr>
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<td>Israel</td>
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<td>Sodrel</td>
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<td>Kuwait</td>
<td>394.00</td>
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<td>394.00</td>
</tr>
<tr>
<td>Shaw</td>
<td>11/16</td>
<td>India</td>
<td>2,255.00</td>
<td></td>
<td></td>
<td>9,892.43</td>
</tr>
</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.
3 Military air transportation.


REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN JULY 1 AND SEPT. 30, 2005

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kennedy</td>
<td>11/18</td>
<td>Kuwait</td>
<td>394.00</td>
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<td></td>
<td>394.00</td>
</tr>
<tr>
<td>Sodrel</td>
<td>11/18</td>
<td>Kuwait</td>
<td>394.00</td>
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<td></td>
<td>394.00</td>
</tr>
<tr>
<td>Shaw</td>
<td>11/16</td>
<td>India</td>
<td>2,255.00</td>
<td></td>
<td></td>
<td>9,892.43</td>
</tr>
</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

DONALD HASTINGS, Chairman, Nov. 15, 2005.

REPORT OF EXPENDITURES FOR OFFICIAL FOREIGN TRAVEL, COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE, HOUSE OF REPRESENTATIVES, EXPENDED BETWEEN OCT. 1 AND DEC. 31, 2005

<table>
<thead>
<tr>
<th>Name of Member or employee</th>
<th>Date</th>
<th>Country</th>
<th>Per diem 1</th>
<th>Transportation</th>
<th>Other purposes</th>
<th>Total</th>
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</thead>
<tbody>
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<td>Jordan</td>
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<tr>
<td>Sodrel</td>
<td>11/18</td>
<td>Kuwait</td>
<td>394.00</td>
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<td></td>
<td>394.00</td>
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<tr>
<td>Kennedy</td>
<td>11/18</td>
<td>Kuwait</td>
<td>394.00</td>
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<td>Diaz-Balart</td>
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<td>86.00</td>
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<tr>
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<td>Kuwait</td>
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<td>136.00</td>
</tr>
<tr>
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<td>Germany</td>
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<td>12,145.49</td>
</tr>
</tbody>
</table>

1 Per diem constitutes lodging and meals.
2 If foreign currency is used, enter U.S. dollar equivalent; if U.S. currency is used, enter amount expended.

STEVE BUYER, Chairman, Jan. 31, 2006.
EXECUTIVE COMMUNICATIONS, ETC.

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

6473. A letter from the President and Chairman, Export-Import Bank of the United States, transmitting a report on transactions involving U.S. exports to India pursuant to Section 2(b)(3) of the Export-Import Bank Act of 1945, as amended, pursuant to 12 U.S.C. 635(b)(3)(i); to the Committee on Financial Services.

6474. A letter from the Secretary, Department of the Treasury, transmitting a six month periodic report on the national emergency with respect to Zimbabwe that was declared in Executive Order 13226 of March 6, 2003, pursuant to 50 U.S.C. 1614(c); to the Committee on International Relations.

6475. A letter from the Director, International Cooperation, Department of Defense, transmitting pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, a copy of Transmittal No. 06-06 which informs of an intent to sign a Project Arrangement between the United States and Singapore for Analysis and Testing of Braded Composite Structures and Joints, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

6476. A letter from the Director, International Cooperation, Department of Defense, transmitting pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, a copy of Transmittal No. 06-06 which informs of an intent to sign a Project Arrangement between the United States and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

6477. A letter from the Director, International Cooperation, Department of Defense, transmitting pursuant to Section 27(f) of the Arms Export Control Act and Section 1(f) of Executive Order 11958, a copy of Transmittal No. 01-06 which informs of an intent to sign a Project Arrangement between the United States and the United Kingdom, pursuant to 22 U.S.C. 2767(f); to the Committee on International Relations.

6479. A letter from the White House Liaison, Department of Education, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6480. A letter from the Assistant Secretary for Administration & Management, Department of Labor, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6481. A letter from the Attorney Advisor, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6482. A letter from the Attorney, Department of Transportation, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6483. A letter from the Assistant Administrator, OARM, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6484. A letter from the Assistant Administrator, OARM, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6485. A letter from the Assistant Administrator, OARM, Environmental Protection Agency, transmitting a report pursuant to the Federal Vacancies Reform Act of 1998; to the Committee on Government Reform.

6488. A letter from the Deputy Director, Office of Protected Resources, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Taking and Importing Marine Mammals Incident to Rocket Launches from Kodiak Island, Alaska [Docket No. 060704346-5258-02; I.D. 070206C] (RIN: 0648-AP82) received February 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6487. A letter from the Assistant Administrator for Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Haddock Incidental Catch Allowance for the Individual Fishery Quota Program [Docket No. 05051372-5123-01; I.D. 051105D] (RIN: 0648-AT3A) received January 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6497. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic; Proposed Amendment 6 to the Southern Atlantic Fisheries (Applicability of the Exclusive Economic Zone Off Georgia; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area) [Docket No. 010806B] (RIN: 0648-AT1E) received February 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6486. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Summer Flounder Specified Areas; 65th Framework Adjustment 1; Establishing a Fishery Management Plan for Summer Flounder in the Northeastern United States; Summer Flounder in the Exclusive Economic Zone Off Alaska; North Pacific Halibut and Sablefish Individual Fishing Quota Cost Recovery Program [I.D. 120805C] received February 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6504. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Halibut and Pacific Cod Individual Fishing Quota Cost Recovery Program [I.D. 110708C] received February 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6505. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod Individual Fishing Quota Cost Recovery Program [I.D. 110708C] received February 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6503. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod Individual Fishing Quota Cost Recovery Program [I.D. 110708C] received February 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6502. A letter from the Deputy Assistant Administrator for Regulatory Programs, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2006 Summer Flounder Individual Fishing Quota Specifications; Preliminary 2006 Quota Adjustments; 2006 Summer Flounder Quota for Delaware [Docket No. 051104293-5344-02; I.D. 102705B] (RIN: 0648-AT27) received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6501. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Halibut and Sablefish Individual Fishing Quota Cost Recovery Program [I.D. 120805C] received February 4, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6510. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod Managed Under the Individual Fishing Quota Program [I.D. 110708C] received February 3, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.
H644
CONGRESSIONAL RECORD — HOUSE
March 7, 2006
6511. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Northeast Multispecies Fishery; Modification of the Yellowtail Flounder Landing Limit for Western and Eastern U.S. Canada Areas [Docket No. 04800429-4300-02; I.D. 010906A] received February 22, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Resources.

6512. A letter from the Acting Director, Office of Sustainable Fisheries, NMFS, National Oceanic and Atmospheric Administration, transmitting the Administration’s final rule — Magnuson-Stevens Fishery Conservation and Management Act Provisions; Fisheries of the Northeastern United States; Atlantic Mackeral, Squid, and Butterfish Fisheries; Closure of the Quarter I Fisheries for the 2006 Season [Docket No. 05120329-5329-01; I.D. 020306B] received February 27, 2006, pursuant to 5 U.S.C. 801(a)(1); to the Committee on Resources.

6514. A letter from the Acting Director, FEMA, Department of Homeland Security, transmitting notification that funding under Title V, subsection 505(b)(3) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, as amended, has exceeded $5 million for the response to the emergency declared as a result of the influx of evacuees from Hurricane Katrina beginning on August 29, 2005 in the State of Florida, pursuant to 42 U.S.C. 5193; to the Committee on Transportation and Infrastructure.

6515. A letter from the Assistant Secretary of the Army, Civil Works, Department of the Army, transmitting a copy of the Central Valley Project Lagoon-South Feasibility Study; to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. HUNTER: Committee on Armed Services. House Resolution 645. Resolution requesting the President and directing the Secretary of Defense to transmit to the Congress Representatives all information in the possession of the President or the Secretary of Defense relating to the collection of intelligence information pertaining to persons inside the United States without obtaining court-ordered warrants authorizing the collection of such information and relating to the policies of the United States with respect to the gathering of counterterrorism intelligence within the United States; adversely (Rept. 109-159). Referred to the House Calendar.

Mr. HOEKSTRA: Permanent Select Committee on Intelligence. House Resolution 641. Resolution requesting the President to provide to the Committee, in camera, copies of documents in his possession relating to electronic surveillance without search warrants on individuals in the United States; adversely (Rept. 109-385). Referred to the House Calendar.

Mr. GINGREY: Committee on Rules. House Resolution 738. Resolution providing for further consideration of the bill (H.R. 4167) to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning requirements, and for other purposes (Rept. 109-386). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

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

By Mr. HUNTER (for himself, Mr. SAXON, Mr. SKELETON, Mr. DAVIS of Kentucky, Mrs. JO ANN DAVIS of Virginia, Mr. JONES of North Carolina, Mr. LOBONDO, Mr. MILLER of Florida, Mr. SMITH of New Jersey, Mr. PAUL, Mr. BACUS, Mr. HEFLY, Mr. NEY, Mr. TURNER, and Mr. DUNCAN):

H.R. 4881. A bill to promote the national defense by establishing requirements for the ownership, management, and operation of critical infrastructure in the United States and, for other purposes; to the Committee on Transportation, Energy and Commerce, International Relations, and Homeland Security, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. POMBO (for himself, Mr. RASHaida, Mr. PRACE, and Mr. CHRISTENSEN):

H.R. 4882. A bill to ensure the proper remembrance of Vietnam veterans and the Vietnamese War, by providing a deadline for the designation of a visitor center for the Vietnam Veterans Memorial; to the Committee on Resources.

By Mr. FITZPATRICK of Pennsylvania (for himself and Mr. SCHIFF):

H.R. 4883. A bill to provide justice for crime victims’ families, and for other purposes; to the House Judiciary.

By Mr. KENNEDY of Minnesota:

H.R. 4884. A bill to amend the Internal Revenue Code of 1986 to include in gross income the value of an employer nonqualified deferred compensation plan when the employer defined benefit plan has a funding target attainment percentage of less than 80 percent; to the Committee on Ways and Means.

By Ms. BERKLEY:

H.R. 4885. A bill to amend the Defense Production Act of 1950 to prohibit acquisitions, mergers, or takeovers of persons engaged in interstate commerce in the United States by entities controlled by or acting on behalf of the government of any foreign country that does not recognize countries that are member states of the United Nations, participate in boycotts against countries that are friendly to the United Nations, sponsor international terrorism; to the Committee on Financial Services, and in addition to the Committee on Energy and Commerce, and Interstate and Foreign Commerce, and for other purposes; to the Committee on the Judiciary.

By Mr. McGOVERN (for himself, Mr. GHJALVA, Mr. KUCINICH, and Mr. DELAHUNT):

H.R. 4886. A bill to designate Colombia under section 244 of the Immigration and Nationality Act in order to make nationals of Colombia eligible for temporary protected status under such section; to the Committee on the Judiciary.

By Ms. BERKLEY:

H.R. 4887. A bill to amend the Internal Revenue Code of 1986 to exclude from gross income amounts awarded toquist plaintiffs; to the Committee on Ways and Means.

By Mr. HOUGHTANY (for himself, Mr. BAKER, Mr. ALEXANDER, Mr. MELONAC, and Mr. JINDAL):

H.R. 4888. A bill to a bill to provide a provision regarding the emergency watershed protection program in the Department of Defense, Emergency Supplemental Appropriations to Address Hurricanes in the United States, and Pandemic Influenza Act, 2006, to restore the discretion of the Secretary of Agriculture to waive or reduce the non-Federal share requirements of the program; to the Committee on Agriculture.

By Mr. GINGREY:

H.R. 4889. A bill to grant the power to the President to reduce budget authority; to the Committee on the Budget, and in addition to the Committees on Rules, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DYAN of Wisconsin (for himself, Mr. DUGGAN, Mr. CROCOL, Mr. GREEN of Wisconsin, Mr. KINGSTON, Mr. HENSARLING, Mr. HERBER, Mr. HAYWORTH, Mr. ISTOON, Mr. SHAYS, Mr. TAYLOR of South Carolina, Mr. SESSIONS, Mr. RYUN of Kansas, Mr. GARRET of New Jersey, Mr. FLAKE, Mr. CANTON, Mrs. MUSGRAVE, Mr. MATHISON, Mr. INGLIS of South Carolina, Mr. PENCE, Mr. FORTUNO, Mr. BACUS, Mr. UPTON, Mr. PLATTS, Mr. BURTON of Indiana, Mr. MORAN of Kansas, Mr. PITTS, Mr. ROYCE, Mr. POMBO, Mr. SHADEGO, Mr. BEAUFREZ, Mrs. BONO, Mr. KIRK, Mr. MACK, Mr. TERRY, Mr. KENNEDY of Minnesota, Mr. PUTNAM, Mr. KLINE, Mr. CANNON, Mr. RENZI, Mr. GALLAGHER, Mrs. BLACKBURN, Mr. SENSENBRENNER, Mr. English of Pennsylvania, and Mr. UDALL of Colorado):

H.R. 4890. A bill to amend the Congressional Impoundment Act of 1974 to provide for the expedited consideration of certain proposed rescissions of budget authority; to the Committee on the Budget, and in addition to the Committee on Rules, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HINCEY (for himself, Mr. SHAYS, Mrs. LOWEY, Mr. ENGEL, and Mrs. KELLY):

H.R. 4891. A bill to require the Nuclear Regulatory Commission to conduct an Independent Safety Assessment of the Indian Point Nuclear Power Plant; to the Committee on Energy and Commerce.

By Mr. PAUL (for himself and Mr. JONES of North Carolina):

H.R. 4892. A bill to require the Board of Governors of the Federal Reserve System to continue to make available to the public on a weekly basis information on the measure of the M3 monetary aggregate, and its components and, for other purposes; to the Committee on Financial Services.

By Mr. POMBO:

H.R. 4893. A bill to amend section 20 of the Indian Gaming Regulatory Act to restrict off-reservation gaming; to the Committee on Resources.

By Mr. PORTER:

H.R. 4894. A bill to provide for certain access to national crime information databases.
by schools and educational agencies for employment purposes, with respect to individuals who work with children; to the Committee on the Judiciary.

By Mr. POE of Indiana:
H.R. 4886. A bill to amend the Foreign Assistance Act of 1961 to limit the provision of United States military assistance and the sale, leasing, or furnishing of military equipment or technology to Ethiopia; to the Committee on International Relations.

By Ms. SCHRACKOWSKY (for herself, Mr. BROWN of Ohio, Mrs. MCCARTHY, Mr. LANTOS, Ms. NORTON, Ms. MILLER-MCDONALD, Ms. KILPATRICK of Michigan, Mr. GIGLIA, Mr. SERRANO, Mr. MCDERMOTT, and Mr. GUTTENBERG):
H.R. 4896. A bill to direct the Consumer Product Safety Commission to promulgate a consumer product safety standard for each durable infant or toddler product, and for other purposes; to the Committee on Energy and Commerce.

By Mr. UDALL of Colorado (for himself and Mr. LATHAM):
H.R. 4928. A resolution to authorize the Renewable Energy Systems and Energy Efficiency Improvements Program of the Department of Agriculture through fiscal year 2011 and to increase the annual level of Commodity Credit Corporation funding for the program; to the Committee on Agriculture.

By Mr. REGULA (for himself, Mr. SAM JOHNSON of Texas, and Mr. BICCHERI):
H.J. Res. 81. A joint resolution providing for the appointment of Phillip Frost as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mr. REGULA (for himself, Mr. SAM JOHNSON of Texas, and Mr. BICCHERI):
H.J. Res. 81. A joint resolution providing for the reappointment of Alan G. Spoon as a citizen regent of the Board of Regents of the Smithsonian Institution; to the Committee on House Administration.

By Mr. RANGEL:
H. Con. Res. 352. Concurrent resolution recognizing the contributions of the New York Public Library’s Schomburg Center for Research in Black Culture in educating the people of the United States about the African-American migration experience, and for other purposes; to the Committee on the Judiciary.

By Mr. COSTA (for himself, Mr. GILLIGAN, Mr. REGULA, Mr. HORISON, and Mr. ROTHMAN):
H. Res. 711. A resolution recognizing and honoring the 150th anniversary of the founding of the Sigma Alpha Epsilon Fraternity; to the Committee on Education and the Workforce.

By Mr. PETERSON of Minnesota:
H. Res. 712. A resolution commending the United States men’s and women’s curling teams on their accomplishments at the 2006 Winter Olympic Games in Torino, Italy; to the Committee on Government Reform.

MEMORIALS

Under clause 3 of rule XII, memorials were presented and referred as follows:

H.R. 9: Mr. MEEK of Florida.
H.R. 96: Mr. HOLT and Mr. LATOURRETT.
H.R. 147: Mr. MOOTH.
H.R. 198: Mr. MCCOTTER.
H.R. 200: Mrs. WILSON of New Mexico.
H.R. 262: Mr. PETERSON of Minnesota, Mr. MARKLEY, and Mr. P SplashScreen.
H.R. 283: Mr. MOORE of Kansas.
H.R. 354: Mr. ENGLISH of Pennsylvania.
H.R. 391: Ms. SCHAKOWSKY, Mr. BACA, and Mr. EMANUEL.
H.R. 503: Mr. GREEN of Wisconsin and Mr. GEFLACH.
H.R. 571: Mrs. CAPPS, Mr. BACA, and Mr. BRAIDY of Texas.

ADDITIONAL SPONSORS

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

H.R. 23: Mr. MEEK of Florida.
H.R. 95: Mr. HOLT and Mr. LATOURRETT.
H.R. 147: Mr. MOOTH.
H.R. 198: Mr. MCCOTTER.
H.R. 200: Mrs. WILSON of New Mexico.
H.R. 262: Mr. PETERSON of Minnesota, Mr. MARKLEY, and Mr. P SplashScreen.
H.R. 283: Mr. MOORE of Kansas.
H.R. 354: Mr. ENGLISH of Pennsylvania.
H.R. 391: Ms. SCHAKOWSKY, Mr. BACA, and Mr. EMANUEL.
H.R. 503: Mr. GREEN of Wisconsin and Mr. GEFLACH.
H.R. 571: Mrs. CAPPS, Mr. BACA, and Mr. BRAIDY of Texas.

H.R. 550: Ms. NORTON, Mr. STRICKLAND, and Mr. ENGLISH of Pennsylvania.
H.R. 552: Mr. LATHAM and Mr. ROGERS of Kentucky.
H.R. 586: Mr. BOOZMAN.
H.R. 611: Ms. WATERS and Mr. BURTON of Indiana.
H.R. 615: Mr. CONYERS.
H.R. 669: Mr. KING of New York.
H.R. 752: Ms. WASSERMAN SCHULTZ, Mr. PRICE of North Carolina, Mr. GORDON, Mr. WILNER, Mr. NEAL of Massachusetts, Mr. PELosi, Mr. CARNABY, Mr. HONDA, Ms. PAYNE, Ms. LINDA T. SÁNCHEZ of California, Mr. Dingell, and Mr. GONZALEZ.
H.R. 769: Mr. DELAHEART.
H.R. 791: Mr. DAVIS of Tennessee.
H.R. 807: Mr. ANDREWS, Mr. CONYERS, and Mr. NADLER.
H.R. 838: Mr. RYAN of Ohio, Mrs. KELLY, Mr. DELAHUNT, and Mr. RAHALL.
H.R. 838: Mr. BISHOP of New York.
H.R. 888: Mr. MURPHY.
H.R. 896: Mr. RANGEL, Mr. JEFFERSON, and Mr. LARSON of Connecticut.
H.R. 998: Ms. BERKLEY, Mr. WILSON of South Carolina, Mr. AL GREEN of Texas, and Mr. PAYNE.
H.R. 1653: Mr. SMITH of Washington, Mr. HYDE, Mr. ROHRABACHER, Mr. FATTAH, Ms. SLAUGHTER, Mrs. TAUSCHER, Mr. KIND, Mr. WATSON of South Carolina, Ms. HART, Ms. HARRIS, Mr. BRADY of Pennsylvania, and Ms. WATSON.
H.R. 1120: Mr. ROTHAMAN.
H.R. 1126: Mr. STRICKLAND.
H.R. 1227: Mr. BOUSTANY and Mr. FARR.
H.R. 1232: Ms. LORIETTA SANCHEZ of California.
H.R. 1235: Ms. DEGETTE.
H.R. 1366: Mr. BARROW.
H.R. 1389: Mr. KILDER, Mr. DOYLE, Mr. GUTHRIE, Mrs. CUNIN, Mr. DAVIS of Tennessee, and Mr. MCCARTHY.
H.R. 1447: Mr. ROTHAMAN.
H.R. 1494: Mr. MARSHALL, Mr. GREEN of Wisconsin, Mr. BAKER, and Mr. BASS.
H.R. 1498: Mrs. MALONEY, Ms. LEE, Mr. BONNER, Mrs. MCCARTHY, and Mr. GONZALEZ.
H.R. 1558: Mr. PLATTS.
H.R. 1579: Mr. SHAYS, Mr. OWENS, and Mr. RYAN of Kansas.
H.R. 1588: Mr. PAYNE.
H.R. 1821: Mr. WEXLER, Mr. BISHOP of Utah, Mr. LYNCH, Mr. McGOVERN, and Mr. EMANUEL.
H.R. 1469: Mr. FATTAH.
H.R. 1671: Mr. SODEHL.
H.R. 1906: Mr. ANDREWS.
H.R. 1951: Mr. BACA.
H.R. 2045: Mr. WILSON of South Carolina.
H.R. 2073: Mr. MIERSAN.
H.R. 2239: Mrs. McCARTHY.
H.R. 2317: Mr. MOLLOHAN and Ms. KILPATRICK of Michigan.
H.R. 2348: Mr. RENZI.
H.R. 2389: Mr. FATTAH, Mr. REEBERG, Mr. ROGERS of Kentucky, Mr. HAYES, Mr. KLINE, Mr. BERMAN, Mr. MURPHY, and Mr. ENGLISH of Pennsylvania.
H.R. 2396: Mr. MARKLEY.
H.R. 2421: Mrs. CAPITO and Ms. MOORE of Wisconsin.
H.R. 2534: Mr. JONES of North Carolina.
H.R. 2592: Ms. SCHAKOWSKY.
H.R. 2842: Mr. BARROW.
H.R. 2589: Mr. TOWNS.
H.R. 2584: Ms. McCOLLUM of Minnesota and Ms. BERKLEY.
H.R. 2716: Mr. VAN HOLLEN and Ms. BALDWIN.
H.R. 2783: Mr. OBEY and Mr. FATTAH.
H.R. 2804: Mr. PUTNAM.
H.R. 2803: Mr. VAN HOLLEN.
H.R. 3004: Mr. GRAVES.
H.R. 3024: Ms. WILSON of Florida.
H.R. 3255: Ms. GINNY BROWN-WATTH of Florida.
H.R. 3318: Mr. Peterson of Minnesota.  
H.R. 3332: Mr. Hostetler.  
H.R. 3476: Mr. McCotter, Mr. Hult, Mr. Davis of Florida, Mr. Meeks of New York, Mr. Walsh, Mr. Baca, Mr. English of Pennsylvania, Mrs. Capp, and Mr. Filner.  
H.R. 3478: Mr. Rogers of Kentucky, Miss Mccorris, Mr. Salazar, and Ms. Harris.  
H.R. 3861: Mr. Ryan of Ohio and Mr. Gonzalez.  
H.R. 3954: Ms. Slaughter.  
H.R. 3986: Mr. Gonzalez.  
H.R. 4005: Mr. Chandler, Mr. Gillmor, Mr. Sabo, Mr. Van Hollen, Mr. Marshall, Mrs. McCaity, Ms. Moore of Wisconsin, and Mr. Ryan of Ohio.  
H.R. 4015: Mr. Bishop of Georgia, and Mr. Wilson of South Carolina.  
H.R. 4019: Mr. Price of Georgia, Ms. Ginny Brown-Watke of Florida, and Mr. Goodlatte.  
H.R. 4188: Ms. Schakowsky, and Mr. Sanders.  
H.R. 4197: Mr. Bickerra.  
H.R. 4201: Mr. McDermott, and Ms. Matsui.  
H.R. 4211: Mr. Brown of Ohio, Ms. Corinne Brown of Florida, Ms. Jackson-Lee of Texas, Mr. Towns, Mr. Meeks of New York, and Ms. Eddie Bernice Johnson of Texas.  
H.R. 4217: Mr. Kline.  
H.R. 4236: Mr. Bartlett of Maryland, and Mr. Moran of Kansas.  
H.R. 4244: Mr. LaTourette.  
H.R. 4261: Mr. Clay, Ms. Moore of Wisconsin, and Ms. Schakowsky.  
H.R. 4315: Mr. McCaul of Texas.  
H.R. 4319: Mr. Moran of Virginia.  
H.R. 4336: Mr. Bishop of Georgia.  
H.R. 4341: Mr. Hoekstra, Mr. Hulshof, Mrs. Mushgrave, Mr. Davis of Alabama, Mr. Muctha, and Mr. Shuster.  
H.R. 4357: Mr. McKinney, and Mr. Jones of North Carolina.  
H.R. 4364: Mr. Conaway, Mr. McCotter, Mr. Otter, Mr. Sullivan, Ms. Foxx, Mr. Franks of Arizona, Mr. Sam Johnson of Texas, and Mr. Rahall.  
H.R. 4403: Mr. Kildee.  
H.R. 4426: Mr. Towns, Mr. Wolf, Mr. Royce, Mr. Rohrabacher, Mr. Tandero, Mr. Sabo, Mr. Moran of Virginia, and Mr. Boyd.  
H.R. 4434: Mr. Shays.  
H.R. 4460: Mr. Miller of Florida.  
H.R. 4493: Mr. McGovern, Mrs. McCarthy, and Ms. Kaptur.  
H.R. 4542: Mr. Holt, Mr. Delahunt, Mr. Al Green of Texas, Mr. Inslee, and Mr. Kildee.  
H.R. 4497: Mr. Boren, Mr. Herger, Mr. Gordon, and Ms. Hart.  
H.R. 4551: Mr. Garrett of New Jersey.  
H.R. 4562: Mr. Ryan of Ohio, Mr. McCotter, Mr. King, Mr. Rothman, Ms. Har ris, Ms. Faleomavauga, Ms. McNulty, and Mr. Burton of Indiana.  
H.R. 4623: Mr. Tery and Mr. Pattah.  
H.R. 4625: Mr. Boustany.  
H.R. 4646: Mr. Radanovich, Mr. Rohrabacher, Mr. Matheson, Mr. Scott of Virginia, Mr. Daniel E. Lungren of California, Mr. Pombo, Mrs. Lowey, Ms. Solis, Ms. Bono, Mr. Markley, Mr. Jones of North Carolina, Mr. Honda, Mr. Neal of Massachusetts, Ms. Matsui, Ms. Wosley, Ms. Pelosi, Mr. Costa, Mr. McKin, Ms. Waters, Ms. Loretta Sanchez of California, Mr. Gary G. Miller of California, Mr. Osborne, Mr. Herger, Mr. Nunes, Mr. Calvert, Mr. Issa, Mr. Buyer, and Mr. Grijalva.  
H.R. 4662: Mr. Wynn and Mr. English of Pennsylvania.  
H.R. 4673: Mr. Lobhondo and Mr. Saxton.  
H.R. 4681: Mr. Lucas, Ms. Ginny Brown-Watke of Florida, Mr. Higgins, Mr. Boswell, Mr. Matheson, Mrs. Schmidt, Mr. Cardin, Mr. Murray, Mrs. Emerson, Miss Mccorris, Mrs. Lowey, Mr. Bartlett of Maryland, Mr. Strickland, Mr. Wynn, Mr. Porter, Mr. Barrow, Mr. Davis of Kentucky, Mr. Simmons, Mr. Kline, Mr. Dens, Mrs. Napolitano, Ms. Corinne Brown of Florida, Mr. Putnam, Mr. Folky, and Mr. Gordon.  
H.R. 4683: Mr. Fattah and Mr. Ryan of Ohio.  
H.R. 4696: Mr. Geclch.  
H.R. 4704: Mr. Jefferson and Ms. Jackson-Lee of Texas.  
H.R. 4709: Mr. Kline.  
H.R. 4727: Mr. Birkley.  
H.R. 4736: Mr. Grijalva and Ms. McCollum of Minnesota.  
H.R. 4740: Mr. Brown of South Carolina and Mr. Bartlett of Maryland.  
H.R. 4747: Mr. RangeI, Mr. Kildee, Ms. Kilpatrick of Michigan, Ms. Schakowsky, Mr. McGovern, and Mr. Grijalva.  
H.R. 4751: Mr. B. A. Davis of New York, Mr. A. D. Davis of Alabama, and Mr. Delauro.  
H.R. 4761: Mr. Wamp, Mr. Doolittle, Mr. Rogers of Alabama, and Mr. Young of Alabama.  
H.R. 4764: Mr. Davis of Illinois, Mr. Jefferson, Mr. Brown of South Carolina, Mr. Bishop of Georgia, and Mr. English of Pennsylvania.  
H.R. 4774: Mr. Ford, Mr. Platts, Mr. English of Pennsylvania, and Mr. Sabo.  
H.R. 4786: Mr. McCotter, Mr. Tandero, Mr. Care, and Ms. Harris.  
H.R. 4790: Mr. Sessions.  
H.R. 4796: Mr. English of Pennsylvania, and Mrs. Wilson of New Mexico.  
H.R. 4800: Mr. Rush.  
H.R. 4807: Mr. Rogers of Michigan, Mr. Walsh, Mr. Jones of North Carolina, Mr. Renuzi, Ms. Velazquez, Mr. Wamp, Mr. Weiner, Mr. English of Pennsylvania, Mr. Udall of Colorado, and Mr. Moore of Kansas.  
H.R. 4808: Mr. Sanders, Mr. Tandero, Mr. Ryan of Ohio, Mr. Dingell, Mr. McCotter, Ms. Kilpatrick of Michigan, Mr. Goode, Mr. Doyle, and Ms. Kaptur.  
H.R. 4813: Ms. Ros-Lehtinen, Mr. Neal of Massachusetts, Mr. Jones of North Carolina, Mr. Simpson, and Mr. Udall of Colorado.  
H.R. 4820: Mr. Emanuel, Mr. Allen, Mr. Sanders, Mr. McDermott, and Mr. Filner.  
H.R. 4838: Mrs. Myrick, Mr. Ford, Mr. Brown, Mr. English of Pennsylvania, Mr. Souder, and Mr. Conway.  
H.R. 4843: Mr. Burton of Indiana.  
H.R. 4858: Mr. Burton of Indiana.  
H.R. 4864: Mr. Bishop of Georgia and Mr. Rogers of Alabama.  
H.R. 4904: Mr. Shuster and Mr. Valencia of Arizona.  
H.R. 4918: Mr. Borrow of North Carolina.  
H.R. 4924: Mr. Van Hollen, Mr. Wexler, and Mr. Chabot.  
H.R. 4929: Mr. Moran of Kansas, Mr. Delahunt, and Ms. Shakhowsky.  
H.R. 4973: Mr. Ryan of Ohio, Ms. Bordallo, Mr. Harris, Mr. Hart, Mr. Kil every, Mr. Sullivan, Ms. Nunes, Mr. Shimkus, Mr. Barret of South Carolina, Mr. Wexler, Mr. Renuzi, Mr. Conaway, and Mr. Shuster.  
H.R. 516: Mr. Van Hollen and Mr. Michaud.  
H.R. 565: Mr. Costello and Mr. Serrano.  
H.R. 773: Ms. Hart, Mr. Van Hollen, Mr. Waxman, Mr. English of Pennsylvania, and Mr. Cardin.  
H.R. 880: Mr. McMillin.  
H.R. 881: Mr. Carnarvon.  
H.R. 896: Mr. Kilpatrick of Michigan and Mr. Dingell.  
H.R. 899: Ms. Lorett Sanchez of California.  
H.R. 700: Ms. Harris, Mr. Crowley, Mr. Engel, Mr. Rogers of Michigan, Mr. Ackerman, Mr. Dent, and Mr. English of Pennsylvania.  
H.R. 701: Mr. Inglis of South Carolina.

DELETIONS OF SPONSORS FROM PUBLIC BILLS AND RESOLUTIONS

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

H.R. 415: Mr. Lewis of Georgia.
The Senate met at 9:45 a.m. and was called to order by the PRESIDENT pro tempore (Mr. STEVENS).

PRAYER

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

Let us pray.

Our Father in heaven, today we praise You because Your loving kindness endures forever. You have blessed this land with freedom and abundance. Thank You for spacious skies and amber waves of grain.

Teach us to be thankful even when we face problems and pain as Your spirit opens our eyes to Your unfailling goodness.

Bless the Members of this body. May their labors today flow out of a pure heart, a good conscience, and a sincere faith. Give them trust and confidence in Your guidance and a reverence and humility in Your presence.

Keep us all from trying to please both others and You. We pray in Your holy Name. Amen.

PLEDGE OF ALLEGIANCE

The PRESIDENT pro tempore led the Pledge of Allegiance, as follows:

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

RESERVATION OF LEADER TIME

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

RECOGNITION OF THE MAJORITY LEADER

The PRESIDENT pro tempore. The majority leader is recognized.

SCHEDULE

ORDER OF PROCEDURE

Mr. FRIST. Mr. President, today we will begin a 1-hour period for debate prior to the cloture vote with respect to the LIHEAP bill. I ask unanimous consent that the 1 hour be for debate only.

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

Mr. FRIST. Mr. President, I expect that vote to occur sometime shortly before 11 a.m. this morning. If cloture is invoked—and I hope it will be—then we will be working toward an agreement that will allow us to finish the bill as quickly as possible today.

We will be returning to the lobbying reform bill today. We will begin considering amendments. Therefore, in addition to the LIHEAP bill, we will have votes in relation to the amendments to the lobbying reform bill.

I also expect the Senate to recess from 12:30 until 2:15 for the weekly party luncheons.

I say again to all colleagues who want to finish the lobbying bill this week that we certainly want to allow ample time for Members to offer amendments. I urge Members to come forward early. We would like to lock in a filing deadline as soon as possible. As a matter of fact, I hope that we could lock in a filing deadline for today and therefore give our managers their best opportunity to schedule consideration of the amendments as soon as possible.

Again, we expect to be working into the evening each night in an effort to finish the bill as soon as possible.

FLAG PROTECTION AMENDMENT

Mr. FRIST. Mr. President, every morning we open the Senate by reciting the Pledge of Allegiance. Hand over heart, we pay solemn tribute to the American flag, that sacred symbol of America’s history, values, and principles.

We are reminded that we are but servants, momentary players in the great unfolding of the American story. The flag—transcendent, noble, still—commands our humility and binds us in the common project of serving the body politic. It is with this understanding that, before Congress adjourns for the Fourth of July recess, I intend to bring the flag protection amendment to the floor.

The proposed amendment is simple. It is a one-sentence statement that reads: “The Congress shall have the power to prohibit the physical desecration of the flag of the United States.”

Along with 80 percent of the American public and all 50 of our State legislatures, I believe the Constitution should allow laws that protect our flag.

Unfortunately, in 1989, the Supreme Court overturned 200 years of precedent and struck down all laws that prohibit flag desecration. I believe their decision was misguided. In my view, desecrating the flag is not speech but an act of physical assault. We know this when we see rioting mobs in foreign countries setting our flag on fire. We can see clearly that they are engaged in a specific act of physical aggression against our country and everything for which we stand. Whether inside or outside our borders, burning the American flag is intended to intimidate, not to engage in constructive speech.

I believe the amendment process is the appropriate remedy to the Court’s 1989 decision. As Harvard law professor Richard Parker explains:

The amendment process is essential to the Constitution’s deepest foundation—the principle of popular sovereignty affirmed in its first words, “We the people.” Making use of this process reaffirms and thus preserves that foundation.

Since I first came to the Senate in 1995, I have supported a constitutional amendment to protect our flag.

The flag is not only the physical symbol of our Nation, our pride, and our history, but also of our values.

● This “bullet” symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.
freedom, justice, independence, equality, and, ultimately, we the people. Protecting the flag won’t stop Americans from exercising their first amendment right to free speech.

Countless brave men and women have died defending the American flag. It is but a small, humble act to vote to defend it.

In the words of our esteemed colleague, Senator HATCH:

Whatever our differences of party, race, religion, or socio-economic status, the flag reminds us that we are very much one people, united in a shared destiny, bonded in a common faith in our Nation and the profound belief in personal liberty that our Nation protects.

I look forward to bringing the flag protection amendment to the floor for debate, and I am hopeful that we will be able to once and for all give the American people the opportunity to defend this noble symbol of our shared legacy.

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

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of S. 2320 which the clerk will report.

The legislatives 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, and for other purposes.

Inhofe amendment No. 2898, to reduce energy prices.

The PRESIDING OFFICER (Mr. ALLEN). Under the previous order, there was 1 hour of debate equally divided between the Senator from Maine, Ms. SNOWE, and the Senator from Nevada, Mr. ENSIGN, or their designees.

Who yields time?

The Senator from Maine.

Ms. SNOWE. Mr. President, first of all, I thank the majority leader for his considerable effort, patience, and perseverance in bringing this legislation to the floor on the basis of the commitment which the leader made in December prior to our adjournment that we would have this legislation to increase low-income fuel assistance for those States that clearly need it, given the rising prices of home heating oil and natural gas, given the fact that we are in the midst of the winter, and given the fact that this has a major impact on families across the country.

I hope we will get beyond today, beyond the cloture vote and be able to secure the additional funding that is so essential to the States and to so many individuals and families who depend upon it. It is absolutely critical that we provide these funds for this fiscal year in order to prepare for the summer and also to address the contingency necessity of providing additional funding this winter.

I am joined in my efforts and I wish to thank my colleague, Senator COLEMAN, from Minnesota, Senator COLLINS, Senator GRASSLEY, Senator SUNUNU, Senator SPECTER, and Senator SANTORUM, as well as Senator SMITH and Senator KERRY. I express my deep appreciation for their support.

I first want to address some of the criticisms that were engendered last week because I think there has been a lot of misunderstanding and misinterpretation about exactly where we stand today and what the facts are.

First of all, my underlying bill shifts the funding from fiscal year 2007 to 2006. There is an additional $1 billion for the purposes of "contingency" funding, otherwise known as emergency funding for emergency purposes. So it is budget neutral. We are just advancing this from a formula. I don't think it in the budget. It is not increasing spending.

The Congress decided—including the Senate, and it became law just a month ago—that the President would continue to have the emergency funding capability in order to disburse that part of the funding, 75 percent to those States that had experienced an emergency in time because there was an emergency. Emergencies are just that—emergencies.

What the critics are saying about my approach is they now want to change it for the first time ever and take away the capability of having emergency funding under the low-income fuel assistance. It doesn't make sense. Because the States are facing an emergency, they ought to be able to have their funding. That would be taken away by the Kyl amendment, and it would be distributed to States irrespective of whether they need it, irrespective of the fact that no emergency occurred in their State.

I understand that under the low-income fuel assistance program, you have part emergency and part formula. That is what it is all about. All my underlying bill says is advance the funding from 2007 to 2006 for $1 billion. So we are not increasing the level of funding for low-income fuel assistance. We have already agreed to it in the budget. It is not increasing spending. It is budget neutral. I don't change the way it is distributed. I am doing just exactly what was dictated by the U.S. Senate, and it became law in the Deficit Reduction Act a month ago.

Now we are saying let us change the entire approach through the Kyl amendment by distributing all of the funds through a formula and we will have no emergency funding.

Let me remind my colleagues that just last fall, we had four States that benefited from the emergency funding as a result of the hurricane. Alabama received $2 million; Florida, $1.35 million; Louisiana, $12 million; Mississippi $11.75 million—exactly because it was an emergency. The President had the authority, had the discretion to disburse those funds from the contingency funds under the low-income fuel assistance program. Under the Kyl amendment, the President wouldn't have that capability. It would be given to States that didn't experience the hurricane, that didn't have an emergency. We would not be able to have any emergency funding if we passed the Kyl amendment.

I hope the Senate will continue the work which we have approached it in the past. I hope we pass the underlying bill at the very least to advance that funding.

Emergency contingency funds exist because we cannot predict the weather, whether it is in the South or the Northeast or the West. We can't predict. That is why we created an emergency fund under low-income fuel assistance. Now, for the first time ever, we take away that capability.

I think it is important for my colleagues to understand what is at stake. All of the funding under low-income fuel assistance would be distributed according to a formula. There would be no separate funding for emergency purposes as we provided in the gulf last fall. So four States were able to benefit from the emergency distribution as a result of the President's action.

We need that discretionary capability because we are not weather forecasters. We do not know what will happen in America wherever it is going to happen. This is not a regional program. This benefits all 50 States. In fact, in January 2005, in looking at the distribution, all 50 States historically benefited at some point from the emergency funding.

Unfortunately, on Thursday night there was a chart distributed in the Senate that was misrepresentative of the facts. Even the Congressional Research Service said it was misleading. The fact is, it did not portray the facts. It showed a distribution of the funds in January 2005 according to the emergency funding at that moment in time. But if you looked at it in February or March or April or this year, it might be very different. Our emer-

gements might have occurred elsewhere. That distribution was for that moment in time because of the emergencies
that resulted. That is not a constant pattern of distribution. It was a misleading chart. I don’t blame my colleagues for voting for the interests of their respective States, absolutely. But I want my colleagues to realize and understand that chart was misleading. It does not, however, tell us what this emergency funding is all about. We cannot predict an emergency. So there were emergencies back in January 2005 that represented those distributions, but that is not the way it happens all the time because we do not know when the emergencies are going to occur.

I regret that chart was distributed on the basis that it represents how these funds are circulated and dispersed according to the States. They are dispersed according to need and necessity. That is what the emergency funding is all about.

It is important to realize the value of the low-income fuel assistance program overall. In fact, it is one that many of us have come to depend on, rightfully. I was in the House of Representatives when we first created this program during an energy crisis back in 1979 on the essential basis of helping to mitigate people’s fuel bills, particularly low-income families and those who are disadvantaged who cannot possibly pay for the total cost of their oil bills, or in the summer for air-conditioning bills. We know it has profound implications on people’s budgets, their inability to meet the rising costs, and especially so this year with 30 to 50 percent increases in their energy bills. That is in addition to the increases that occurred last year that were 20 to 30 percent.

My constituents in the State of Maine cannot meet those rising prices. We are just attempting to hold them harmless with this funding, to hold them harmless to last year to maintain the status quo. What is the status quo? It is a very different thing when we tell people they have no heat or they have to go without other necessities such as food and prescription drugs and mortgage and rent payments to pay for heat. We have seen that illustrated in the State of Maine. We have had some very dire and tragic situations where people have had to be hospitalized because of hypothermia. People have a very cold winter. I invite Members to come to Maine and tell me about it. It has been a very cold winter.

But this is also about the price. In the State of Maine, the price has risen 30 to 50 percent in addition to the price increases last year. Yet the funding for low-income fuel assistance has maintained the status quo. So there has been an erosion of support for families who depend upon this program just barely to meet, perhaps, a quarter of their overall fuel bills depending on the price.

That is why I have asked, along with my colleague from Minnesota, Senator COLEMAN, my colleague from Maine, Senator BYRD, and so many others who have cosponsored this legislation, to advance the funding by 1 year. It has already been provided for. It is budget neutral. I heard one possibility of using TANF funds to pay for this. Let me remind my colleagues, under the law, TANF funds are to go for families with children. It does not allow for the use of TANF funds for any other purpose. If States do so for ineligible individuals or families, the State is penalized up to 5 percent. Using TANF funds cannot be allowed for low-income seniors, for example, who otherwise are not eligible under the TANF law.

I remind my colleagues that it is important to look at the facts and how the law works and what the implications are. I hope we can get beyond the regionalization of this low-income fuel assistance program bill and look at what is in the best interest of America, irrespective of the party line. Whether it is in the North, East, South or West, is it a need? Is it vital? Is it important? That is what this legislation is all about.

That is why, in the wisdom of the Congress and the President, we established the contingency fund for emergency purposes so the President would have the discretionary authority to distribute those funds on the basis of need at that moment in time. The other funding is distributed according to a formula. I don’t change any of that. I do not change existing law. I do not change what this Senate and the House passed that became law a month ago, I do not change that.

The amendment, led by Senator KYL changes of that and places 100 percent of the funding under the low-income fuel assistance program on a formula basis so there is no emergency funding.

I hope my colleagues would vote for cloture so we can proceed. Whether we have amendments remains to be seen. But I am prepared to work with my colleagues, those who have differences of opinion regarding this legislation, to work it out, work it out for their State and what is in the best interest of their State, our States, and for all of America. This should not be a North, South, East, West issue. This should be an issue on the basis of what is right, what is fair, what is required, and what is needed. That is what this is all about. An emergency is an emergency. That is what the emergency funding is. That is what this contingency funding is.

I impress upon my colleagues how important it is. It could be a dramatic departure to accept the amendment offered by the Senator from Arizona to redistribute all of the funds through a formula and have no capacity whatever for the President to distribute it on an emergency basis.

I remind my colleagues this is not just about Maine or the North, it is about the South and the East and the West. This shouldn’t be about a compass. This should be about America.

I hope Members will look at the facts. The facts are we distributed funding under the emergency contingency fund last year. Almost all States have written requesting this additional money for the emergency. Florida, Alabama, Louisiana, Mississippi. We gave them $15 or $14 million distributed by the President, rightfully, in response to an emergency.

Taking the emergency funding and distributing it on the basis of a formula means that States are going to receive funding when there is no emergency. How did that make sense? That was not the intent, ever. The intent was to maintain the separate funding for this capability. That is what it was all about.

Eleven States have totally obligated their winter heating fund for this winter, including my own State: Arkansas, California, Georgia, Iowa, Maine, New Hampshire, Oklahoma, South Dakota, Rhode Island, Utah, and many of the other States. In fact, 34 Governors have written requesting this additional assistance. They are facing a crisis because applications are up and the funding is down. Increases of at least 20 percent are expected in 15 States alone.

The funds expended for the low-income fuel assistance is equivalent to the amount Congress allocated in 1983. That was 23 years ago. What about the price of a barrel of oil? It is important to my State of Maine where 84 percent of the people qualify for low-income fuel assistance, and the State in general is around 80 percent; 80 percent for those dependent on home heating oil. A barrel of oil in 1983 was $29.

By the way, the price should be going down because we got away from winter and toward the summer, but there has been a dramatic change this year. The price is actually going up. And the future price for oil is much higher in January of
2007. That should raise a serious concern among all Members about the potential for price increases with respect to home heating oil and natural gas.

A barrel of oil in 1983 was $29; today it is at least $61 a barrel. That is a difference of 100 percent. And that is a strong indication of the value of low-income fuel assistance because the funding has remained the same. It has declined to about 19 percent of the real value of what it represented when we first created the program almost 27 years ago when I was serving in the House of Representatives.

I have offered the underlying bill to advance the funding based on the recent formula. I do not change the funding. It is 75-25, 75 for emergency and 25 percent on formula. I am prepared to offer a 50-50 that would actually allow many States to gain or stay the same if we want to talk about the formula but do not do away with the emergency funding. That would be the first time ever done in the program, and we will not have the capability and the President will not have the authority or the prerogative to respond to those States that are in an emergency crisis, as was the case last fall with Hurricanes Katrina and Rita. That is the major departure, historically, from how we have obligated funds, both to formula and for emergency.

Mr. President, 54 percent of my colleagues have voted for an increase in funding for home fuel assistance last year; that was requiring 60 votes. That was requiring 60 votes. We worked very hard. We got 66 votes last week on proceeding to this vital issue.

So I hope my colleagues will support this cloture motion so we can move beyond and get to the heart of the matter, so we can discuss the differences and the implications of the underlying bill versus the amendments offered. I am prepared to work with my colleagues in any way to work it out. It is not, in my view, a matter of North versus South, East versus West or whatever. It is not sectional interests we are talking about.

What we are talking about is doing what is right for whoever needs this program and depends upon it in a moment in time. That is what the emergency funding provides. It gives us that flexibility and that capability that will be done away with by the Kyl amendment. There was a chart that was distributed last week because it gave an erroneous picture of the accurate distribution of funding because with emergency funding you cannot have a fixed picture because it depends on the emergency. And unless someone around here is a soothsayer, there is no way to know how that funding will be distributed.

Yes, it was distributed at that moment in time that way. That is precisely because there were emergencies. But you or I do not know what the emergency is going to be a year from now, a month from now, 6 months from now. We are coming upon the hurricane sea-

son again. God forbid if anything else happens. The fact is, we need to have that flexibility, as we did last fall. We need to have that capability similarly for our States that need it, in Maine and the other cold-weather States currently.

If we need more funding, I am all for it. But I know there is resistance by many to increasing the funding, regrettably. But this has fallen far short of the real value of this program, as I illustrated with a real example. There was not an increase in the low-income fuel assistance program since it was created back in 1979 during my first term in the House of Representatives.

Those are the facts and I urge my colleagues to vote to proceed to the final consideration of this bill.

I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

The Senator from Illinois.

Mr. DURBIN. Mr. President, I ask unanimous consent to be recognized for 5 minutes.

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

Mr. DURBIN. Mr. President, I rise in support of the efforts of the Senator from Maine. She has been our leader and our champion on this issue of funding LIHEAP. It has been a bipartisan effort, too. Senator JACK REED of Rhode Island, on this side of the aisle, and many others, have spoken in favor of what she is attempting to do.

To describe it very briefly, for those who are following this debate, it would put $1 billion more in the Low-Income Home Energy Assistance Program across America. We said we thought we would need $5 billion this year. Then we only appropriated $2 billion. And in some parts of the country the winter has been fairly mild, including the Midwest. In other parts it is still harsh and cold. But wherever you live, you have found the cost of heating your home has gone up dramatically, between 50 and 70 percent.

Now, imagine if you are on a fixed income, that you are a retired single woman, for example, a widow, and you turn to this program, as you have in years past, and this year you need it more than ever. Or imagine you are a woman I met, a mother in the city of Rockford, with three small children. She is divorced. She is working. She is trying to keep this little frame house she is living in warm enough so her kids can be well enough to go to school.

She needs a helping hand from this program. She is a minimum wage worker. She works as a waitress. She does not make a lot of money, but, God bless her, she is trying. And this program says we will give her a helping hand. The sad reality is, as the Senator from Maine told us, there is not enough money in this program. So many of these people find themselves without money in this program to help the truly vulnerable people in America. These people are our neighbors. These are fellow Americans, the parents and grandparents of people who made this the great country it is today.

You look at the Kyl and say, this has so many echoes and memories of what happened in New Orleans. In New Orleaus, when some of the nicest people in this world, who happen to be caught up in a flood, had nowhere to turn—Mr. President, 54 percent of my colleagues in this administration, it is not happening.

I wonder if that would have been the case anywhere else in America. Would that have happened anywhere else in America, that a city would have been destroyed, and it is still not receiving the attention it needs because of a lack of leadership from this Administration?

What the Senator from Maine is saying is what we are saying is that for individual families faced with the realities of life today, some of these programs make all the difference in the world. And the Low-Income Home Energy Assistance Program is one.

I met with a woman in Rock Island, IL, a retired lady, a beautiful lady, who works down at the senior center now just doing volunteer work. She counsels the seniors on how to apply for Low-Income Home Energy Assistance grants so they can pay their gas bills, which, of course, is what we use to heat the majority of our homes in the Midwest.

So many of us believe that when we face these natural disasters and challenges in America, that it is a challenge to each one of us to come together as the American family. I can understand how the Senator from Maine feels. People say: Oh, this is just a big New England problem. Now, don’t worry me because I happen to live somewhere else.

It is an American problem, my friends. It was an American problem in New Orleans. It is an American problem in New England. It is an American problem when American families struggle for the basic necessities to survive.

Those who would divide us on sectional lines, on lines of economic benefit, on lines of racial differences—those people and their wrong beliefs are strongest when it stands together. And we stand together when some members of the American family are in need, and they are in need today.

We need to stand behind the Senator from Maine on a bipartisan basis. We need to say to this administration: Do not leave more Americans behind—as happened in New Orleans. We cannot have it repeated in New England or in northern Illinois or anyplace across the United States. We need to come together.

As I look at this bill, I think this is reasonable. It is reasonable for us to
stand up for our fellow Americans who need a helping hand with low-income home energy assistance.

Let me add something as well. Wouldn’t it be great if America had an energy policy? Wouldn’t it be terrific if we really had a plan that would move us away from our dependence on foreign oil? When the Senator quotes oil prices, do you know what control we have over oil prices? None. When the OPEC cartel and the sheiks decide production levels, and oil prices go up, America takes it to its wallet for its credit cards and cash, and the money goes right on the line, and not just to them but to the oil companies.

It is similar with natural gas. Wouldn’t it be great if we had vision and leadership in America today that moved us toward less dependence on energy from overseas? We wouldn’t be caught when we stopped to fill up our cars, or provide energy to our homes and businesses, with dependence on oil cartel prices that leave us dangling on the ends of strings, as the producers control the dance like puppeteers?

That is the fact today because for too long we have let the national energy debate go right on the line, and not just to credit cards and cash, and the money goes right on the line, and not just to them but to the oil companies.

Mr. DURBIN. Mr. President, I ask unanimous consent for 1 additional minute.

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

Mr. DURBIN. For too long, we have focused this energy debate on where can we drill for more oil. Can we go to a wildlife refuge in Alaska? The honest answer is, all the oil in that wildlife refuge would not provide the energy this country needs for more than 6 months over a 20-year period. It is not an answer. It is not a solution. We control less than 3 percent of the oil reserves. Yet we consume more than 25 percent of the oil resources. There is no way we can drill ourselves to a point of self-sufficiency.

We need leadership. We need innovative, sustainable, renewable sources of energy. We need better fuel-economy in our cars and trucks. America should be moving forward as some other countries are with a new vision on energy. Instead, we are faced with these crippling bills to heat our homes, and at the gas station to fuel our vehicles.

Today we need to vote to support the motion for cloture, bring the LIHEAP program to provide and distribute the low-income fuel assistance contingency funds, under the law—I would like to read it to my colleagues because I think it is important to understand the purpose that was underlying the design and how this program would allocate the funding in emergency situations. The low-income fuel assistance contingency funds are allocated at the discretion of the Secretary of Health and Human Services.

I quote from the law, the law we all supported:

...to meet the additional home energy assistance needs of one or more States arising from a natural or other emergency.

That is the purpose of the contingency fund that is currently in law. That was supported by this Senate, by the House, and became law. It is what the White House wants. The President wants it. He wants to continue that authority and ensure that we have the funds to respond to emergencies when they arise. We have no way of predicting when they might arise. Therefore, it is important to have those funds set aside for exactly and precisely that purpose.

The funding distribution is not altered under the underlying legislation that is pending before the Senate. It would be significantly altered by the amendment offered by the Senator from Arizona because we would no longer have the first time in the history of the low-income fuel assistance program, have emergency funding capability, none whatsoever. So where we have provided millions of dollars to Alabama and Mississippi and Louisiana and Florida as a result of the hurricanes last fall, we would not have that capability in the future. We do not have any capabilities.

I want to reiterate the fact that the graph that was distributed last week fundamentally misrepresented the allocation of funds. That was for one snapshot in time because emergencies existed at that moment in time. So if your State got that kind of money at that moment in time, it does not mean you get it the next time unless you had an emergency. That is what it is all about. You want your State to have the benefit of emergency funding under this program when an emergency arises, in the event it is necessary. If it is not, then you do not need that funding at that moment in time.

We have the formula capabilities under the low-income fuel assistance program to provide and distribute the money to various States. That is another part of the program. But to do away with the emergency capabilities under this program, for the first time ever, is a dramatic departure from where we have been in the past, a dramatic departure in the alteration of the funding formula, as represented by the amendment offered by the Senator from Arizona. It would be a dramatic departure in all respects, and it would have implications all across America.

Let me remind my colleagues. I quote:

[It is] to meet the additional home energy assistance needs of one or more States arising from a natural disaster or other emergency.

As I said earlier, 34 of our Nation’s Governors have recognized the crisis and have written to the Senate and House leadership respectively and said: Despite significant State contributions to emergency relief funds or supplementing existing State-Federal programs, with the record cost of energy nationwide, the Federal fiscal year 2006 funding for LIHEAP reflects a net decrease from the previous year’s total. Exactly, because of the rising prices. That is what it is all about. It has been the status quo, as I said, for funding under LIHEAP, essentially since it was created, but most especially since 1983. That is a long time ago.

I think we ought to do what is right. It would be the right thing, all of us voting on the need and whether an emergency arises. Then we have the formula to distribute the other funding according to the States and to a formula upon which we have all agreed. And it is fair and equitable. What is underlying all of this is to do what is right for all of America, for all of our States, and not to pit one State against another, one region against another. That is not what this is all about. This program is for all 50 States based on formula and based on emergencies.

I hope we will not significantly alter this in a way that removes emergency funding capability that the President wants and what we certainly need and depend on in the event that occurs in any one of our States.

So with that, I reserve the remainder of my time and suggest the absence of a quorum.

The PRESIDING OFFICER. Without objection, the clerk will please call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

Mr. KYL. Mr. President, let me say a few words about this before Senator Ensign comes to the floor. The first vote we will have shortly will be the vote to proceed with the consideration of this legislation on the emergency vote. After that, the subject the Senator from Maine has primarily been addressing will be the pending business.
It is an amendment which would establish how this additional billion dollars would be made available to the States to meet their emergency needs for either home heating or home cooling, as conditions warrant. There has already been about $2 billion spent, almost all of which is for the heating needs of those in the colder part of our country. Those of us who offered the amendment to provide a way in which the third billion dollars would be distributed have had in mind some very difficult circumstances in our home States over the last year or so. In fact, part of the problem is the fact that the money that is available in the fiscal year is used pretty much at the front end of the time to treat the cold climate problems. By the time we get to the summer, when the heavy heat requirements would authorize funding to be spent in States such as Arizona and Nevada, there has been little money available.

Last year we had a response to the heat emergency there, when air conditioning bills were skyrocketing and a lot of people could not afford to pay them, bills which are much higher per household than home heating bills frequently have been. We were able to get a contingency of money available, we tried to get a contingency amount of money to apply to the problem. We literally had some people die. Yet by the time the money became available, it was too late. Often the things we are trying to do with this amendment is to preserve some of the money pursuant to a formula so that it is not sitting in a contingent fund to be spent in cold States in the beginning of the year without left at the end of the year.

Let me cite some statistics from the city of Phoenix, for example: Arizona’s LIHEAP program can only assist 4 percent of those who are eligible; 73 percent of those who have to rely upon air conditioning. We are in agreement on the idea that in the time between now and the time we begin debating my amendment, we will be able to do so. I am certainly open to discussion about it. We need to make sure that wherever people are located, they are well taken care of. In the past, however, the way the LIHEAP formula works, virtually all goes to people in the colder States, with nothing left over for those folks have to rely upon air conditioning. It is time we recognize that fact and modify the formula for the additional amount of money that is going to be spent if, in fact, money will be allocated, so it more accurately reflects the needs of the people in the hotter climates as well as those who have been the recipients of most of the money that has been allocated so far. I reserve the balance of the time for others, in particular the Senator from Nevada, when he arrives.

The PRESIDING OFFICER. Who yields time?

Mr. COLEMAN. How much time do we have remaining?

The PRESIDING OFFICER. The Senator from Maine has 1 minute 18 seconds, and there is approximately 24 minutes reserved to the Senator from Nevada and counting.

Mr. COLEMAN. Mr. President, I ask unanimous consent that we use an extra 3 minutes of the other side’s time for my discussion.

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

Mr. COLEMAN. I rise to respond to my friend and colleague from Arizona. We are in agreement on the idea that the money should go where it is needed. What I would disagree with is that there is nothing left for those from other States, warm weather States. That is not what we are dealing with here.

Two things about LIHEAP: One, it is not just another Federal acronym; it is an extra $250 million for formula funding. But due to the nature of the formula governing allotments to States, this additional formula funding for Minnesota would provide a negligible increase. The 25/75 split is exactly the same split the Senate approved a few months ago in the Deficit Reduction Act. What we do is we change the date assistance is available from 2007 to 2006. Again, 25 percent of the funding goes to predominantly warm weather States.

This is about emergencies. It is about meeting the needs of emergencies. I want to make clear the bill which I cosponsored would designate an additional $250 million for formula funding. But due to the nature of the formula governing allotments to States, this additional formula funding for Minnesota would provide a negligible increase. The 25/75 split is exactly the same split the Senate approved a few months ago in the Deficit Reduction Act. What we do is use the date assistance is available from 2007 to 2006. Again, 25 percent of the funding goes to predominantly warm weather States.

Senators from the northern States have been there when there has been flooding and tornadoes and hurricanes and other crises around the country. We haven’t divided up regions. We didn’t do that with Katrina and Rita when they swept across the Gulf. We didn’t do it in areas of Florida hit hard by hurricanes. We didn’t do it in western States affected by wildfires. We are one great Nation. We come to the aid of one another in need. The Senate has a tradition of putting aside its regional and partisan divisions. When Americans face desperate situations, the Senate comes together in the name of the same Nation with the spirit of cooperation. I have heard the President speak eloquently about the spirit of America, of what it is all about. That is what is lacking for today. Hurricanes Katrina and Rita have already made natural gas prices worse. In northern States such as mine,
this is about hardship. I have seen the faces of those who need this assistance, those who work hard to get back on their feet, to build a better life. A dramatic increase in heating costs like those experienced in Minnesota this year is a real threat to their lives. They deserve a helping hand. Please allow me in providing increased LIHEAP assistance designed to meet the needs of those who need it most.

The PRESIDING OFFICIAL. Who yields time?

Ms. SNOWE. Mr. President, I commend Senator Coleman for his leadership and all the efforts he has made in regard to the pending legislation. I suggest the absence of a quorum.

The PRESIDING OFFICIAL. Without objection, the clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

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

The PRESIDING OFFICIAL. The Senator from Maine has 57 seconds.

Mr. ENSIGN. Mr. President, my preference would have been that this bill not go forward simply because I believe this legislation is not paid for. It would be different if the proponents of this legislation had truly paid for it. In other words, offset this spending. Instead of offsetting this spending, they take in the money from next year, bring it into this year and then will try next year to restore the money. If they would have said: This is the priority, let's reset our priorities and let's cut some other type of spending to pay for this, the legislation would have been a lot more acceptable.

That is the reason we raised the budget point of order last week against this legislation. We lost on that budget point of order. So now it looks as though the legislation has a chance of passing with the three-quarters of the money would then be distributed kind of equally across the country. That is not the way the program was intended to be set up.

Additional moneys are supposed to be distributed fairly across the board. Mr. President, 28 out of the 50 States would lose under Senator Snowe's bill; 22 States would benefit. Those same 22 States benefit under the moneys that have already been spent this year—more than the other States benefit.

We are not going to win the cloture vote. We fully admit that. We lost on a budget point of order, so we know we are going to lose on a cloture vote. However, the vote there will be at least one amendment to change the formula so that other States are more fairly treated in this program.

I believe this billion dollars should be more fairly distributed across the country. So that is what we are going to attempt to do. We hope all of the Senators will look to see whether their States benefit more under the amendment Senator KYL and I are going to put forward or benefit under Senator Snowe. If they look from a selfish perspective to their own States, they will vote with our amendment.

I think it is important when you are in the Senate to try to do what is best in the national perspective, but you also look at the State and your State's interest. When there is a pot of money out there, it is our responsibility to look to try to get our States' fair share of that money. That is what I am going to do for Nevada, and I know the Senator from Arizona is going to do that for the State of Arizona.

While this cloture vote will go forward, that doesn't mean we won't have germane amendments—which our amendment is—and that we won't have germane amendments to vote on to more fairly distribute the money.

How much time does the Senator need?

Mr. KYL. A couple of minutes.

Mr. ENSIGN. Mr. President, last year, we had a debate on increasing LIHEAP funding, but we had to pay for it last year. We paid for it by allowing drilling in ANWR. The ANWR provision got stripped out in the Senate. So the amount of money to pay for LIHEAP would still enable us to see drilling in ANWR. I think it is important to diversify our energy supplies in America. The money would have been there and people would not have had objections. I agreed to that last year. This is purely deficit spending even though the proponents of the bill say it is not because of the phony budget games that are played around here. But because it is deficit spending, we are going to continue to see that the money is spent fairly across the United States. That is what this whole debate is going to come down to in the next day or two.

Mr. President, with that, I reserve the remainder of my time, and I suggest the absence of a quorum.

The PRESIDING OFFICIAL. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. KYL. Mr. President, since I last spoke, I want to get a couple of the specific numbers on moneys actually spent under the formula that currently exists for providing low-income energy assistance for both the cold weather States and the warm weather States.

Let me get back to the LIHEAP formula—how we determine how the money goes to the various States. It was set up a long time ago when this first program was put in place in effect that it would benefit more of the colder States. When it was set up, the first amounts of money would go in and mostly benefit the cold weather States. If those States then take the money put into the program, it would be distributed more fairly to help States that are warmer. The proponent has put forward that three-quarters of the money would go to continue to help those colder regions of the country, and 25 percent of the money would then be distributed kind of equally across the country. That is not the way the program was intended to be set up.

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sure we are going to do. I have done everything I can to keep us from doing it. Without paying for it, we will transfer that money to our children.

I think it is important for the American public to know how awry we are in this body. I thought I put the record into the RECORD what the cosponsors of this bill did. They did, collectively, $777 million worth of earmarks last year. Those States of the cosponsors are going to get $145 million in LIHEAP money. The fact is, we spent over $770 million on earmarks.

I wish to spend a few minutes reading some of them so we can see whether the American people think it is a priority. Do we help people who need heat with their homes or do we build the Katahdin Ironworks in Maine? Or do we build a new industrial park in Maine? Do we buy new land—the Rachel Carson land acquisition for $600,000? Do we pay for a new building for the George Bush cultural center at the University of New England, $300,000? Do we do that and charge it to our children and grandchildren, or do we help people with their heat? To me, it is an obvious choice. But we seem to make bad choices here. We would rather spend the money and charge it to our children and grandchildren.

Here is a Franco-American Heritage Center renovation project in Lewiston, and Bowdoin College in Brunswick, ME, gets $100,000 for site planning and renovation. Here is a purchase of land, Brainerd Lakes, MN. Here is Midtown Greenway, Minneapolis, $1.5 million. Here is Augsburg College, in Minnesota. I didn't know private colleges were part of the responsibility of funding from the Federal Government. Next we have Grand Portage in Minnesota, to establish a heritage center, $4 million. We are going to establish a heritage center for $4 million and we cannot help people with their heating bills. We are going to try to do both because it is politically expedient, but it is not politically expedient for our grandchildren.

We gave $225,000 to the Hmong American Mutual Assistance Association. We gave $500,000 to the Minneapolis American Indian Center in Minneapolis. We sent $1 million to the Pine Technical College in Minnesota. We rehabilitated the Ames Lake Neighborhood, Phalen Place Apartments, in St. Paul with $150,000 of taxpayer money. Here is the Willard Pond in New Hampshire, $550,000. Then we have Roseview, a purchase of land for $2 million. Here is the John G. Diefenbaker Bridge and the Daniel Webster College, to help build a library instead of paying for people's heating bills, and we are going to charge it to our children and grandchildren.

We spent $150,000 for site preparation for improvements to White Park in Concord. We are going to restore Temple in Pennsylvania, $225,000. That is not a Federal responsibility; it is a State responsibility.

Yet the American people are right to ask the question: How is it that we can have $770 million from five States, and those five States under this formula would get $145 million in LIHEAP?

I suggest that we shouldn't take it from our children and grandchildren. I suggest that we ought to pay for it, and the way to pay for it is either reduce the number of earmarks that are not legitimate under the Constitution, but are very politically expedient, or find the money elsewhere.

I am not just picking on these items. This goes across this body throughout. The culture of earmarks is killing our country in terms of how much money we spend and who is paying for it. And who is actually paying for it is not us. We are shifting it to the next two generations.

I will show this document in the RECORD—it lists the earmarks by the five cosponsors of this bill—and let the American public decide whether they think we ought to take $1 billion from our grandkids or cut out some of these projects that are not necessary right now. We are in a time of tremendous fiscal severity, and it is time we start acting as grownups.

Mr. President, I ask unanimous consent to have printed in the RECORD the document that lists earmarks.

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

**WHAT ARE OUR PRIORITIES—EMARKS OR LOW-INCOME ASSISTANCE?**

(Estimated number and cost of earmarks in FY2006 based on estimate of an additional $250 million allocated through the standard formula and $750 million allocated through the contingency fund; allocation rates for each state are based on the average distribution rate from the five previous years.)

<table>
<thead>
<tr>
<th>State</th>
<th>Number of earmarks</th>
<th>Cost of earmarks</th>
<th>Additional LIHEAP funding</th>
</tr>
</thead>
<tbody>
<tr>
<td>Maine</td>
<td>38</td>
<td>$92,902,000</td>
<td>$16,277,040</td>
</tr>
<tr>
<td>Minnesota</td>
<td>65</td>
<td>$177,383,000</td>
<td>$29,089,755</td>
</tr>
<tr>
<td>New Hampshire</td>
<td>50</td>
<td>$63,308,000</td>
<td>$8,845,327</td>
</tr>
<tr>
<td>Ohio</td>
<td>171</td>
<td>$238,000,876</td>
<td>$39,060,740</td>
</tr>
<tr>
<td>Pennsylvania</td>
<td>286</td>
<td>$36,210,500</td>
<td>$52,561,169</td>
</tr>
<tr>
<td>Total</td>
<td>630</td>
<td>777,298,526</td>
<td>145,835,131</td>
</tr>
</tbody>
</table>

*Note: The number and cost estimate of earmarks for each state likely underestimate the total number and cost of earmarks. Only earmarks where a state is clearly and readily identifiable are used in the estimates. Sources: Congressional Research Service, LIHEAP Clearinghouse, staff calculations.

Mr. COBURN. Mr. President, I want to help those people who cannot help themselves, but I have also discovered that there is very limited authorization for LIHEAP. Here is a program that actually pays the heating bills of people in this country. There is no such thing as compassion when you are using somebody else's money to offer compassion.

The real answer to heating bills is solving our energy crisis and local communities taking care of their local citizens with their assets.

I will not vote for cloture, although I know cloture is going to be invoked, but I think this is a great time for everybody in this country ought to be questioning the process here and the utilization of earmarks which could have paid for the heating bill, but instead we did things to help us back home, help us get reelected.

I remind the Members of this body, Mr. President, when they take the oath of this body, they don't take an oath to protect their State or bring home the bacon. They take an oath to do what is in the best long-term interest of this country, not what is in their best short-term political interest.

I believe, as the American people look at this—I know this recent polling said 69 percent of the people in this country think we ought to eliminate earmarks, even if it is them. The only way we will get out of the financial mess we are in is start attacking the process of earmarks that greases the sled for spending that is out of control.

I yield the floor.

The PRESIDING OFFICER. Who yields time? The Senator from Nevada.

Mr. ENSIGN. Mr. President, I yield back the remainder of our time.

The PRESIDING OFFICER. Does the Senator from Maine yield back her 57 seconds?

Ms. SNOWE. Mr. President, I yield the remainder of my time to my colleague, Senator COLLINS from Maine.

Mr. KYL. Mr. President, I ask unanimous consent that the Senator from Maine have an additional minute and only 2 minutes be reserved on this side.

The PRESIDING OFFICER. Without objection, it is so ordered. The Senator from Maine.

Ms. SNOWE. Mr. President, I thank my colleagues for their cooperation. I realize I need to talk very rapidly.

I understand that the Senator from Oklahoma listed earmarks that the Senator from Maine and I have jointly sponsored. I want to tell my colleagues that I am very proud of those projects, and I will stand here and defend every single one of them. But the fact is, that is irrelevant to the debate before us right now.

I don't think it is so unfortunate to see this breakdown as certain States in certain parts of the country oppose what is a program that is absolutely essential to those of us who live in colder States.

I supported all of the aid for Hurricane Katrina's victims in the gulf region. I routinely support programs that benefit other regions of the country. I think it is unfair and very disappointing for colleagues to oppose a program simply because it doesn't benefit their region as much as others.

This is a program that is a matter of literally life and death to those of us
Mr. KYL. Mr. President, I will conclude by making two points. First of all, the question on cloture is not whether to allow the program to go forward but whether it will be paid for or, if not, the money taken from next year, in which case then next year’s money will have to be taken from the year after that, and so forth. So it is a question of how we pay for it.

The average temperature in July of last year in Arizona was just under 100 degrees. It was about 98 degrees. It is a matter of life and death. Eighteen people died in Arizona, and there was no money available in Arizona for this program. By the time we found we could get a contingency of $133 million, it was too late.

So while we would like to see the program continue, we would like to see it paid for and also we would like to see the formula modified so those people who suffer from the heat have as much of an opportunity to participate as those who have trouble from the cold weather. As a result, assuming that cloture is invoked, what we will be urging is that the next billion dollars be spent pursuant to a formula that more fairly divides the money among the various States, all of which have problems, but they are just different kinds of problems. And we will be able to debate that at that time.

Mr. President, I yield back all of the remaining time so we can go ahead with the vote.

CLOTURE MOTION
The PRESIDING OFFICER. The PRESIDING OFFICER: The PRESIDING OFFICER. Under the previous order, pursuant to rule XXII, the Chair lays before the Senate the pending cloture motion, which the clerk will read.

The legislative clerk read as follows:
CLOTURE MOTION
We the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on S. 2320: a bill 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.


The PRESIDING OFFICER. The PRESIDING OFFICER: By unanimous consent, the mandatory quorum call has been waived.

The question is, Is it the sense of the Senate that debate on S. 2320, a bill to make available funds included in the Deficit Reduction Act of 2005 for the Low-Income Home Energy Assistance Program for fiscal year 2006, shall be brought to a close? The yeas and nays are mandatory under the rule. The clerk will call the roll.

The bill clerk called the roll. The yeas and nays resulted—yeas 75, nays 25, as follows: [Rollcall Vote No. 33 Leg.]

YEAS—75
Abaka
Alexander
Allen
Baucus
Bayh
Bennett
Biden
Boxer
Byrd
Conrad
Dodd
DeWine
Dodd
Durbin
Feingold
Feinstein
Frist
Gingrich
Hagan
Harkin
Hixon
Inouye
Jeffords
Johnson
Johnson
Kennedy
Kerry
Kohl
Landrieu
Largent
Levin
Lieberman
Logan
Logue
Lugar
McCain
McCain
McConnell
Menendez
NAYs—25
Allard
Benn
Brownback
Bunning
Chambliss
Cochran
Cornyn
Craig
Cropo

The PRESIDING OFFICER (Mr. BURR). On this vote, the yeas are 75, the nays are 25. Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

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

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

AMENDMENT NO. 209 TO AMENDMENT NO. 2899
Mr. FRIST. Mr. President, I ask for the regular order with respect to amendment No. 2899, and now call up amendment No. 2093 as the pending amendment.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

The Senator from Tennessee (Mr. FRIST), for Ms. SOWE, proposes an amendment numbered 2093 to amendment No. 2899.

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

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

The amendment is as follows:

(Purpose: To improve the distribution of funds to States under the Low-Income Home Energy Assistance Program.)

Beginning on page 2, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking "for a 1-time only obligation and expenditure" and inserting "$250,000,000 for fiscal year 2007%;" and

(B) in paragraph (1), by striking "$500,000,000 for fiscal year 2006%;" and

(C) in paragraph (2), by striking "$500,000,000 for fiscal year 2007%" and inserting "$500,000,000 for fiscal year 2006%."

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

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

DEATH OF DANA REEVE
Mr. HARKIN. Mr. President, I awakened this morning to some very, very sad news: the death of Dana Reeve last night at the age of 44. With her death, I lost a dear friend and our American family lost a very, very special member of our family.

The world will remember Dana in many ways—as a fine actress, as a tireless advocate for spinal cord and embryonic stem cell research, and as the wife who stood by her husband through incredible adversity. I will remember her as a person of extraordinary grace and decency, always thinking of others, passionately committed to making a difference in the world.

Over the years, I was privileged to get to know and to work with both Dana and Christopher Reeve. Whoever coined the phrase that "life is unfair" must have had the Reeve family in mind.

But these two people faced adversity with unflinching courage. They taught us the most valuable of lessons. Christopher taught us how to transcend suffering and to live life to its fullest and to make every moment count.

Dana taught us about the true meaning of love and commitment and loyalty.

Together, Dana and Christopher Reeve expanded access to new treatments and therapies for countless thousands of paralyzed Americans. Through their Christopher Reeve Foundation, they were tireless advocates for medical research.

Dana Reeve was also a super politician, and I mean that in the best sense of the word. She knew exactly which committees to target, which levers to pull, which elected officials to cultivate and pressure and plead with.

She also knew how to go over the heads of certain political leaders who got in her way, by taking her case directly to the American people, in her case— and Chris, too—did so much to put embryonic stem cell research front and center on the national agenda. That is how she rallied support for spinal cord research.

But Dana spoke up passionately for all people living with disabilities. She spoke up for Parkinson’s and ALS research. She advocated for more generous funding for the National Institutes of Health. Of course, she wanted a cure for her husband, but she fought for the cure for everybody, including all those children whom she and Chris met with spinal cord injuries. And, my friends, so must we. We must fight
also. Dana continued full speed ahead because of her drive and determination, because of the incredible work of all the dedicated people at the Christopher Reeve Foundation. And now Dana’s work must continue full speed ahead because of our commitment and dedication.

We must continue because we have an unfinished agenda. As long as misguided leaders deny our best scientists access to embryonic stem cells, we have an unfinished agenda. As long as people with disabilities are forced to live in nursing homes because Medicaid will not cover home care, we have an unfinished agenda. As long as there is hope for a cure to spinal cord injuries, Parkinson’s, ALS, and other diseases, we have an unfinished agenda.

If we have just half of the commitment and tenacity and courage that Dana Reeve and her husband had, then we will complete this agenda.

Helen Keller, who knew plenty about adversity and disability, said something that applies very much to Dana Reeve in her last months. “Life,” said Helen Keller, “is either a daring adventure, or nothing. To keep our faces toward change and behave like free spirits in the presence of fate is strength undefeatable.”

That is the Dana Reeve I will always remember and cherish. Even when her husband was gravely injured and then taken from her, even a few months after that when she was cruelly stricken with lung cancer—a person who had never smoked in her entire life—she never gave up her fight for a better world and a better future for other people, especially those struggling with disabilities.

Dana Reeve was an extraordinary person, a passionate advocate, a wonderful mother, a loyal, committed, loving wife. As I said, she has taught us a lot about what commitment really means. Her presence and her tenacity and courage that she learned that life does not take the turns you might think it would but that she would continue to stay with Chris and help him. I remember when the sad time came for the end of his life, and the funeral and the eulogies and discussions that I had with her after that, and her commitment to go forward to help with the foundation and to raise their son.

Then, with the stunning news just a few months ago that she had lung cancer, in typical fashion, she said she felt she could beat that and would do—she had the best doctors—all the steps possible. Then in the last few days she got more and more ill. And, of course, today we received the news she had died.

I think of her talking about her years at Middlebury College in Vermont, going to Vermont with Chris—the two of them giving us so much. A devoted wife and mother, a talented singer and actress, a determined and dedicated activist, Dana Reeve was the embodiment of grace and courage in the face of so many staggering challenges.

A graduate of Vermont’s Middlebury College, Dana pursued both acting and singing, appearing on television programs, on Broadway, and on other stages across the country. When she married Christopher, she said she would have time to smell the flowers and be in the sun. But apparently that was not meant to be.

My heart goes out to Dana and Chris’s son William, Dana’s stepchildren Matthew and Alexandra, and the entire Reeve and Morosini families during what is and has been a very difficult time.

Dana was the picture of steadfast loyalty and compassionate care. She and Chris taught us all that life is short and that we should all have the courage and hope to “go forward.”

Dana carried that spirit with her in her drive to push Congress to expand embryonic stem cell research and to expand access to new treatments and therapies for thousands of Americans with spinal cord injuries.

Dana was an activist, actress, singer, motivational speaker and published author. Dana was a founding board member of the Christopher Reeve Foundation and succeeded her late husband as chairperson in 2004. She created and led the Foundation’s Quality of Life initiatives.
She received numerous awards for her work, most notably the Shining Example Award from Proctor & Gamble in 1998, an American Image Award from the AAFA in 2003, and the American Cancer Society named her Mother of the Year in 2001.

Dana, the person, was a tireless advocate for people with spinal cord injuries. For me personally, she and Chris will forever be the shining lights in the great battle for debate for advancing medical research.

It is with sadness that I stand before this body, more than 9 months after the historic vote in the House to expand federally funded embryonic stem cell research, and still there has been no vote in the Senate.

With each day that passes the research that could one day lead to cures and treatments for millions of Americans with deadly and debilitating diseases is being held up.

It is incomprehensible to me that we have a bill, which has already passed the House, that may help millions of Americans but instead is just sitting, languishing in the Senate despite some overtures or promises that it would be taken up by this body.

It is time for the Senate to do exactly what the House did. It is time for the Senate to take up and pass the Stem Cell Research Enhancement Act, the Castle-DeGette bill, with no amendments and no alternatives. I believe we have the votes to pass this bill today and send it to the President.

I want to take a moment to acknowledge Dana’s last struggle, her battle against cancer. This terrible disease is a very personal one for me. I have lost many loved ones to it. The elimination of death and suffering due to cancer has been one of my highest priorities since coming to the Senate.

Dana died of lung cancer and, as many of you have read in the papers, Dana was a non-smoker. I believe she had stage one metastatic lung cancer. In fact, over 60 percent of new lung cancers occur in people who never smoked or who managed to quit smoking even decades ago.

While cigarette smoking is by far the most important risk factor for lung cancer, many other factors play a role.

Lung cancer remains the deadliest form of cancer. In 2006, it will account for more than 162,000 cancer deaths, or about 29 percent of all cancer deaths. Since 1990, almost 2 million people had died each year of lung cancer than from breast cancer.

Screening for lung cancer is years behind screening for other cancers, which means that when it is diagnosed, the disease is often already in its late stages, which is what I suspect happened to Dana Reeve.

The 5-year survival rate for all stages of lung cancer is 15 percent. Compare this to the overall 5-year survival rate of 65 percent for all cancers diagnosed between 1995 and 2001.

Clearly we can and must do better. Increased NIH research for lung cancer is essential and we must press for better screening tools for lung cancer. I plan to address both of these issues in comprehensive cancer legislation I plan to introduce shortly.

In closing, it is my sincere hope that the love Dana and Chris shared for each other will reunite them wherever their journeys take them from here. Dana left us far too soon—in her mid-40s—but she left us with her fighting spirit and the will to push forward so that one day we may find treatments and cures for those living with spinal cord injuries and other disabling conditions.

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

The PRESIDING OFFICER. Will the Senator yield to the PRESIDING OFFICER?

Mr. HARKIN. Yes, I yield the floor.

RECESS

The PRESIDING OFFICER. In my capacity as a Senator from the State of North Carolina, I ask unanimous consent that this body recess until 2:15 p.m. to accommodate the weekly party lunches and that the time will be counted postcloture.

There being no objection, the Senate proceeded to call the roll.

Mr. MARTINEZ. I suggest the adjournment.

The PRESIDING OFFICER. The assistant legislative clerk proceeded to call the roll.

Mr. DAYTON. The PRESIDING OFFICER. Without objection, it is agreed.

Mr. MARTINEZ. I suggest the adjournment.

The PRESIDING OFFICER. The assistant legislative clerk proceeded to call the roll.

Mr. DAYTON. The PRESIDING OFFICER. Without objection, it is agreed.

Mr. MARTINEZ. I suggest the adjournment.

The PRESIDING OFFICER. Without objection, it is agreed.

MAKING AVAILABLE FUNDS FOR THE LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM, 2006—Continued

Mr. MARTINEZ. I suggest the adjournment.

Mr. HARKIN. Mr. President, I yield the floor.

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

The PRESIDING OFFICER. Without objection, it is agreed.

Mr. MARTINEZ. I suggest the adjournment.

The PRESIDING OFFICER. Without objection, it is agreed.

Mr. HARKIN. Mr. President, I yield the floor.

KIRBY PUCKETT

Mr. DAYTON. Mr. President, I rise today to note with sorrow the passing of one of Minnesota’s greatest sports heroes, Kirby Puckett, who suffered a heart attack on Sunday and died yesterday at the age of 45. Kirby Puckett was born and raised in Chicago, but he became a Minnesotan when he was drafted at the age of 22 by the Minnesota Twins.

After two seasons in the minor leagues, he played his first major league game for the Twins on May 8, 1984, where he became the ninth player in baseball history to get four hits in his first game. Three years later, he appeared in the first of eight consecutive All Star games during which time he also won the American League’s Most Valuable Player honors and Most Valuable Player in the American League championship series.

When his great career was cut short by blurred vision caused by glaucoma in 1996, he sported a lifetime major league batting average of .318 with 2,304 hits, 207 home runs, and 1,085 runs batted in in 1,783 games. But even those extraordinary statistics comprise only part of Kirby Puckett’s greatness. He played baseball with an enthusiasm, a dedication, and an excitement that was thrilling to watch. Whether at bat or in center field, where he was a Golden Glove outfielder, he brought Twins fans out of their seats with spectacular game-winning plays.

No Minnesota Twins fan old enough to remember our team’s World championship will ever forget Kirby Puckett. In 1987, with the Twins trailing the St. Louis Cardinals three games to two, Kirby tied World Series records by reaching base five times and scoring four runs to lead the Twins to victory in game No. 6. The next night the Twins won game 7 to win their first world championship and a Minnesota team’s first professional world championship in almost 30 years.

Four years later in another World Series game 6 with the Twins, this time playing against the Atlanta Braves, Kirby tied World Series records for most hits of the 1980s. The next night the Twins won another game 7 and another World Series.

During those years, Kirby Puckett was a Wonderful Representative of the Minnesota Twins and Major League Baseball. He hosted celebrity events for local charities, made countless appearances for others, signed endless autographs, all with his infectious Kirby Puckett smile. Andy MacPhail, now president of the Chicago Cubs, and general manager of the Twins during those World Series years, said yesterday:

Kirby Puckett was probably the greatest teammate I’ve ever had. You always felt better when you were around Kirby. He just had that way about him.

The years following his retirement from baseball stardom were more difficult ones with his sterling reputation tarnished by marital discord and other public incidents. When his contract as executive vice president for the Twins expired at the end of 2002, Kirby Puckett retired from baseball and later moved to Scottsdale, AZ where he passed away. He is survived by his two children Catherine and Kirby, Jr. and his fiancé Jodi Olson, to whom I extend my deepest condolences.

The Kirby Puckett I will remember, as will a generation of Minnesota Twins fans young and old, will always be wearing a Minnesota Twins uniform, No. 34, leaping for flyballs, racing around the bases, making his greatest plays in the World Series, and doing so with a zest for the game and for life that was unmistakable and unforgettable.
Thank you, Kirby, for those treasured moments, now forever our memories. Thank you, Kirby. May you rest in peace.

I suggest the absence of a quorum.

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

Mr. KERRY. Mr. President, I ask unanimous consent that I be permitted to proceed for 10 minutes as in morning business.

Mr. KERRY. Mr. President, today, we learned of the unbelievably tragic passing of a remarkably courageous, strong, and dedicated woman, Dana Reeve. Most Americans knew Dana as the wife of Christopher Reeve, and most Americans new Christopher as Superman and, as this unbelievable figure, capable of overcoming so many obstacles.

I think the whole Nation was shocked and touched when they learned that Dana, not too long after the loss of Chris, herself was battling lung cancer. She was always ebullient and strong in that effort. At times, she was so inspiringly open about her kids and the future, as anyone would be, but always unbelievably courageous. She was a passionate advocate after Chris passed away, and even before. She was, herself, an accomplished actress and singer, appearing off Broadway and on Broadway. She was, above all, a loving mother and a stunningly supportive and nurturing wife.

Through her very selfless effort to be part of Chris's life in gigantic ways, bigger than most people could describe, after his accident, she became an inspiration to millions of Americans. This is no way for anybody who was touched by that family to adequately express our shock and our sorrow to her immediate family—to Will, age 13, and her stepchildren, Matthew and Alexandra, and to her friends, who were with her until the end.

Dana was always a crusader, but with Chris's accident, she became an even more dedicated crusader and she was a passionate crusader for the particular promise of medical research into stem cell treatments. After Chris's paralysis, she and Chris together created the Christopher Reeve Foundation, which has raised and distributed over $55 million in research grants, much of it aimed at speeding the development of stem cell treatments.

I can remember visiting Chris at his home in New York. He had this elaborate sitting up, which he went through. I think, most every day, or whenever possible, always keeping his muscles as alive and growing as possible under the circumstances, with the belief that he was going to walk again. Dana believed in him and she believed in that possibility. Together with Chris, she was deeply involved in the fight for increases in medical research funding, and she was an active advocate for the rights of the disabled.

Many of my colleagues in the Senate had the opportunity to get to know her or talk with both she and Chris in the course of that advocacy. After Chris's death in 2004, Dana courageously kept up the battle to advance medical research. She was, in my view, the chairwoman of the foundation, picking up where Chris had left off. She was responsible for developing the foundation's Christopher and Dana Reeve Paralysis Resource Center and for a program that has now distributed more than $8 million for projects that improved the daily lives of people with paralysis.

In October of 2004, I was particularly honored and moved to be joined by Dana on the campaign trail in Ohio. I cannot tell you how incredible it was that within 2 weeks of Chris passing away—less than 2 weeks—Dana took the time, found the strength and courage and the sense of purpose somewhere, which she described to me as coming directly from Chris himself, to come out of the tragedy and fight for what he had been fighting.

I will never forget the grace and the strength that she showed that day, and even a glow that she exuded in her love for Chris and her passion about the issue.

Let me share, if I may, a few of the words that she spoke that day which I found so moving, but I also find important for all of us to focus on today. She said:

"Chris struggled for 9½ years, but it was essential to him that every day bring some kind of forward progress, either personally or globally. Despite the enormous challenges he faced each day, he faced with focused determination and a remarkable zest for life. Chris was able to keep going because he had the support of his loved ones, a dedicated nursing staff, the belief of his fans, and he had the support of his loved ones, a dedicated nursing staff, the belief of his fans, and the talent and dedication of the scientists. They drew strength from the genius of America when we put our minds to it. They drew strength from the talent and dedication of the scientists they met and, in turn, they inspired them to go out and do ever more. Chris stunned doctors by regaining some sensation in over 70 percent of his body and moving most of his joints, which people said he would never do. He did that because of science.

Dana and Chris never lost faith that America and American science was the greatest hope for humanity. That is a faith that all of us should share for Chris and Dana and the millions of people who believe in the possibilities of this remarkable time and our remarkable country. A lot of people ask, How can we do that? The answer is simple. How can we commit ourselves to anything less?

So to Will, Matthew, Alexandra, and Dana and Chris's friends and families, colleagues and supporters, I say the best thing we can do to complete their journey is by doing our best in ours. If we do that, we will give even greater meaning to two remarkable lives.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

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

Mr. DORGAN. Mr. President, in news reports last evening and this morning there was a suggestion that some sort of deal was being reached in the Congress, between the Congress and the administration, on the issue of the Dubai

SIGN). Without objection, it is so ordered.

Mr. DORGAN. Mr. President, I ask unanimous consent that we proceed for 10 minutes as in morning business. Without objection, it is so ordered.
Port World Company managing six of America’s large seaports. Let me point out there is no deal that I am aware of, but if there is a deal, it is being made by people who have not consulted many of us in the Congress.

In thinking this proposal still lacks basic common sense, I want to speak about it for a couple of minutes.

In the Wall Street Journal, the Secretary of Homeland Security, Mr. Chertoff, says: “U.S. ports take over—again, by the Dubai Ports World, the United Arab Emirates-owned company—the head of our Homeland Security Chertoff says: “U.S. ports take over would tighten grip on security.”

So he actually makes the case, the head of our Homeland Security agency, that allowing the management or the takeover of our six major port facilities, seaport facilities, would strengthen America’s security. That is an unbelievable statement. I will describe why he supports it.

Assuming the deal would go through, we intend to have a deep look into their practices, certainly in the U.S. ports.

That is a direct quote. That is almost unbelievable. So they apparently haven’t had a deep look into their practices before the deal goes through. This is a circumstance where most of the American citizens understand what is being proposed and very strongly react to it in opposition.

This country is the subject of many terrorist threats. We understand that terrorists from around the world want to strike inside this country. We have all this security in this country—some judged to be quite good, some very deficient. Go to an airport and see what happens when you want to board an airplane. You are going to have to go to a line and you are likely to have to take off your shoes and you are probably going to have to take off your belt and your watch, and then they would be winding some little 6-year-old boy, spread eagle against a wall somehow because he set off the buzzer. So all of that happens before you get on an airplane. Why? Because airport security is very important.

So is seaport security. We don’t have seaports in my home State, but we are recipients of those containers that come on ships into our seaports. Somewhere between 5.7 million and 5.9 million containers a year come into our seaports. It takes 5 or 6 miles our hour to go into the dock where those containers are lifted off by that crane and trucked off all across the country. All of us are recipients of what is coming into our seaports.

Seaport security, frankly, is miserable; 5.7 to 5.9 million containers come into this country and 4 to 5 percent is inspected, all the rest is not inspected, and we believe somehow we are protecting our country?

You recall shortly after 9/11, there was a fellow from the Middle East, from Egypt I believe, who decided to put himself in a container, get it nailed up and put on a container ship, shipping himself to Canada. He had all the amenities you would need to travel in a container: he had a cot, a GPS locator, a radio, apparently, and a heat. He was in a container on a ship. He was a fellow they thought to be a terrorist shipwrecked into Canada in a container for the purpose of coming into the United States.

So seaport security is critically important. We have had vote after vote in the Senate to improve seaport security but the majority didn’t want to spend the money to do that.

Now, with respect to the issue of seaport security, we are told that a United Arab Emirates wholly owned company called Dubai Ports World has been approved by something called CFIUS, one of those God-awful acronyms, the Committee on Foreign Investment in the United States. They have approved the takeover and management, which would include security, by the way, of the United Arab Emirates company of one of our ports, which might have been our largest port in the country, including New York and New Jersey and Baltimore and New Orleans, and so on.

CFIUS, which is 16 or 18 of the agencies of the current administration getting together and they think this will be just fine, so they approved it. They approved it without even the 45-day extension you would normally have if someone expressed some concerns about it.

Now Mr. Chertoff, the head of Homeland Security, says our security will actually be better if the United Arab Emirates company takes over our ports. Chertoff says, “U.S. ports takeover would tighten grip on security.” I don’t know. Maybe he’s not drinking the same water most Americans are drinking. I don’t know how you come to this conclusion. Allowing a United Arab Emirates company to manage our ports is going to manage and improve our security? I don’t think so. That doesn’t make any sense.

Let me describe the United Arab Emirates. I will do it in terms that do not suggest this is a bad country. That is not my point, although I must say that two of the hijackers who attacked this country on 9/11/2001 came from the United Arab Emirates, a substantial portion of the financing for those terrorist attacks came through the financial institutions of the United Arab Emirates. Dr. Kahn from Pakistan, who was moving nuclear materials and nuclear knowledge and knowhow around the world, did that through the UAE ports. There are serious questions to be asked.

Of but I make another point; that is, the relationship of the United Arab Emirates to Osama bin Laden. The 9/11 report described a circumstance in which we had discovered, in 1999, where Osama bin Laden was at that time and our country was attempting to target Osama bin Laden. This is in early 1999. The CIA learned that Osama bin Laden could be found at a camp in the Afghan desert, and the U.S. military began to plan a strike against that camp. But the strike was called off because Osama bin Laden was apparently being visited by members of the royal family of the United Arab Emirates.

In fact, let me read to you from the 9/11 Commission report. I find this in the booklet published by the 9/11 Commission:

No strike was launched.

This is the strike against Osama bin Laden whom our Intelligence Committee said they had discovered. They knew who he was and they were planning to go after him.

No strike was launched. . . . According to the CIA and defense officials, policymakers were concerned about the danger that a strike could kill Royal family members and other senior officials who may be with bin Laden.

That is on page 138 of the 9/11 report, the former CIA Director George Tenet explaining why an attack against Osama bin Laden at a Afghan camp was called off said:

You might have wiped out half of the royal family in the United Arab Emirates in the process, which I’m sure entered into everyone’s calculation in all of this.

The administration says the UAE has been helpful to our fight against terrorism. If they have, and there is some evidence they have since 9/11, then this company appreciates that. But that appreciation, in my judgment, should not and will not extend to inviting the United Arab Emirates-owned company to manage America’s seaports. It just defies common sense.

The administration says: What about offending the United Arab Emirates by saying no? We would offend this country by saying no? What about offending common sense by saying yes? Most of the American people understand. They understand if you are going to have security in this country, security includes the United States deciding to provide security at its seaports. The United States can’t manage its seaports? I don’t understand that.

I was interested in a piece yesterday in the Washington Post by Sebastian Mallaby. I don’t read Sebastian Mallaby, but he is a pretty good reflection of those who are pushing this issue, saying that those who oppose having the United Arab Emirates company manage our seaports are demagogues. He said:

The demagogues are poised to strike again.

He said:

If demagogues can turn a tiny ally such as Dubai into a villain, you can bet they will do that with China.

He’s talking about China trade.

The Dems will next play the China card.

One of the things he points out, he says we have a trade deficit with China. He doesn’t seem to care much about that. But he says if we are going to get serious about dealing with the trade deficit, we need to get serious about balancing the Federal budget. This proposal must have some Economics 101. We did balance the trade deficit under the final years of the Clinton administration and the deficit continued...
to rise. We keep hearing these folks say the reason we have a trade deficit is because we have a fiscal policy budget deficit, which is not true. We actually created a surplus here before President Bush took over, and the trade deficit continued to rise. Now we have the highest trade deficit in history and a substantial portion of that trade deficit is with the Chinese.

It is interesting to me, all of these columnists, of course, tend to be apologists for public policies that don’t work. You know, those who stand and oppose the management of American ports by a United Arab Emirates company are demagogues is elitist and it is wrong.

The so-called group called CFIUS, which, by the way, almost turns down nothing. They have reviewed lots and lots of proposals, and they have approved them all, virtually. I think they disapproved eight of them out of many proposals. But the Coast Guard had written a memos to CFIUS on February 27 that was disclosed publicly by Senator Collins, I believe, at the hearing. The report said the following:

There are many intelligence gaps concerning the potential for the UAE company’s assets to support terrorist operations and that precludes an overall threat assessment on the potential DPW and P&O Ports merger.

In fact, the Coast Guard restored a large number of potential vulnerabilities. That is directly from the Coast Guard’s memorandum.

One of the so-called intelligence gaps that the Coast Guard referred to was that no one had checked the backgrounds of the people in charge of the UAE company that would manage our ports. So when the Coast Guard’s secret report was made public, the administration said the Coast Guard ought to say something pleasant. So the Coast Guard issued and issued a statement the next day saying:

Upon subsequent and further review, the Coast Guard and the entire CFIUS panel believe the transaction, when taking into account strong security assurances by DP World, does not compromise American security.

Interesting—the Coast Guard statement doesn’t say anybody had checked out the backgrounds of the officials at the UAE company. That is what their secret memo had said represented the vulnerability. But the highest ranking official in the Department of Homeland Security, who was part of this group and who reviewed this port deal, said this:

The CFIUS review did not include background checks on the senior managers of the company.

It is quite clear the Coast Guard, in a classified memorandum, expressed concerns about the terrorist threat, about vulnerabilities as a result of the take-over of American ports by a UAE-owned company and then the Coast Guard, when the classified memo became public, was ordered—the Coast Guard, of course, works for the President, the Coast Guard said something softer, but the Department of Homeland Security’s ranking official, Stew- art Baker, quite clearly said:

The CFIUS review did not include background checks on the senior managers of the UAE company.

This is a fascinating description of trying to put a patch on a hole that is too big. None of this adds up very much.

I do want to make another point. This is about offshoring and outsourcing. This is big. Why would we be contracting with a foreign government, essentially—a foreign company they wholly own—to manage our ports? This is the new global economy, we are told. If you don’t get it, you are an isolationist, xenophobic strooge who can’t figure it out. This is all part of the global economy.

President Bush went to India last week. If you are asking the question: How do the management of American seaports should be done by the United Arab Emirates company and you don’t understand it, you won’t understand what the President said last week in India either. What the President said in several speeches, was you need to understand this global economy of ours. He said things have changed. This is about outsourcing of jobs.

I have some quotes from the President. The President says, about globalization: I guess generally outsourcing—you know outsourcing is not bad. People do lose jobs as a result of globalization, and it’s painful to those who lose jobs, but the fundamental question is how does a government or society react to that? One of two ways. One is to say losing jobs is painful, therefore let’s throw up the protectionist wall and the other is to say losing jobs is painful so let’s make sure people are going to be retrained and we can find or fill the jobs of the 21st century.

I have news for the President. Those 21st century jobs for educated Americans—he was visiting them in India. He was looking at them. He’s looking at the engineers who are now working at jobs American engineers used to have. Why did those engineering jobs go to India? Because you can hire an engineer in India for one-fifth the cost of an American engineer. So the solution is not to say let’s have an American lose his or her job and then get better educated. How better educated than going to school to get a degree in engineering and then losing it to somebody in the country of India who is able to work for one-fifth the price?

So he said:

You don’t entrenched and pull back. You welcome competition. Understand globalization provides great opportunities.

It is fascinating to me, the people who always talk about this are people who will never be outsourced. The President of the United States is never going to be outsourced. Do you think they are going to move his job to India? I don’t think so—or China or Bangladesh or Sri Lanka or Indonesia? I don’t think so.

Our first great purpose is to spread prosperity and opportunity to people in our own land and to the millions of people who have none of it. How does that fit spreading prosperity and opportunity by moving American jobs to India? How does it spread prosperity and opportunity by deciding that a United Arab Emirates country will come and manage American seaports? How does that spread opportunity?

The President says the United States will not give into protectionists and lose these opportunities. So the President, very much like the columnist, Mr. Sebastian Mallaby from the Washington Post, all use the same language. It is code language. They all understand it. It is elitist language: protectionist, building walls, isolationist xenophobes.

One of the so-called intelligence gaps was a trade deficit of some $720 billion. Every single day, 7 days a week, all year long, we actually import $2 billion more in goods than we export to the rest of the world. Every single day, 7 days a week, we sell $2 billion worth of our country’s goods in our country.

I am not suggesting we shouldn’t trade. I believe expanded trade is beneficial. But I am suggesting that we have a backbone, nerve, and a little will to stand up for our country’s economic interests.

Can we not tell China, for example, that they can’t have a trade relationship with us that has a $202 billion surplus every year? Last year it was a $202 billion deficit with China. Do we not have the nerve to say to China trade is a two-way street, that is the way we insist on it, and if they are going to sell to us then they are going to buy from us? Don’t we have that nerve and will. If not, why not?

The same is true with others, especially Japan. With Japan it has been a couple of decades where we have had very substantial deficits year after year after year. And our country doesn’t have the nerve or will to do anything about it.

We still have folks walking around thumbing their suspenders and puffing on their cigars talking about globalization and how wonderful it is. How did ever get a job to outsourcing—it is just American workers who lose those jobs. It is not just the jobs that are gone. It is the jobs left here that become priced by the China price—downward pressure on wages, downward pressure on benefits, stripping away retirement benefits and health care benefits. That is what is happening all across this country.

The issue I started talking about—the issue of managing an American port by a UAE-owned company, United Arab Emirates firm wouldn’t even have been discussed here 20 years ago. It would have been laughed at. Are you kidding me? Are
you really serious? We will have America’s ports managed by the United Arab Emirates given the climate we face today? Twenty years ago, you wouldn’t be talking about a $700-plus billion trade deficit. Things have changed a lot.

We have a President who cheerslead now for that trade strategy despite the evidence—all of the evidence year after year—that this is a bankrupt trade strategy. It is bankrupting this country. It is selling part of America piece by piece of every single day. All of these things relate.

I only wanted to speak briefly—it turned out not to be so briefly—about those who announced to the press or those who talked to the press resulting in news stories last evening that there is a deal in the works; perhaps the United Arab Emirates company could buy an American subsidiary and actually run the ports through a U.S. subsidiary. There is no deal in the works that I am aware of.

I have introduced legislation that would overturn this decision. In one way or another we are going to vote on these things. I believe there are other colleagues who believe the same.

We cannot go on voting on these things no matter what kind of deal somebody else comes up with. I think there needs to be a good healthy dose of common sense expressed on some of these issues, and that is certainly lacking on this trade, on national security, and on port security.

I hope, perhaps, we can get those before the Senate soon.

I yield the floor.

The PRESIDING OFFICER (Mr. COLEMAN). The Senator from Louisiana.

Mr. VITTER. Mr. President, I ask unanimous consent to speak as if in morning business for up to 15 minutes.

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

LOYER REFORM

Mr. VITTER. Mr. President, I rise today to again address the very important issue of lobby reform and to applaud the efforts of many, particularly the bipartisan working group on which I was proud to serve—coming together and working hard to produce good lobby reform packages that will very soon be on the floor of the Senate.

As I have said since the beginning of this discussion spanning several weeks, in so many ways there is no more important threshold issue to the functioning of our democracy and the health of this institution of Congress than these important reform issues. Clearly, they go to the heart and soul of our integrity and our own credibility.

How can we address any other major national issue, whether it is health care, prescription drugs, foreign policy, or defense unless we have that core, central principle of integrity and credibility with the people?

Unfortunately, we have lost that credibility to some significant extent over the past years because of some horrible situations and scandals that have developed.

It is very appropriate and very necessary that we act as an institution to address these abuses and potential abuses which need to stop from happening in the future.

As I said, I was very proud to serve on an informal working group—Republicans and Democrats coming together with this common purpose to address these central issues to bring real meaningful strong reform to our institutions, to develop consensus, not to play political partisan games but to develop real consensus and pass important legislation that could have major support on both sides of the aisle.

I very much enjoyed that work with leaders on this issue—Senators COLINS, LOTT, MCDONALD, SANTORUM, KYL, and ISAKSON—of course, all those Republicans—joined by Senators LIEBERMAN, OBAMA, DODD, and FEINGOLD, Democrats, as well as myself, a Republican, coming together to address this very crucial issue.

We are about to put this legislation on the floor of the Senate, hopefully, very soon, later today. I encourage all my colleagues—Republicans and Democrats alike—to again come together for an important debate, to make a proposal about how to improve this legislation but to support the underlying bills which include major systemic reform. That is what I am going to do. That is why I joined this working group from the very beginning. That is why I participated in the discussions and debate which led to the bills coming to the floor.

In addition to that, I am going to do what I mentioned a little while ago, participate in the debate on the floor and make some proposals to strengthen the bill, to make it even better before we report it out from the Senate.

In doing so, I am going to make three specific proposals in areas which I think we need to address that are not in the underlying bill. I again want to outline those three proposals very briefly.

The first has to do with an unfortunate scenario which has happened in the past of spouses and children of Members of Congress, House Members, Senators, getting a paycheck off that Member’s reelection campaign. This happened in the past. It is not some theoretical issue. In fact, family members have made substantial sums in the past in some instances off the campaign of the family member who is also a Member of Congress.

I talk to folks back home in Louisiana all the time. When these circumstances made the newspaper a few months ago, I can tell you what the universal reaction was. The universal reaction was this is abuse. There was no discussion about what these family members weren’t doing, what hours they were lobbying, weren’t lobbying. The universal reaction was this was a way for the Member of Congress to basically increase his family income through the political process and is an abuse.

I think the solution is pretty simple. I will have an amendment that proposes that solution. It is simply this: Brands to say a Member of Congress, the House, or the Senate can’t have a spouse, can’t have a dependent child on the campaign payroll. That is the simplest way to address it. That is the most direct way to address it. That will put the whole issue to rest for once and forever.

Certainly, the huge majority of Members should embrace this idea because it would never cross our minds, quite frankly, a huge majority of Members, to do this. Let us put this potential abuse and real abuse in the past to rest forever.

I encourage all of my colleagues, Republicans and Democrats, to support this floor amendment.

The second floor amendment addresses another very important area of campaign finance which has also been in the news; that is, with regard to Indian tribes.

Again, this is not some theoretical discussion. This is not dreaming up a scenario that has no support. This has been a part of the recent scandals and controversies which bring us to where we are today.

In my opinion, a central problem is the fact that in current law Indian tribes, with regard to campaign contributions to political candidates, are treated in a whole different way than similar entities such as corporations, such as labor unions.

With regard to corporations and labor unions, there are very clear and very strict laws that apply in terms of how those entities can raise PAC money, campaign funds that they can turn into political contributions and the overall limit that applies to a single corporation—a single labor union who regard to political contributions that election season. Those rules don’t apply to Indian tribes.

When it comes to Indian tribes, those rules I just referenced are out the window and basically no rules apply. There is no governance of how tribes collect and raise funds to give to political candidates. In fact, with so many having very lucrative casinos now, what they do is real simple. They write a check out of the casino operation and fund political operation from which they give campaign contributions. Corporations can’t do that—absolutely not. Labor unions can’t even do that. I think the rules should be the same for Indian tribes.

Likewise, the limits on campaign contributions should be the same as well. There should be an aggregate, an overall limit for what a specific tribe can give to Federal candidates just as there is for corporations through their PACS, just as there is for labor unions through their PACS.

Again, I will offer a floor amendment that is pretty darned simple and pretty easy to understand. It will basically
say those same rules that apply with regard to the sources of funds and disclosure and aggregate limits that apply to corporations and labor unions, those exact same rules will apply in exactly the same way to Indian tribes.

That, and finally, I will propose on the floor another amendment which relates to Members' families and the ability in some circumstances of a Member to increase his family income through involvement in lobby shops by a spouse.

I think it is very important in this instance to distinguish between what I consider two different cases. The one case is where a spouse was a registered lobbyist, a professional with expertise and professional background well before the Member was ever elected to office, or well before the marriage between the Member and the spouse ever occurred. In my mind, that is a very different situation than when a spouse gets into the lobbying business after the Member is elected who either was never married or the marriage occurs with a Member already being elected.

In the first case, that spouse was a professional with background and expertise in this area well before the marriage happened or the Member was elected. In the second case, the cart came before the horse. It is that second case I am concerned about, and it is that second case on which I believe we should pass a blanket ban that such a person shouldn't get into the lobbying business even after the Member was elected.

Again, I think people back home view that sort of case pretty darned simply. It is a way for direct family members to get involved in lobby shops, and through that route directly supplementing that Member's family income.

That absolutely tears at the integrity, at the credibility of our institutions. I believe we must act to restore that credibility and integrity.

Again, this is not some theoretical discussion. I wish it were. This is not some problem made up out of the blue. This is a practice that has happened before, that has been in the headlines, that has been in the news. So let us address it directly, boldly, and be done with it.

In closing, I thank all of the leaders who came together in the important work they are doing to reform what I mentioned, particularly Senators Collins, Lott, McCain, Santorum, Kyl, and Isakson, and Senators Lieberman, Obama, Dodd, and Feingold. I worked closely with them. I believe the product we will bring to the Senate very soon, upon the leadership of the two committee chairs, Senators Collins and Lott, is a strong, meaningful, worthwhile product.

I hope we all come to this important debate with additional ideas. I hope we can add to the bill. I hope we can improve the bill through the three floor amendments I just outlined, and then report an even stronger and even better bill out of the Senate to address this crucial issue.

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

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

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

ETHICS AND LOBBYING REFORM

Mr. Obama. Mr. President, I rise today to speak about the ethics and lobbying reform bill we will be considering this week.

Over 100 years ago, at the dawn of the last century, the Industrial Revolution was beginning to take hold in America. Creating unimaginable wealth and sprawling metropolises all across the country. As factories multiplied and profits grew, the winnings of the new economy became more and more concentrated in the hands of railroad tycoons, oil magnates. In the cities, power was maintained by a corrupt system of political machines and ward bosses. In the State of New York, there was a young Governor who was determined to give government back to the people.

In his first year, he had already begun antagonizing the State's political machine by attacking its system of favors and corporate giveaways. He signed a workers' compensation bill, and even fired the superintendent of insurance for taking money from the very industry he was supposed to be regulating.

None of this sat too well with New York's powerful party bosses, who finally plotted to get rid of the reform-minded Governor by making sure he was nominated for the Vice Presidency that year.

What no one could have expected is that soon after the election, when President William McKinley was assassinated, the greatest fears of the corrupt machine bosses and power brokers became true when that former Governor became President of the United States and went on to bust trusts, break up monopolies, and return the government to its people.

His name, of course, was Theodore Roosevelt. He was a Republican. Throughout his public life, he demonstrated a willingness to put party politics aside in order to battle corruption and give people an open, honest government that would fight for their interests and for their values.

I think today we face a similar crisis of corruption and a similar crisis of confidence. I believe we need similar leadership from those in power as well.

The American people are tired of the most cash and the right connections. They are tired of a political process where the vote you cast is not as important as the favors you can do. They are tired of trusting us with their tax dollars when they see them spent on frivolous pet projects and corporate giveaways.

It is not that the games that are played in this town are new or surprising to the public. People are not naive to the existence of corruption. They know that over the years it has been a Republican and a Democratic face.

Moreover, the underlying issue of how extensively money influences politics is the "original sin" of everyone who has ever run for office, including me. In order to get elected, we need to raise vast sums of money by meeting and dealing with people who are disproportionately wealthy. This is a problem that predates Jack Abramoff.

So I agree with those on both sides of this issue who believe we should not let half measures and partisan posturing on campaign finance reform derail our current efforts on ethics and lobbying, but I also think this is an issue and a conversation we are going to have to have to get at the heart of the conversation about campaign financing. That is not, however, the topic that is before us this week.

While people know that both parties are vulnerable to these problems, I do believe it is fair to say that the scandals we have seen most recently under the current White House and Congress—both legal and illegal—are entirely predictable or the standard fare. They are worse than most of us could have imagined.

Think about it. In the past several months, we have seen the head of the White House procurement office arrested. We have seen some of our most powerful leaders of both the House and the Senate under federal investigation. We have seen the indictment of Jack Abramoff and his cronies. And, of course, last week, we saw a Member of Congress sentenced to 8 years in prison for bribery.

Now, there are some in the media who dismiss these scandals by saying: Everybody does it. The truth is that not everybody does it. We should not lump people together—those of us who have to raise funds to run campaigns but think it is fair to say that those who invite lobbyists into their offices to write bad legislation. Those are not equivalent. And we are not being partisan by pointing that out.

The fact is, since our Federal Government has been controlled by one party, this kind of scandal has become, unfortunately, a regular order of business in this town. For years now, some on the other side of the aisle have openly bragged about stocking K Street lobbying firms with former staffers to increase their power in Washington—a practice that should stop today and never happen again.
But what is truly offensive to the American people about all of this goes far beyond people such as Jack Abramoff. It is bigger than how much time he will spend in jail or how many Members of Congress he ends up turning in. It is bigger even than the K Street golf junkets to Scotland and lavish gifts for lawmakers.

What is truly offensive about these scandals is they do not just lead to morally offensive conduct on the part of politicians; they lead to morally offensive legislation that hurts hard-working Americans.

When big oil companies are invited into the White House for secret energy meetings, it is no wonder they end up with billions in tax breaks while most working people struggle to fill up their gas tanks and heat their homes.

When a committee chairman negotiates a Medicare bill one day, and after the bill is passed is negotiating for a job with the drug industry, it is hardly a surprise that industry is using taxpayer-funded giveaways in the same bill that forbids seniors from bargaining for better drug prices.

When the people running Washington are accountable only to the special interests that fund their campaigns, it is not shocking that the American people find their tax dollars being spent with reckless abandon.

I have to point out that since the current administration came into office, we have seen a number of registered lobbyists in Washington double. In 2004, over $2.1 billion was spent lobbying Congress. That amounts to over $4.8 million per Member of Congress.

How much do you think the American people were able to spend on their Senators or Representatives last year? How much money could the folks back home, who cannot even fill up their gas tanks, spend on lobbying? How much could the seniors forced to choose between their medications and their groceries spend on lobbyists? Not $4.8 million—not even close.

This is the bigger story here. The American people believe that the well-connected CEOs and hired guns on K Street who have helped write our laws have gotten what they paid for. They got all the tax breaks and loopholes and access they could ever want. But outside this city, the people who cannot afford the high-priced lobbyists and do not have the legal expertise to question them can only wonder: When is it our turn? When will somebody in Washington stand up for me?

We need to answer that call. Because while only some are to blame for the corruption that has plagued this city, we are all responsible for fixing it. As you know, I am from Chicago, a city that has not always had the most stellar reputation when it comes to politics. But during my first year in the Illinois State Senate, I helped lead the fight to pass Illinois’ first ethics reform bill in 25 years. If we can do it in Illinois, we can do something like that here.

But we have to pass a serious bill that has to go a long way toward correcting some of the most egregious offenses of the last few years and preventing future offenses as well. This is not a time for window dressing or putting a Band-Aid on a problem to score some political points. I think this is a time for real reform.

I commend the work the two committees that have dealt with this issue already have put in under the leadership of Senator Joe BIDEN, Senator BLUMENTHAL, Senator DODD, Senator LIEBERMAN and Senator COLLINS. I want to note that the Honest Leadership and Open Government Act, which was originally sponsored by those of us on this side of the aisle, has 41 cosponsors and, I think, established a good marker for reform. I commend my leader, HARRY REID, and his staff for their hard work in putting it together.

But real reform means making sure that Members of Congress and senior administration officials wait until they leave office before pursuing jobs with industries that they are responsible for regulating.

I understand that Senator Dick Durbin has said he would not negotiate for a job with the drug industry at the same time he was negotiating the Medicare bill, but the fact is: While he was a Member of Congress, he was negotiating for lobbying jobs with not one but two different industries that he was responsible for regulating—the drug industry and the motion picture association.

That is wrong. This should not happen. There is no provision in law that means ensuring that a ban on lobbying after Members of Congress leave this office is real and includes behind-the-scenes coordination and supervision of activities now used to skirt the ban. Real reform means giving the public access to now secret conference committee meetings and posting all bills on the Internet at least a day before they are voted on so the public can scrutinize what is in them. Real reform means passing bills that eliminates all gifts and meals from lobbyists, not just the expensive ones. And real reform has to mean real enforcement because no matter how many new rules we pass, it will mean very little unless we have a system to enforce them.

I commend Senators LIEBERMAN and COLLINS for their efforts to create such an enforcement mechanism through an independent office of public integrity. While this proposal doesn’t go quite as far as my proposal for an outside ethics fact-finder, it is still very good, and I am looking forward to working with them to try to get it included in the bill that has been marked up. But to truly earn back the people’s trust, to show them we are working for them and looking out for their interests, we have to do more than just pass a good bill this week; we are going to have to fundamentally change the way we do business in this town.

That means instead of meetings with lobbyists, it is time to start meeting with the 45 million Americans who don’t have any health care. Instead of finding cushy political jobs for unge- nerous reimbursement rates, we should start finding good-paying jobs for hard-working Americans trying to raise a family.

Instead of hitting up the big firms on K Street, it is time to start visiting the workers on Main Street who wonder how they will send their kids to college or whether their pension is going to be around when they retire.

All these people have done, our constituents, to earn access and gain influence is to cast their ballot. But in this democracy, that is all anyone should have to do.

A century ago that young, reform-minded Governor of New York, who later became our 26th President, gave us words about our country that everyone in this town would do well to listen to today. Here is what Teddy Roosevelt said back then:

No republic can permanently endure when its politics are corrupt and base . . . we can afford to differ on the currency, the tariff, and on many policy issues, but, to differ on the question of honesty. There is a soul in the community, a soul in the Nation, just exactly as there is a soul in the individual; and as the individual hopelessly mars himself if he lets his conscience be dulled by the constant repetition of unworthy acts, so the Nation will hopelessly blunt the popular conscience if it permits its public men continually to do acts which the Nation in its heart of hearts knows are acts which cast discredit upon our whole public life.

I have come to know the Members of this body and know that the people who serve here are hard-working, thoughtful, and honorable men and women. But the fact is, the entire Congress has been marred under a cloud. Our consciences have been dulled by the activity of the few. We have to make certain we are sending a strong signal to the American public that we are no longer going to tolerate that kind of activity, that our conscience has been sharpened, and we are willing to take the steps necessary to restore credibility to this August body.

I hope this week we in the Senate will take the first step towards strengthening this body’s soul and bringing credit back to our public life.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

The majority leader is recognized. Mr. FRIST. I thank the Chair.
(The remarks of Mr. Frist pertaining to the introduction of S. 2381 are located in today’s Record under “Statements on Introduced Bills and Joint Resolutions.”)

Mr. Frist. Mr. President, I yield the floor, and 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. Leahy. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

Mr. Leahy. Mr. President, I see the distinguished majority leader. I yield the floor.

The PRESIDING OFFICER. The majority leader.

Mr. Frist. For the information of my colleagues, we should have a vote somewhere in 25 minutes or so. Depending on the outcome of that vote, there may be another vote, either a roll call or voice vote, after which we will go back to lobbying reform. I need to talk to the floor managers, I would expect we would have more roll call votes after we finish these next two votes shortly. But I do want to talk to the managers. So what I will do is ask unanimous consent which, in essence, will be 20 minutes of debate equally divided. And then we should have a roll call vote. And then I will be talking to the managers about what we will be doing after that tonight. I don’t expect roll call votes after we handle these next two.

I ask unanimous consent that there now be 20 minutes equally divided between Senator Snowe or her designee and Senator Ensign or his designee on the pending second-degree amendment, followed by a vote in relation to the amendment with no intervening action or debate; provided further that immediately after that vote, the Senate proceed to a vote in relation to the underlying Kyl amendment, as amended, if amended, with no further intervening action or debate.

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

Mr. Frist. 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. Ensign. 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. Ensign. Mr. President, we are now engaging in a debate over an amendment. The amendment has to do with the LIHEAP proposal that has been brought forth. This first amendment, instead of the original proposal that Senator Snowe put forward, where 75 percent of the money went through the contingency fund, 25 percent goes through the regular formula, that now she has brought forward an amendment that would be 50–50, 50 percent through the contingency fund, 50 percent through the regular formula. If we defeat the amendment, that underlying amendment, 100 percent of the money goes through the regular formula.

Why is that important? It is important because the 50 percent versus the 100 percent in the formula, this is how it breaks down across the country. The red-colored States—this isn’t Republican or Democrat, this just happens to be red-colored States in this case—all would get more funding under the underlying amendment, the one where 100 percent of the money goes through the regular formula. The 50–50 or the underlying bill that Senator Snowe has put forward, basically the white-colored States, 21 of them, would do better under her formula. So it is really a fairness issue. Because the underlying formula in the LIHEAP provisions, the way it is implemented, benefits those 21 States right now. So the first $2 billion that is spent per year benefits 21 States. That is historically what has happened. And what we are saying is: If you are going to put an additional billion dollars to help low-income people around the country, it should benefit people from all over the country and be more fairly allocated. That is really what the 100–0 formula does. It makes it fairer.

Senator Snowe will make part of her arguments, and we had this discussion at lunch today. She will say that this is an emergency fund. This contingency fund is an emergency fund to be directed toward emergencies. That is not the way it has worked in the past. In the past, it has been divvied out earlier in the year when the cold States need it. And warmer States need it for air-conditioning in the summertime—and by the way, they need that air-conditioning, and in many cases it is a life-or-death situation because people can die from heat prostration and that is the real issue—the money is gone because it has been spent out of the contingency fund. That is why the only fair way to do it is to put it through the regular formula, divvy it out through the States. And then low-income people who need either heating or cooling assistance can receive that fairly.

I reserve the remainder of my time.

The PRESIDING OFFICER. The Senator from Arizona.

Ms. Snowe. Mr. President, I am offering an amendment that essentially preserves the emergency funding that has been consistently part of the low-income fuel assistance program. I am offering my amendment as a second-degree amendment that removes the emergency funding that has been part of this program for the last 5 years. So it would be a marked departure from historical practice and, unfortunately, a 100-percent appropriation through a formula for low-income fuel assistance would not allow the President to respond to any situation that is clearly an emergency.

But the President had the discretion, because he had this funding, to provide $14 million to Louisiana, Mississippi, Alabama, and to Florida as a result of the hurricane damage. The President had that capability. That will be removed by the underlying amendment. It is not making any sense to say that we should have a formula in the distribution of emergency funding when we don’t know where the emergency is going to occur and when. We cannot predict that. That is why the President has it in a contingency fund so in the event that there are such emergencies, we can release that funding. That is what it has always been about.

This is a historical departure from previous precedent, policy, and practice; in fact, a practice and policy that was embraced and endorsed by the Senate and by the House of Representatives and the President a month ago that became law in the Deficit Reduction Act.

I am surprised we are here today to suggest that somehow we should now no longer have emergency funding, no longer have any contingency funding. In fact, the Senator from Nevada says that there is no remaining funding for warm States. I should mention to the Senator from Nevada that the President has set aside $101 million in fiscal year 2006 emergency funds. This money has not been released. In fact, it is at the disposal of the President to release in the event that there are potential emergencies this summer, so that there is money. And certainly we can address the concerns of the Senator from Nevada if he feels it is not sufficient.

I, for one, felt we should increase the funding for the low-income fuel assistance program because the real value of this program has eroded over the last two decades. It essentially has the same value as it did in 1983. In 1983, it provided 50 percent of the cost of energy for a family. Today it provides 19 percent. That is not accommodating all the demands, all the people who are on
the list in various States across this country. Thirty-four Governors wrote a letter to the leadership of both the House and Senate saying how they have run out of funds. Even in addition to the significant State contributions for the past, which they have run out of money. And rightfully so, understanding the cost of energy today. Now some have suggested—and they have suggested it from their positions in Arizona, in Nevada, in Alabama—that it has been a mild winter. But come to Maine and tell us about it being a mild winter. Then add to that the 30- to 50-percentage increase in the cost of home heating oil and natural gas, in addition to the increases this last year.

The amendment I am offering today preserves the emergency funding. It provides for the formula funding as supported by the Senator from Nevada which I supported. It has two tiers of funding. One allows for emergencies and the other allows for emergency distribution. It is important to understand that last year there was a chart that distributed that misrepresented the distribution of funds. That was for that snapshot in time when there were emergencies so those States benefited from the release of funds. I believe that later on there was a different distribution because we don’t know when or where, nor can we possibly predict where disasters will occur.

So the White House supports this approach, supports the emergency funding. It supports the 50-50 distribution in my amendment that I am offering as a second degree to the Kyl amendment which essentially does away with the emergency funding and provides 100 percent through a formula. So any State that requires support from the emergency funds under this program would be denied if such an emergency should arise. I believe my second degree is a positive step in providing additional assistance for those in need of energy assistance this year.

The Secretary of Health and Human Services supports this amendment to advance the funding, the 2007 funds to 2006, in order to provide for this billion dollar increase. We are just advancing the funding. This is budget neutral because there is no net increase in Federal spending. It is important to understand there is no net increase in Federal spending. We are advancing the billion dollars. We have compromised. We asked for $2 billion, which is what I thought we agreed to before we adjourned for the Christmas recess on December 23, that we would have a 50-50 percent allocation. So, 50 percent to emergency, 50 percent to formula.

Here we are today, now having to say: You know, we can’t afford the billion dollars because it increases spending, which it does not, and now we decide that we don’t need emergency funding for this purpose, and we will allocate all the funding through a formula so that the States that depend upon this money in the event there is an emergency will not have it available.

I hope the Senate will support my amendment to the Kyl amendment. My amendment is fair. It is equitable. It is reasonable. This legislation should not be divisive. This isn’t regional legislation. It is for all of the country. It is to benefit any region of the country. It is designed to ensure that regardless of where you live in America, if for some reason you have an emergency that affects your ability to have access to natural gas, to propane, to home heating oil, to the need for air-conditioning, for electricity, that this emergency funding will help to mitigate the impact of those disasters. That is what this is all about.

I should add, it is very specific in the mandate in law in terms of how the contingency funds are used and where do these go. I should quote from the mandate. I wonder if the Senator from Maine would be willing to agree not to be divisive. This isn’t regional legislation. It is for all of the country. It is designed to ensure that regardless of where you live in America, if for some reason you have an emergency that affects your ability to have access to natural gas, to propane, to home heating oil, to the need for air-conditioning, for electricity, that this emergency funding will help to mitigate the impact of those disasters. That is what this is all about.

I would hope that we could come to an agreement on this question. At the very least, I would hope that the Senate would endorse my approach, which is a second-degree amendment that preserves the emergency funding and provides for a 50–50 allocation between emergency and formulas. I think that is patently fair to all of the States, all of the regions in this country.

I yield the floor. The PRESIDING OFFICER. The Senator from Nevada?

Mr. ENSIGN. Mr. President, first of all, I wonder if the Senator from Maine would be willing to answer a question on my time. She says that this is offset. We have already had this argument, and we lost it. But it would be curious to get an answer to a question I have. You say that it is not going to increase the deficit at all because a billion dollars is taken out of next year’s spending. If the Senator from Maine would be willing to agree not to come back and try to refill that money next year?

In other words, there is $1 billion taken out next year, and saying it is deficit neutral. Would the Senator be willing to commit to not going after more money next year?

Ms. SNOWE. I am glad to answer the Senator’s question. Obviously, I cannot forecast the future in terms of the extent that need is identified by any State. But I remain unchallenged when it comes to my fiscal credentials in the Senate. I have been more than happy to work with the Senator in terms of meeting our fiscal responsibilities on this issue and on any other question that benefits every State in America. From that standpoint, I would be more than happy to work with the Senator. Mr. ENSIGN. Reclaiming my time. I will answer the question because I can predict the future because I have seen it here enough. If you watch and learn from the past, you can predict the future. People will be going after this money, and probably even more. These kinds of budget games are played all the time.

I wish to make a couple of points to respond to what the Senator from Maine has talked about. First, there is $183 million in the contingency fund this year, and $100 million has been spent so far. There is $33 million left in the contingency fund. She said this is for emergencies—the contingency fund is for emergencies. Well, other than the Senator from Maine, everybody since 2004 from the contingency fund has gone to all 50 States. She says it is only for emergencies. So all 50 States must have had emergencies every year.

That is not what the contingency fund has been. It has been for the entire country. Our point is that the contingency fund has not been allocated fairly. I mentioned the $183 million, and there is $33 million left for this year’s contingency fund. Has anybody noticed in December all being allocated in the wintertime, so when the warmer weather States need their contingency fund, there won’t be any left? That is the point.

She had problems with our numbers the other day. So we redid the numbers. We looked at the last 5 allocations of the contingency fund. As it turns out, in the last 5 allocations, 29 States do worse under her formula than if you adopt the underlying Kyl amendment—29 States doing to be passing this chart out to every Senator. The 29 States are the red States on the chart I have here. If you see your State there in red, your Senator should be voting with myself and Senator Kyl to more fairly allocate this money that is for LIHEAP.

The allocations that go out for LIHEAP are there for a very noble purpose. All we are asking is, if we are going to spend this money, let’s do it fairly. For too long, the formulas have been treated unfairly in the spending. The Senator from Maine is looking out for her State. I have no problem with her doing that. It is one of the things we are elected to do—to look out for the interests of our States, and particularly for our home State.

I think the people in my State and the people in the other 29 States that are unfairly treated in the way that she has her amendment drafted deserve fair treatment, and we as Senators should fight for the people in our States. I yield the floor.
Mr. PRESIDENT. Mr. President, I ask unanimous consent that the amendment be agreed to as amended.

The PRESIDENT. Without objection, it is so ordered.

The amendment (No. 2899), as amended, was agreed to.

Mr. KYL. May I have just 30 seconds to thank all of those who participated in this debate, including the Senator from Maine and the Senator from Nevada. I think this compromise that has been adopted will allow the various States to try to find a way to take care of the folks in their States who need this assistance. I appreciate the efforts of all involved to get it done.

The PRESIDENT. The majority leader.

Mr. OBAMA. Mr. President, I rise today to speak in favor of greater funding for the Low-Income Home Energy Assistance Program, LIHEAP.

As I have traveled around Illinois this winter, I have heard from many low-income families and senior citizens about the burden of rising heating costs. These families are being forced to spend considerable portions of their incomes on gas bills, and many of them simply cannot afford it. Some families are having to keep their thermostats low just so they can buy groceries. It is essential that States have the funding they need through LIHEAP to help these families pay their heating bills during the cold months.

That is why, last year, I joined a number of my Senate colleagues in sending a letter to the chairman of the Senate Budget Committee requesting $3 billion in funding so that low-income families, disabled individuals, and senior citizens who live on fixed incomes have access to affordable energy when they need it most. We also asked that any LIHEAP funding be allocated in the budget for LIHEAP. This would allow States to plan more economically in preparing for the winter heating season by purchasing fuels during the spring and summer months. Unfortunately, our request was denied.

Months later, during consideration of the Energy Policy Act of 2005, Congress reauthorized the LIHEAP program from fiscal year 2005 to 2007, providing for a yearly appropriation of $6.1 billion. However, in the fiscal year 2006 Department of Health and Human Services Appropriations Act, Congress provided $2.2 billion for LIHEAP funding—the same allotment as the previous year.
given to the program in fiscal year 2005. During Senate consideration of several bills in the final weeks of 2005, I voted for a number of amendments providing more funding for LIHEAP, but those amendments were defeated.

Funding for LIHEAP has remained level for many years, but energy prices are at an all-time high. According to the Department of Energy, DOE, natural gas prices in the Midwest were expected to rise between 69 percent and 77 percent during the winter heating season of 2005. The National Energy Assistance Directors Association estimates that for families using natural gas, heating bills would average well over $1,500 per consumer, an increase of over $600 per consumer as compared to the winter of 2004–2005. As a result, we have seen an unprecedented rise in requests for LIHEAP assistance across the country. In Illinois, requests in 2005 were up 41.4 percent from the year before. That is nearly a quarter of a million Americans struggling in my State alone. I think we often forget how much our working families need this program, and just how heavy the burden of heat- ing one’s home can be these days. In a thank-you note to the staff at Illinois LIHEAP, a woman in Lake County, IL, wrote:

Having you help me and my mother this year with our utility bill was a godsend. It was over my head and I didn’t know what I was going to do . . . My mother is on oxygen 24-hours a day, and we couldn’t be without her. I am especially grateful to those who come to the aid of those who are in crisis. This past June, my colleague from Oregon convened a hearing to examine the effect of energy prices on the elderly. However, much has changed across the national energy landscape since that hearing. The tragedies of Hurricanes Katrina and Rita put severe pressure on our energy industries, increasing costs of oil and natural gas. Now that the winter has arrived, the cost of home heating fuel weighs heavily on the minds of the elderly and low-income individuals, and it is time for the Senate to address this vital issue.

In the beginning of January, I chaired for the Special Committee on Aging near my hometown of Pittsburgh, PA, to revisit this critical issue and hear from a variety of witnesses about ways in which the Government and private sector are helping the elderly and others stay warm. Representatives from the Department of Health and Human Services, Department of Energy, Pennsylvania State Department of Public Welfare, and private sector organizations and utilities testified in support of LIHEAP.

The testimony of Pennsylvania State Secretary of Public Welfare Estelle Richman was especially troubling. Secretary Richman testified that, by December 30, 2005, her agency had received over 320,000 LIHEAP applications. This is a 5 percent increase over 2005, which means that over 17,000 additional Pennsylvania households have requested heating assistance already this winter. Furthermore, the Pennsylvania Department of Public Welfare has already seen a 15-percent increase in crisis home heating assistance applications.

Pennsylvania is not alone in facing such difficulties. According to Assistant Secretary for the Administration for Children and Families, Wade Horn, his agency assists nearly 5 million households each year. However, those who are eligible for these benefits far outnumber those who receive this assistance.

As a Senate, we need to address this growing national problem. Each winter, our Government is faced with distributing emergency LIHEAP funds, while millions of Americans are stuck out in the cold. This past year, we tried, in a bipartisan fashion, to appropriate additional funding for LIHEAP. Unfortunately, we were not able to garner enough support for those provisions to pass.

This year we find ourselves in a worse situation than we did last year. When I travel throughout Pennsylvania, I continually hear from my constituents their concerns about rising energy costs and what we, the Congress, are doing to help. Now we have our chance to provide additional assistance that will benefit millions of Americans in the short term. However, while we need to pass this additional LIHEAP funding, we also need to look toward long-term solutions for our Nation’s energy needs.

As we are all aware, there is no one solution to our Nation’s energy problems. However, by increasing our domestic supplies and production capacity, we can take steps towards lowering the cost of energy for all Americans. We also need to promote alternative energy programs. The Department of Energy, DOE, has encouraged the development of next-generation technologies, such as coal-to-liquid fuel advancements. Without this combination of current and new technologies, the costs faced by consumers at the pump and in their heating bills will only continue to increase.

While this is clearly a long-term problem that we, as a body, need to address, I am proud to support my colleague from Maine, Senator Snowe, in her effort to provide additional LIHEAP funding this winter. This measure will assist thousands of Pennsylvanians and millions across the country. For this, as well as the reason I have cited, I urge my colleagues to support this measure that assists countless senior citizens and low-income Americans.

Mr. KENNEDY. Today’s Senate action adding $1 billion for the Low-Income Home Energy Assistance Program for this winter is a step in the right direction. It is the best we can do, and it deserved to pass. But no one should be under the illusion that we have now provided adequate assistance to millions of struggling families around the country, many of whom are elderly and disabled. The additional $1 billion is less than half what is needed to fully fund LIHEAP and guarantee the assistance these families need and deserve. A small step is better than no step, but it is still far from meeting the obvious need.

Countless citizens in communities throughout America live year-round in cold, and in fear of power shutoffs because they can’t pay their energy bills, and they have no confidence that either Congress or the President is on their side.

According to a report by the National Energy Assistance Directors’ Association, since the winter of 2001–2002, the average yearly cost of heating oil has soared from $627 to $1474, natural gas from $465 to $1600, and propane from $736 to $1286. Yet the Republican Congress and the Bush administration continue to ignore the fact that millions of Americans can’t afford these steep increases.
Democrats have pressed for months to fund LIHEAP at the authorized level of $5.1 billion for the current fiscal year. We have urged Congress to act, but the Republican majority has blocked our efforts at every turn, and they continued to try to block our efforts for an additional $1 billion for the program today. Families are paying a steep price for this neglect. The average LIHEAP grant has decreased by almost 10 percent since 2002 and is now only $298.

In Massachusetts, the State government has provided $20 million in additional funds for LIHEAP this year. Low-income families are more fortunate in our State than in most other States on this issue, but we have exhausted all Federal funds, and need is still great. Even the poorest households with the highest bills will get no more than $840—less than half what is needed to get through the winter.

As Self Help, a community action program in MA, "Many of our clients have exhausted their benefits . . . The bottom line is that we need some kind of relief, as quickly as possible.

ABCD, a community action agency in Boston, reports that as of January 17, the number of applicants applying for fuel assistance for the first time increased by 26 percent. Its clients are currently exhausting all of their fuel assistance benefits. Even a benefit of $765 buys only one tank of oil at today’s price of $2.40 per gallon, when at least two or three tankfuls are needed to get through the winter, and no other source of funding is available. These aren’t just numbers. They represent real people facing real hardships.

For example, an elderly couple lives in a modest home on the outskirts of Haverhill and both receive Social Security benefits. Their home is heated with a woodstove. They own an old woodstove in the basement to supplement their heating. The woodstove fell from a ladder and was injured. If LIHEAP had been funded fairly, his injury could have been prevented. With this bill, the chances are 50-50 that his injury could have been prevented. We could have done better, and we should have done better. It is wrong to let people live this way.

Mr. LEAHY. Mr. President, I join Senator SNowe and others in supporting this legislation to provide additional funding for the Low-Income Home Energy Assistance Program, LIHEAP.

This legislation will shift the $1 billion in fiscal year 2007 funding, which we recently enacted in the budget reconciliation bill, to the current fiscal year. This can be used this winter. Providing these needed funds in this way is not the best approach to get this done, but with Vermonters facing record heating bills and no other choices available to us at this crucial juncture, we cannot allow the perfect to be the enemy of the good. The fact is the burden of record heating prices this winter could financially wipe out many families and elderly Vermonters. No family in our Nation should be forced to choose between heating their home and putting food on the table for their children. No older American should have to decide between buying life-saving prescriptions or paying utility bills. Unfortunately, these stark choices are a reality for Vermonters and for too many other Americans across the Nation.

This legislation will bring the total funding available for LIHEAP in fiscal year 2006 up to nearly $3 billion. Certainly more is needed. That is why I have voted four times to increase LIHEAP funding to $5.1 billion. Bipartisan amendments offered to the Department of Defense appropriations bill, the Transportation, Treasury, and HUD Appropriations bill, the Labor, Health and Education Appropriations bill, and the tax reconciliation bill received a majority of the Senate’s support. Unfortunately, the majority party would not allow these amendments the opportunity for straight up-or-down votes, and we were blocked from securing these needed supplements for LIHEAP in our earlier efforts.

The Energy Information Agency forecasts that households heating with natural gas will experience an average increase of 35 percent over last winter. Households heating with oil will see an increase of 23 percent, and households using propane can expect an increase of 17 percent. Compounding these difficulties for families needing this help, wages are not keeping pace with inflation. The Real Earnings report by the Bureau of Labor Statistics shows that the average hourly earnings of production and nonsupervisory workers on private nonfarm payrolls were lower in December 2005 than they were a year ago, after adjusting for inflation. Working families are continuing to lose ground, meaning more families could financially wipe out many families also need LIHEAP assistance this year. Paychecks are being stretched thinner as families face higher prices for home heating, for health care, and for education. Vermont families and seniors need this relief from high energy costs, and they need it now.

As I have said, this is not my preferred approach to providing LIHEAP funding, but Vermonters cannot wait for a better option. This help is needed now. I call on the leadership in the House of Representatives and on President Bush to support this legislation and to ensure its immediate enactment. I also urge the administration to join the bipartisan majority in Congress in replenishing LIHEAP funding for next winter.

Mr. FRIST. Mr. President, I believe we are ready to proceed to passage. That will not require a rollocall.

The PRESIDING OFFICER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The question is on the passage of the bill.

The bill (S. 2320), as amended, was passed, as follows:

S. 2320

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

SECTION 1. FUNDING FOR LOW-INCOME HOME ENERGY ASSISTANCE PROGRAM.

Section 9001 of the Deficit Reduction Act of 2005 is amended—

(1) in subsection (a)—

(A) by striking “for a 1-time only obligation and expenditure”;

(B) in paragraph (1), by striking “$250,000,000 for fiscal year 2007” and inserting “$500,000,000 for fiscal year 2007”;

(C) in paragraph (2), by striking “$750,000,000 for fiscal year 2007” and inserting “$500,000,000 for fiscal year 2007”;

(2) by redesignating subsection (b) as subsection (c);

(3) by inserting after subsection (a) the following:

“(b) LIMITATION.—None of the funds made available under this section may be used for the planning and administering described in section 2605(b)(9) of the Low-Income Home Energy Assistance Act of 1981 (42 U.S.C. 8624(b)(9)).”; and

(4) in subsection (c) (as redesignated by paragraph (2)), by striking “September 30, 2007” and inserting “September 30, 2006”.

Mr. FRIST. Mr. President, first I want to thank my colleagues for their cooperation in bringing to a resolution what has been more difficult than I thought it would be, addressing the LIHEAP issue.

We have achieved passage, and we are now ready to resume the lobbying measure.

I know Senator Reid is prepared to lay down his amendment tonight. Senators will be able to debate that amendment tonight, and we will set a vote on the Democratic leader’s amendment sometime tomorrow morning.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. THUNE). 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.

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.
PRIVACY AND CIVIL LIBERTIES OVERSIGHT BOARD

Mr. LEAHY. Mr. President, recent press reports reveal that despite its creation more than a year ago, the Privacy and Civil Liberties Oversight Board has yet to hire any staff members or even hold a single meeting. This creation, established by law signed in December 2004 in response to recommendations from the 9/11 Commission. Now, several months into 2006, we learn from a Newsweek article that the board’s members will finally be sworn in at the White House this month. I will ask unanimous consent that a copy of this article be printed in the RECORD. Starting up the work of this important board, particularly in this time of unprecedented intrusion into the privacy of Americans by the executive branch, is shamefully overdue.

On December 14, 2004, the President signed into law the Intelligence Reform and Terrorism Prevention Act of 2004. Section 1061 of this act implemented a 9/11 Commission recommendation to establish an independent board within the Executive Office of the President to fill a clear void in government for protecting Americans' liberties.

Creating the board was no easy feat. The Bush-Cheney administration initially resisted the 9/11 Commission’s recommendation for a privacy board, essentially asserting that it was already protecting privacy and civil liberties. The administration then tried to circumvent a congressionally authorized, independent board by issuing an Executive order establishing an anemic alternative. That entity was not independent, had no authority to access information, had little accountability, and was comprised solely of administration officials from the law enforcement and intelligence communities who were well aware of the problem of oversight. It was the proverbial case of the fox guarding the henhouse. But many of us in Congress were committed to creating an effective board in keeping with the 9/11 Commission’s recommendations.

We succeeded, and the President signed the bill creating the board well over a year ago, but the White House's delays and resistance continued. Last May 11, I joined Senators DURBIN, COTTON, and others in writing to the President to inquire why there had not yet been any nominations and to urge him to nominate board members as soon as possible. We also expressed concern about the inadequate funding in the White House budget proposal, which proposed just $750,000 for its operations. Fortunately, the Transportation, Treasury, and HUD Appropriations Subcommittee, on which I serve, raised the amount to $1.5 million to ensure a better start for the board.

President Bush waited until June of last year to appoint three members of the board, and to nominate the chairman and vice chairman of the board, who were confirmed by the Senate last month. No board members have yet been sworn in. Meanwhile, as Newsweek reported, the White House's new budget, released last month, listed no funding for their own board, the Privacy and Civil Liberties Oversight Board. Administration officials have said that this omission came only because they decided not to itemize funding for offices within the White House, but they could not explain why offices of the White House were individually listed, yet this board was not.

Regrettably, the delays and insufficient funds suggest that the Bush-Cheney administration is simply going through the motions, rather than following through on a meaningful commitment to the Privacy Board. As the Chairman of the 9/11 Commission said, "The Administration was never interested in this." This is too important for us to simply go through the motions. Prior to the board, there was no office within the Government to oversee the collective impact of Government actions and powers on our liberties. This is a critical blind spot. We need an independent, consolidated authority of an already-powerful Government in an effort to address the realities of terrorism and modern warfare. As Lee Hamilton, Vice Chairman of the 9/11 Commission, noted in a Judiciary Committee hearing August 19, 2004, "these developments represent an astounding intrusion in the lives of ordinary Americans that is routine today in government."

In the months since Mr. Hamilton made this statement, we have learned of reports of far more disturbing and unprecedented intrusions into the lives of Americans, including warrantless wiretapping in violation of the laws of the land, as well as surveillance of ordinary Americans that may include a group of Quakers in Vermont. It is more important than ever to have a meaningful entity ensuring that the Government pursue crucial antiterrorism efforts without giving up the privacy and civil liberties so important to all Americans.

The delays in setting up the Privacy and Civil Liberties Oversight Board and the failures to properly fund it show that the Bush-Cheney administration does not take this responsibility seriously. We must make sure that we do take it seriously, on behalf of the American people.

I ask unanimous consent to print in the RECORD the Newsweek article to which I referred.

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

(From Newsweek, March 13, 2006 issue)

WATCHDOG: WHAT EVER HAPPENED TO THE CIVIL LIBERTIES BOARD?

(By Michael Isikoff)

For more than a year, the Privacy and Civil Liberties Oversight Board has been the most invisible office in the White House. Created by Congress in December 2004 as a result of the recommendations of the 9/11 Commission, the board has never hired a single staff or even held a single meeting. Newsweek has learned, that is due to finally when the board’s five members are slated to be sworn in at the White House this month. Members tell NEWSWEEK that the panel intends to immediately tackle contentious issues like the president’s domestic wiretapping program, the Patriot Act and Pentagon data mining. But critics are furious the process has taken this long—and question whether the White House intends to treat the panel as anything more than window dressing. The delay is “outrageous, considering how long its been since the bill [creating the board] was passed,” said Thomas Kean, who chaired the 9/11 Commission. The administration was never interested in this.”

Renewed concerns about the White House’s commitment came just a few weeks ago when President Bush’s new budget was released—with no listing for money for the civil liberties board. Alex Conant, a spokesman for the Office of Management and Budget, told NEWSWEEK the White House was never interested in this. "We weren't confirmed until last month. The chair of the board is Carol Dinkins, a former senior Justice official under Ronald Reagan and former partner of Attorney General Alberto Gonzales, Dinkins did not respond to requests for comment.

PASSAGE OF H.R. 32

Mr. CORNYN. Mr. President, I rise today to compliment my friends in the House of Representatives for passing expeditiously H.R. 32—the Stop Counterfeiting in Manufactured Goods Act—as amended by the Senate.

In addition to making technical changes, I am pleased that the bill included the entirety of S. 1955, the Protecting American Goods and Services Act, introduced last year by myself and Senator LEAHY.

I am particularly pleased to work with the senior Senator from Vermont in our continued bipartisan effort to protect intellectual property rights as well as to work on other important issues. Last year, we worked together on a matter near and dear to my heart, food safety, which is related to the Freedom of Information Act, and it indeed has been a pleasure to work with him again. His staff has
worked tirelessly with mine—especially Susan Davies, whose hard work and dedication to the goal of making good public policy is a testament to her, to Senator LEAHY, and to good legisliative process.

The comprehensive package passed today in the form of H.R. 32 represents important, bipartisan legislation designed to combat the trafficking of illegitimate goods throughout the world. The rampant distribution of illegitimate goods—be it counterfeited products, illegal copies of copyrighted works or any other form of piracy—undermines property rights, threatens American jobs, decreases consumer safety and, often-times, supports organized crime and terrorist activity.

Amazingly, it is estimated that between 5 percent and 7 percent of worldwide trade is conducted with counterfeit goods and services. According FBI estimates, counterfeiting costs U.S. businesses as much as $200 to $250 billion a year, that costs Americans their jobs—more than 750,000 jobs according to U.S. Customs.

In recent years, this plague on global trade has grown significantly. According to the World Customs Organization and the International Trade Administration estimates, the global trade in counterfeit goods has increased from $5.5 billion in 1992 to more than $600 billion per year today. That is $600 billion per year illegally extracted from the global economy.

But for me, as chairman of the Senate Subcommittee on Immigration, Border Security and Citizenship, I find it most troubling that the counterfeit trade across our borders and throughout the world threatens our safety and our national security. Most frighteningly, evidence indicates that the counterfeit trade supports terrorist activities. Indeed, al-Qaeda training manuals recommended the sale of fake goods to raise revenue.

Purchasing counterfeit goods undermine our confidence in the reliability of goods and service. For example, the Federal Aviation Administration estimates that 2 percent of the 26 million airline parts installed each year are counterfeit. And the Federal Drug Administration estimates that as much as 10 percent of pharmaceuticals are counterfeit.

And the reach of counterfeiting runs deep in my own home State of Texas. Data I've collect, based on a 1997 piece detailing Microsoft's efforts to combat counterfeiting and piracy—while dated—pointed out that this type of activity costs Texas over 10,000 jobs and almost $1 billion. Today, we know those numbers are much higher.

We must act to stop this illegal activity. The legislation we passed today will help us do just that. It is not complicated—nor is it long, but its global impact will be significant. The legislation is designed to provide law enforcement with additional tools to curb the flow of these illegitimate goods and it is perhaps even more critical for businesses, large and small, throughout America and for ensuring the safety of consumers around the globe.

Those who traffic in counterfeit goods put Americans in danger, support terrorism and undermine the health of our Nation's economy. S. 1830—the Anti-Counterfeiting Trade Act of 2004—contains important provisions that amend existing law targeting those who engage in counterfeiting.

I look forward to the President signing this legislation into law, and in so doing, protecting property rights, protecting consumer safety, preserving American jobs and bolstering the American economy.

OFFICE OF THE ATTENDING PHYSICIAN

Mr. INOUYE. Mr. President, I rise today to discuss an organization with which many of my colleagues have some personal familiarity, the Office of the Attending Physician. Many of my colleagues have come to rely upon the Attending Physician's Office here in the Congress as the source for support and medical advice. Most of us are personally aware of the fine work performed by Dr. Eisold and his staff in providing care for the Members of Congress, but there is much about the office which we don't think about regularly.

The Senate has been served by the Attending Physician since 1930, a little more than a year after the office was established by the House of Representatives. The first Attending Physician, Dr. George Calver, served this body for approximately 37 years. He was known for offering health tips to Members of Congress such as “eat plentifully (of food). Play lustfully and relax completely. Stay out of the Washington social whirl—go out at night twice a week at most.” And, perhaps most importantly. “Don't let yourself get off-balance, nervous and excited.”

My colleagues and I know we can count on the expertise of the Attending Physician in many areas of medical advice. On average, the office successfully treats more than 50,000 patients annually. They regularly track the spread of infectious disease so that they can determine which inoculations and other medications will be required for Members traveling to foreign locations. Members of the Senate rely on the physician’s office for our annual flu shots and for assistance on minor medical problems. We also count on them, as do our staff and visitors to the Capitol, for handling medical emergencies.

The Office of the Attending Physician also provides unique capabilities that are very important to the success of this institution which are not well known. The office is poised for crisis response. In recent years, it has responded to the anthrax outbreak in the Hart Building and to the ricin scare.

The physicians, nurses, and other medical staff have the capability and training to respond to many potential emergencies up to and include terrorist response.

The office is equipped with mobile medical vehicles designed to allow for deploying medical support throughout the region, if necessary, for offsite operations. These vehicles are well equipped to handle many medical emergencies that could arise. Each has a fully functioning laboratory and two examination rooms complete with most modern equipment. As the Congress considers its continuity of Government requirements, the Office of the Attending Physician is well positioned to support emergency legislative operations which could be required following an attack.

Mr. President, the Office of the Attending Physician provides a critical capability to the legislative branch. The services they provide serve as a convenience to busy Members of the Congress, but they are much more. They are a vital piece of emergency response in the Capitol. They are ready, when called upon, to play a key role in ensuring continuity of the legislative branch, they serve to handle any medical emergency which might arise at the Capitol.

I owe a great debt to Dr. Eisold and his team of fine specialists. May I suggest all of my colleagues thank them for their great service the next time we
VETERANS HEALTH CARE

Mr. BURNS. Mr. President, I am concerned that the President’s Department of Veterans Affairs fiscal year 2007 budget request does not include adequate funding for VA health care. Specifically, this budget request would require certain veterans to pay a $250 enrollment fee in order to access the health care system each year. In addition, the budget proposes to more than double prescription copayments from $7 to $15, further burdening the limited resources of those who have served our country.

The VA estimates that these measures will save the Department an estimated $795 million in 2007. This savings estimate is based not only on collections but on increasing the number of veterans who will opt-out of the service due to the higher fees. The VA estimates they will force over 1 million veterans, almost half of the Priority 7 and Priority 8 veterans, to drop out of the VA health care system.

Do we really want our veterans to be faced with the choice of either dropping out of the VA health care system or bearing these additional costs? Those who do not drop out of the VA health care system will be forced to pay hundreds more for their health care. Veterans who receive prescription drugs from the VA and who fill a typical number of prescriptions a year could face new fees amounting to nearly $600. I realize that agencies such as the VA must look for ways to save dollars, but our Nation’s veterans deserve adequate and affordable health care.

While I understand the need to reduce Federal spending, I urge my colleagues to reject these proposals to reduce spending for VA health care in the fiscal year 2007 budget. I believe it is absolutely critical that the VA health care system be fully funded. The Congress has rejected these proposals in the past, and I hope it will do so again this year. Our veterans should not be faced with these choices nor forced to bear this burden. We must keep our promise to care for the veterans who made so many sacrifices to ensure the freedom of so many.

NATIONAL SPORTSMANSHIP DAY

Mr. REED. Mr. President, today, March 7, 2006, we celebrate the 16th annual National Sportmanship Day. Begun in 1991 by the Institute for International Sport at the University of Rhode Island, this initiative promotes the highest ideals of sportsmanship and fair play among America’s youth. In 13,000 schools, across all 50 States, and in countries around the world, students, teachers, administrators, coaches, and parents engage in discussions on the issues of sportsmanship and fair play. The theme of this year’s National Sportmanship Day is “De-feat Gamesmanship!” and participants will talk about appropriate tactics and strategies when participating in games and sports.

This year, in addition to promoting the values of sportsmanship and fair play, the International Sport will recognize schools across the country that have exceptional sportsmanship programs with the new All-American Sportmanship School Award. A minimum of 64 awards will be given out to elementary, middle, and high schools as well as colleges that participate in National Sportmanship Day and honor its principles year round.

I am proud that Rhode Island is home to the Institute for International Sport and National Sportmanship Day. For 16 years, this initiative has had a positive influence on our Nation’s youth in promoting the best in athletics, and I know it will continue to do so this year and in the future.

HONORING THE 45TH ANNIVERSARY OF THE PEACE CORPS

Mr. INOUYE. Mr. President, on March 1, 1961, President Kennedy signed an Executive order that established the Peace Corps whose mission would be to promote peace, mutual understanding, and friendship between Americans and the people of the world. Back then, the world was viewed as engaged in a cold war with the United States and its allies pitted against the Communist bloc. President Kennedy envisioned the Peace Corps as an agency that would create opportunities for Americans to reach out to the rest of the world, and make positive contributions to community development and nation-building overseas.

As we celebrate the Peace Corps’s 45th anniversary, all Americans can be proud of what the agency has accomplished and continues to do. Through its hardworking and committed volunteers who now number nearly 8,000, the Peace Corps provides assistance today in 138 host countries in such fields as education, healthcare, environmental preservation, and business development.

Last year, the Peace Corps’s Crisis Corps Volunteers helped with rebuilding efforts in tsunami-ravaged areas of Sri Lanka and Thailand. And, for the first time in its history, volunteers were deployed at home as approximately 270 volunteers assisted with recovery efforts along the U.S. gulf coast in the aftermath of Hurricanes Katrina and Rita.

I am also proud to report that the Peace Corps continues to attract Volunteers from Hawaii. At this moment, 12 volunteers from Hawaii are serving in 12 different host countries that include Bulgaria, China, Morocco, Nicaragua, Swaziland, and Tanzania.

It is a pleasure to join all Americans in congratulating the Peace Corps and its volunteers past and present for their outstanding work, and for their invaluable and effective civic contributions to communities throughout the world.

VOTE EXPLANATION

Mr. JOHNSON. Mr. President, I would like the record to reflect that I was necessarily absent for rollcall vote No. 31, the confirmation of Timothy C. Batten, Sr., of Georgia, to be U.S. District Judge on March 5, 2006. Had I been present for this vote, I would have voted in favor of the nomination.

ADDITIONAL STATEMENTS

TRIBUTE TO ARNOLD FRIBERG

• Mr. BENNETT. Mr. President, today I rise to pay tribute to Arnold Friberg, a gifted American artist.

For more than eight decades as a painter, Mr. Friberg has set down a prodigious and varied body of work, including magazine covers and illustrations, World War II depictions, the Northwest Mounted Police, Book of Mormon illustrations, portraits, including Her Royal Highness Queen Elizabeth of England, and many rich and dramatic depictions of the Old West. This year marks the 30th anniversary of his revered Prayer at Valley Forge, which shows George Washington at prayer. Along with Emanuel Leutze’s Washington Crossing the Delaware, Friberg’s Prayer at Valley Forge is one of the great American patriotic paintings.

In 1953, Arnold Friberg was summoned to Hollywood by Cecil B. DeMille for a 1-month consultation on costume design for a film he was going to remake. DeMille became so impressed by the artist that soon afterward Mr. Friberg was called back to Hollywood and began a warm, personal collaboration with the storied director that lasted for 4 years.

Mr. Friberg became DeMille’s chief artist-designer for the well-known movie “The Ten Commandments,” which brought the artist an Academy Award nomination. Half a century later, “The Ten Commandments” still draws sizable audiences to television broadcasts and DVD sales. Becoming the visual designer for what DeMille and his set decorators and cameramen put on film, Mr. Friberg painted major scenes of the salient episodes in the Old Testament including The Finding of Moses, Moses and the Burning Bush, First Passover, Exodus Begins, Orgy of the Golden Calf, Moses Receiving the Law, and Crossing of the Red Sea. Visually, the film was built around these scenes, along with major costume designs created by the artist.

After completion of the film, Mr. Friberg’s original paintings were widely exhibited wherever the film opened, and more than 1 million copies of a catalog depicting them were sold.

The golden anniversary of the release of the film is being celebrated this
CONGRATULATING THE RUTGERS UNIVERSITY WOMEN’S BASKETBALL TEAM

Mr. LAUTENBERG. Mr. President, I rise today to honor and congratulate the Rutgers University women’s basketball team for its thrilling victory against the University of Connecticut on February 27. Before a sold-out crowd of over 8,000 fans, the tenacious Scarlet Knights achieved one of college basketball’s most coveted titles: Big East Conference champions. In the process, Rutgers also became only the third team in history to finish its regular season undefeated.

This victory did not come easily, but the Scarlet Knights came ready to play, and eager to give the Connecticut Huskies a run for their money. Despite trailing UConn by 18 points in the first half, Rutgers refused to give up. Instead, they regrouped, refueled, and used strong defense and solid teamwork to make up the point deficit. Led by head coach C. Vivian Stringer and senior standout Cappie Pondexter, the Scarlet Knights played a flawless second half that capped an outstanding season. By the time the final buzzer rang, the Rutgers women had proven that they can compete with any team in the Nation. More importantly, after winning their second straight conference title, the Scarlet Knights confirmed that hard work, perseverance, and desire remain the keys to success.

With four New Jersey natives on their roster, including Big East Defensive Player of the Year Essence Carson, these young women have become a source of pride for my home State. Coach Stringer, in particular, deserves special recognition for the strong coaching and leadership skills she has demonstrated over her 10 years at Rutgers University. As one of the most recognized and most respected coaches in the country, Coach Stringer has been an inspiration to many young people, including myself.

Mr. President, on behalf of the entire State of New Jersey, I am proud to congratulate the Scarlet Knights once again for their second consecutive Big East Conference title. As the Scarlet Knights begins this year’s NCAA tournament, we hope they are able to maintain the momentum that carried them so well through the regular season. We wish them the best of luck.

TRIBUTE TO REDFORD AVENUE PRESBYTERIAN CHURCH

Mr. LEVIN. Mr. President, I would like to take this opportunity to congratulate Redford Avenue Presbyterian Church on its 100 years of worship and service to the community. This milestone was recently commemorated with 2 days of events, culminating in a dance and dinner celebration that took place on March 6, 2006. This momentous occasion provides the perfect opportunity to reflect on Redford’s rich history and to remember the integral role Redford has played in the community over this century.

Redford Avenue Presbyterian Church was established in March 1906 by a small congregation that served what was then known as the Sand Hill in Detroit. The church’s membership grew rapidly, and as a result, in 1929, a separate addition was built to accommodate the larger congregation. Unfortunately, in 1945 the sanctuary was completely destroyed by a fire. However, this tragedy provided an important opportunity for the congregation and community to work together to rebuild the church, and by 1954, a new sanctuary, educational wing and fellowship hall was constructed. By the late 1960s, the membership had grown to more than 3,000 people.

Today, Redford Avenue Presbyterian Church has a smaller congregation but has maintained its strong spirit, deep faith and unwavering commitment to serve and minister to the greater Detroit community. For the last 30 years the church has run a daycare center that helps to meet the needs of many working parents in the community. In addition, Redford’s educational building is currently being leased to a charter school and is also used by a local division of Sea Cadets.

Redford Avenue Presbyterian Church also continues to make its building available to many groups and organizations in the neighborhood. Considered a cornerstone of the community, Redford consistently provides meeting spaces for groups such as the Alcoholics Anonymous and Metro Detroit Deaf Senior Citizens. And, for 1 night each January, the church opens its doors to house, food, cloth, and minister to the homeless.

I know my Senate colleagues will join me in congratulating Redford Avenue Presbyterian Church and wish its members, volunteers, and ministerial staff many more years of fellowship and service.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Evans, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting sundry nominations and a withdrawal which were referred to the appropriate committees. (The nominations received today are printed at the end of the Senate proceedings.)

EXECUTIVE AND OTHER COMMUNICATIONS

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

EC–5921. A communication from the Vice President, Government Affairs, National Railroad Passenger Corporation, Amtrak, transmitting, pursuant to law, a report relative to the completion of Amtrak’s Annual Report to Congress; to the Committee on Commerce, Science, and Transportation.

EC–5922. A communication from the Assistant Secretary, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of the Administration’s intent to award a contract to the Jackson Hole Air Port Authority for screening services at Jackson Hole Airport in Jackson, Wyoming; to the Committee on Commerce, Science, and Transportation.

EC–5923. A communication from the Assistant Secretary, Transportation Security Administration, Department of Homeland Security, transmitting, pursuant to law, the report of the Administration’s intent to award a contract to Covenant Aviation Security, LLC for screening services at Sioux Falls Regional Airport in Sioux Falls, South Dakota; to the Committee on Commerce, Science, and Transportation.

EC–5924. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pollock in Statistical Area 630 of the Gulf of Alaska” (I.D. No. 030805C) received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5925. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Coastal Migratory Pelagic Resources of the Gulf of Mexico and South Atlantic; Trip Limit Increase” (I.D. No. 012406A) received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5926. A communication from the Direc- tor, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; Temporary Rule; Inseason Retention Limit Adjustment” (I.D. No. 019006B) received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5927. A communication from the Direc- tor, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel Lottery in Areas 542 and 543” (I.D. No. 011306A) received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.
EC–5928. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled “Framework 1 to the Spiny Dogfish Fishery Management Plan (RIN0660–AB58) received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5929. A communication from the Assistant Administrator for Fisheries, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled “Final Rule to Amend the Subsistence Fishery Rules for Pacific Halibut in Waters Off Alaska” (RIN0668–AB58) received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5930. A communication from the Attorney General, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, the report of a nomination for the newly created position of Administrator on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5931. A communication from the Attorney General, transmitting, pursuant to law, the report of nominations for the following positions: Assistant Secretary of Transportation for Policy, Administration, Maritime Administration; Administrator, National Highway Traffic Safety Administration; and Assistant Secretary for Governmental Affairs, Office of the Secretary, received on March 2, 2006; to the Committee on Commerce, Science, and Transportation.

EC–5932. A communication from the Secretary of Transportation, transmitting, pursuant to law, the report of the National Transportation Safety Board’s “Most Wanted” Recommendations to the Department of Transportation for calendar year ending 2005; to the Committee on Commerce, Science, and Transportation.

EC–5933. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, the report on the threat from acts of terrorism to U.S. ports and vessels operating from those ports; to the Committee on Commerce, Science, and Transportation.

EC–5934. A communication from the Secretary of Transportation, transmitting, pursuant to law, a report entitled “Design-Build Authority Program; to the Committee on Commerce, Science, and Transportation.

EC–5935. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report of a violation of the Antideficiency Act by the Department of the Army, case number 04–10; to the Committee on Appropriations.

EC–5936. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report of a violation of the Antideficiency Act by the Department of the Army, case number 04–03; to the Committee on Appropriations.

EC–5937. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report of a violation of the Antideficiency Act by the Department of the Army, case number 04–06; to the Committee on Appropriations.

EC–5938. A communication from the Under Secretary of Defense (Comptroller), transmitting, pursuant to law, a report of a violation of the Antideficiency Act by the Department of the Army, case number 05–04; to the Committee on Appropriations.

EC–5939. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, a report relative to the American River Watershed, California; a report on the California Bridge Project; to the Committee on Environment and Public Works.

EC–5940. A communication from the Assistant Secretary of the Army (Civil Works), transmitting, pursuant to law, reports of the Chief of Engineers on multiple projects and notification that the Administration review on the construction of the Missouri Dam is pending; to the Committee on Environment and Public Works.

EC–5941. A communication from the Chairman, Nuclear Regulatory Commission, transmitting, pursuant to law, the Commission’s December 2005 monthly report on the status of the Commission’s duties; to the Committee on Environment and Public Works.

EC–5942. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Sound Navigation and Underwater Communication System (SNURC) Program;” to the Committee on Environment and Public Works.

EC–5943. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Implementation Plans Alabama: State Implementation Plan (SIP) (FRL No. 8002–9) received on March 7, 2006; to the Committee on Environment and Public Works.

EC–5944. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Montana: Incorporation By Reference of Approved State Hazardous Waste Management Program” (FRL No. 8035–5) received on March 7, 2006; to the Committee on Environment and Public Works.

EC–5945. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “South Dakota: Final Authorization of State Hazardous Waste Management Program Revisions and Incorporation By Reference of Approved State Hazardous Waste Management Program” (FRL No. 8035–4) received on March 7, 2006; to the Committee on Environment and Public Works.

EC–5946. A communication from the Principal Deputy Associate Administrator, Office of Policy, Economics, and Innovation, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Flumnicotol Pesticide Tolerance” (FRL No. 7764–1) received on March 7, 2006; to the Committee on Agriculture, Nutrition, and Forestry.

EC–5947. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a vacancy in the position of Assistant Associate Administrator for Intergovernmental Programs, Office of Intergovernmental Relations, received on March 7, 2006; to the Committee on Bank, Housing, and Urban Affairs.

EC–5948. A communication from the Secretary of the Treasury, transmitting, pursuant to law, the six-month periodic report on the national emergency with respect to Iran that was declared in Executive Order 12957 of March 15, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC–5949. A communication from the Associate General Counsel for Legislation and Regulations, Office of Community Planning and Development, Department of Housing and Urban Development, transmitting, pursuant to law, the report of a rule entitled “Consolidated Plan Revisions and Updates” (RIN2501–AD07/FR–4923–F–02) received on March 7, 2006; to the Committee on Banking, Housing, and Urban Affairs.

EC–5950. A communication from the Administrator, National Aeronautics and Space Administration, transmitting, pursuant to law, a report entitled “2006 NASA Strategic Plan”; to the Committee on Homeland Security and Governmental Affairs.

EC–5951. A communication from the Acting General Counsel, Federal Retirement Thrift Investment Board, transmitting, pursuant to law, the report of a rule entitled “Death Benefite” (29 CFR Part 1651) received on March 7, 2006; to the Committee on Homeland Security and Governmental Affairs.

EC–5952. A communication from the Deputy Director of the Home Loan Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled “Benefits Payable in Terminated Single-Employer Plan Cases; Allocation of Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits” (29 CFR Parts 4622 and 4644) received on March 7, 2006; to the Committee on Health, Education, Labor, and Pensions.

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. COLEMAN:

S. 2375. A bill to amend the Public Health Service Act to advance medical research and treatments into pediatric cancers, ensure patients and families have access to the current treatments and treatments that are developing to combat pediatric cancers, establish a population-based national childhood cancer database, and promote public awareness of pediatric cancers; to the Committee on Health, Education, Labor, and Pensions.

By Mr. SCHUMER:

S. 2376. A bill to designate the facility of the United States Postal Service located at 80 Killian Road in Massapequa, New York, as the “Gerard A. Fiorenza Post Office Building” to the Committee on Homeland Security and Governmental Affairs.

By Mr. NELSON of Nebraska (for himself, Mr. SESSIONS, and Mr. COBURN):

S. 2377. A bill to amend the Communications Act of 1934 to ensure that tribal libraries that receive assistance under the Library Services and Technology Act are eligible for E-rate assistance to the same extent as other libraries receiving such assistance and for other purposes; to the Committee on the Judiciary.

By Mr. INOUYE (for himself, Mr. STENSON, Mr. DORGAN, Mr. BURNS, and Mr. MCCAIN):

S. 2378. A bill to amend the Communications Act of 1934 to ensure that tribal libraries that receive assistance under the Library Services and Technology Act are eligible for E-rate assistance to the same extent as other libraries receiving such assistance and for other purposes; to the Committee on Commerce, Science, and Transportation.

S. 2379. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for
health and long-term care insurance costs of individuals not participating in employer-subsidized health plans; to the Committee on Finance.

By Mr. DODD:
S. 2380. A bill to add the heads of certain Federal intelligence agencies to the Committee on Foreign Investment in the United States, to require enhanced notification to Congress and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. Frist (for himself, Mr. McConnell, Mr. McCain, Mr. Kerry, Mr. Sessions, Mr. Allen, Mr. Bunning, Mr. Alexander, Mr. Talent, Mr. DeMint, Mr. Graham, Mr. Kyl, Mr. Allard, Mrs. Dole, Mr. Enzi, Mr. Brownback, Mr. Isakson, Mr. Burr, Mr. Chambliss, Mr. Chafee, Mr. Santorum, Mr. Thune, Mr. Gregg, Mr. Sununu, Mr. Vitter, Mr. Martinez, Mr. Crapo, and Mr. Thomas):
S. 2381. A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide line item rescission authority; to the Committee on the Budget.

By Mr. Durbin (for himself, Mrs. Lincoln, Mr. Reid, Mr. Baucus, Mr. Kennedy, Mr. Kerry, Mr. Bingaman, Mrs. Boxer, Ms. Cantwell, Mr. Voinovich, Mrs. Clinton, Mr. Dodd, Mr. Feingold, Mr. Inhofe, Mr. Kohl, Ms. Landrieu, Mr. Lautenberg, Ms. Mikulski, Mr. Nelson of Florida, Mr. Pryor, Mr. Menendez, Mr. Rockefeller, and Mr. Leahy):
S. 2382. A bill to establish a national health program administered by the Office of Personnel Management to offer health benefits plans who are not Federal employees, and for other purposes; to the Committee on Finance.

By Mr. Baucus:
S. 2383. A bill to amend the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users to make a technical correction; to the Committee on Environment and Public Works.

ADDITIONAL COSPONSORS

S. 65
At the request of Mr. Inhofe, the name of the Senator from Utah (Mr. Bennett) was added as a cosponsor of S. 65, a bill to amend the age restrictions for pilots.

S. 333
At the request of Mr. Santorum, the names of the Senator from Connecticut (Mr. Lieberman) and the Senator from Minnesota (Mr. Dayton) were added as cosponsors of S. 333, a bill to hold the current regime in Iran accountable for its threatening behavior and to support a transition to democracy in Iran.

S. 484
At the request of Mr. Warner, the name of the Senator from New York (Mr. Schumer) was added as a cosponsor of S. 484, a bill to amend the Internal Revenue Code of 1986 to allow Federal civilian and military retirees to pay health insurance premiums on a pre-tax basis and to allow a deduction for TRICARE supplemental premiums.

At the request of Mr. Conrad, the name of the Senator from New York (Mrs. Clinton) was added as a cosponsor of S. 548, a bill to amend the Food Security Act of 1985 to encourage owners and operators of privately-held farm, ranch, and forest land to voluntarily make their land available for access by the public under programs administered by States and tribal governments.

S. 558
At the request of Mr. Reid, the name of the Senator from Arkansas (Mr. Pryor) was added as a cosponsor of S. 558, a bill to amend title 10, United States Code, to permit certain additional retired members of the Armed Forces who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special compensation and to eliminate the phase-in period under current law with respect to such concurrent receipt.

S. 641
At the request of Mrs. Hutchison, the name of the Senator from Massachusetts (Mr. Kennedy) was added as a cosponsor of S. 641, a bill to award a congressional gold medal to Michael Ellis DeBakey, M.D.

S. 1112
At the request of Mr. Baucus, the name of the Senator from Arkansas (Mr. Pryor) was added as a cosponsor of S. 1112, a bill to make permanent the enhanced educational savings provisions for qualified tuition programs enacted as part of the Economic Growth and Tax Relief Reconciliation Act of 2001.

At the request of Mr. Grassley, the name of the Senator from New Hampshire (Mr. Sununu) was added as a cosponsor of S. 1112, supra.

S. 1172
At the request of Mr. Specter, the name of the Senator from Rhode Island (Mr. Reed) was added as a cosponsor of S. 1172, a bill to provide for programs to increase the awareness and knowledge of women and health care providers with respect to gynecologic cancers.

S. 1173
At the request of Mr. Nelson of Nebraska, the name of the Senator from New Jersey (Mr. Menendez) was added as a cosponsor of S. 1272, a bill to amend title II of the Social Security Act to provide benefits to certain individuals who served in the United States merchant marine (including the Army Transport Service and the Naval Transport Service) during World War II.

S. 1533
At the request of Ms. Mikulski, the names of the Senator from Georgia (Mr. Chambliss) and the Senator from Georgia (Mr. Isakson) were added as a cosponsor of S. 1533, a bill to authorize the HOPE VI program for revitalization of severely distressed public housing, and for other purposes.

S. 1791
At the request of Mr. Smith, the name of the Senator from Alabama (Mr. Sessions) 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. 1953
At the request of Mr. Enzi, the name of the Senator from North Carolina (Mr. Burr) was added as a cosponsor of S. 1953, a bill 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. 1963
At the request of Mr. Specter, the name of the Senator from Illinois (Mr. Durbin) was added as a cosponsor of S. 1963, a bill to amend title 18, United States Code, to protect judges, prosecutors, witnesses, victims, and their family members, and for other purposes.

S. 1991
At the request of Mr. Harkin, the name of the Senator from Washington (Ms. Cantwell) was added as a cosponsor of S. 1991, a bill to require that an increasing percentage of new automobiles be dual fueled automobiles, to revise the method for calculating corporate average fuel economy for such vehicles, and for other purposes.

S. 2002
At the request of Mr. Conrad, the name of the Senator from Wyoming (Mr. Thomas) was added as a cosponsor of S. 2002, a bill to amend title 18, United States Code, to enhance protections relating to the reputation and meaning of the Medal of Honor and other military decorations and awards, and for other purposes.

S. 2154
At the request of Mr. Roberts, the name of the Senator from Mississippi (Mr. Cochran) was added as a cosponsor of S. 2154, a bill to provide for the issuance of a commemorative postage stamp in honor of Rosa Parks.

S. 2178
At the request of Mr. Schumer, the name of the Senator from Wyoming (Mr. Thomas) was added as a cosponsor of S. 2178, a bill to make the stealing and selling of telephone records a criminal offense.

S. 2301
At the request of Mr. Obama, the name of the Senator from Nebraska (Mr. Nelson) was added as a cosponsor of S. 2301, a bill to amend title 49, United States Code, to modify the mediation and implementation requirements of section 40122 regarding
changes in the Federal Aviation Administration personnel management system, and for other purposes.

S. 2237

At the request of Mr. SANTORUM, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. 2379, a bill to provide additional United States assistance to the Palestinian Authority until certain conditions have been satisfied.

S. 2279

At the request of Mr. FEINGOLD, the names of the Senator from Mississippi (Mr. LOTT), the Senator from Wyoming (Mr. THOMAS), the Senator from Minnesota (Mr. DAYTON) and the Senator from Alabama (Mr. SESSIONS) were added as cosponsors of S. 2279, a bill to make amendments to the Iran and Syria Nonproliferation Act.

S. 2292

At the request of Mr. SPECHTER, the name of the Senator from Delaware (Mr. BIDEN) was added as a cosponsor of S. 2292, a bill to provide relief for the Federal judiciary from excessive rent charges.

S. 2308

At the request of Mr. SPECHTER, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 2308, a bill to amend the Federal Mine Safety and Health Act of 1977 to improve mine safety, and for other purposes.

S. 2321

At the request of Mr. SANTORUM, the names of the Senator from Maryland (Ms. MIKULSKI) and the Senator from Michigan (Mr. LEVIN) were added as cosponsors of S. 2321, a bill to require the Secretary of the Treasury to mint coins in commemoration of Louis Braille.

S. 2362

At the request of Mr. BYRD, the name of the Senator from Hawaii (Mr. AKAKA) was added as a cosponsor of S. 2362, a bill to establish the National Commission on Surveillance Activities and the Rights of Americans.

S. 2370

At the request of Mr. MCCONNELL, the names of the Senator from Texas (Mrs. HUTCHISON), the Senator from Colorado (Mr. ALLARD), the Senator from Pennsylvania (Mr. SANTORUM), the Senator from Mississippi (Mr. COCHRAN), the Senator from Minnesota (Mr. DAYTON), the Senator from Maine (Ms. COLLINS), the Senator from New York (Mrs. CLINTON), the Senator from New Jersey (Mr. LAUTENBERG), the Senator from Idaho (Mr. CRAPO), the Senator from Maryland (Mr. SARBANES), the Senator from Wyoming (Mr. THOMAS) and the Senator from Louisiana (Mr. VITTER) were added as cosponsors of 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.

S. 2371

At the request of Mr. THUNE, the names of the Senator from Montana (Mr. BURNS) and the Senator from Montana (Mr. BAUCCUS) were added as cosponsors of S. 2371, a bill to permit the use of certain funds for recovery and mitigation activities in the upper basin of the Missouri River, and for other purposes.

S. CON. RES. 76

At the request of Mr. COLEMAN, the name of the Senator from Minnesota (Mr. DAYTON) was added as a cosponsor of S. Con. Res. 76, a concurrent resolution condemning the Government of Iran for its flagrant violations of its commitments under the Non-Proliferation Treaty, and calling for certain actions in response to such violations.

S. RES. 232

At the request of Mr. KENNEDY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 232, a resolution celebrating the 40th anniversary of the enactment of the Voting Rights Act of 1965 and reaffirming the commitment of the Senate to ensuring the continued effectiveness of the Act in protecting the voting rights of all citizens of the United States.

S. RES. 359

At the request of Ms. LANDRIEU, the name of the Senator from Arkansas (Mr. PRYOR) was added as a cosponsor of S. Res. 359, a resolution concerning the Government of Romania’s ban on intercountry adoptions and the welfare of orphaned or abandoned children in Romania.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. BURR:

S. 2379. A bill to amend the Internal Revenue Code of 1986 to allow a deduction for health and long-term care insurance costs not participating in employer-subsidized health plans; to the Committee on Finance.

Mr. BURR. Mr. President, I rise today to introduce legislation that would provide an above-the-line tax deduction for individuals who purchase their own health insurance and are not receiving it through their employer. An above-the-line tax deduction would allow a taxpayer to take the deduction even if they don’t itemize their taxes. Current law allows those individuals who find self-employed and purchase health insurance to take an above-the-line tax deduction. My legislation would make the tax code fairer by allowing those people who are not self-employed to take the same deduction.

An estimated 17.4 million Americans in 2006 were covered by individually purchased health insurance policies. Some of these people are self-employed and can currently take this deduction. But, many people do not have access to this deduction. My legislation seeks to correct that. Additionally, the legislation will make it cheaper for uninsured people to purchase their own health insurance policies. Health care costs in general are expected to rise 7.2 percent per year for the next ten years, so it is important for Congress to pursue steps to attempt to rein in this inflation and also to try to make health insurance more accessible and affordable.

By Mr. DODD:

S. 2380. A bill to add the heads of certain Federal intelligence agencies to the Committee on Foreign Investment in the United States, to require enhanced notification to Congress and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DODD. Mr. President, today I have introduced a bill entitled the U.S. National Security Protection Act of 2006. This legislation would enact some critical reforms with respect to the Committee on Foreign Investment in the United States, CFIUS. I look forward to working with my colleagues in the coming days on this bill.

One thing is clear. The importance of reforming CFIUS has been brought into sharp focus by the proposed acquisition of P&O Steamship Navigation Company’s U.S. port operations by Dubai Ports, DP, World, a company based in Dubai in the United Arab Emirates, UAE. The reason so many people are concerned about that particular deal is obvious: while security threats are dynamic, assets such as our ports are, and always will be, a national security concern.

CFIUS’s role is to vet these deals for possible national security dangers. But the problem here is that the CFIUS process is broken. Indeed, the DP World deal was approved in less than 30
days—even though U.S. law clearly required there to be a full 45-day investigation.

Many of us here in Congress have for a while now expressed concerns over whether the current CFIUS structure is adequately protecting our national security. The GAO also expressed these concerns in a report it released last September. So again, it’s not like the cat has suddenly been let out of the bag that the CFIUS process needs reform.

Yet despite all the evidence to the contrary—most prominently, the DP World-P&O deal—the administration does not seem to believe that there is anything wrong with the CFIUS process.

The bill I introduced today—the National Security Protection Act of 2006—goes to the heart of three very simple principles. First, since CFIUS is set up to protect our national security, the intelligence community—which has fundamental purposes to be projects to promote national security—needs to have a formal and expanded role in CFIUS. Second, accountability and transparency need to be made a permanent part of the CFIUS process. And third, when critical U.S. infrastructure might be acquired by a foreign government-controlled entity, CFIUS must perform a full 45-day investigation—no exceptions.

My bill would address these issues by doing the following: First, it would add the Director of National Intelligence, DNI, and Director of the CIA, DCI, to the CFIUS panel.

Second, it would create a CFIUS Subcommittee on Intelligence whose members would represent the heads of all of the intelligence agencies of the U.S. government. That subcommittee, chaired by the Director of National Intelligence, would review and provide comments on matters to come before CFIUS—including comments on 30-day reviews which do not result in 45-day investigations and comments on the results of 45-day investigations. This subcommittee would also conduct 15-day initial reviews of all cases filed with CFIUS.

Third, the National Security Protection Act would create two Vice Chair positions on the full CFIUS panel, to be filled by the Secretaries of Defense and Homeland Security. That will help to ensure that economic, intelligence, and security matters are given appropriate weight in the decision making process.

Economic interests, while important, must never come ahead of the protection of our national security.

Fourth, this legislation would mandate that only the CFIUS chair, with the concurrence of the two Vice Chairs, or the President acting on his own authority, can sign off on a 30-day review which concludes that a potential deal poses no security threat. In addition, it would require that this determination be made in writing with the appropriate signatures, and mandate that the CFIUS Chair and Vice Chairs who make such a determination be at the level of Secretary so that this responsibility is not delegated to subordinates. Furthermore, if either of the Vice Chairs dissent with respect to the decision to not conduct a 45-day investigation, my bill would mandate that the matter be sent to the President for a final determination.

Fifth, my bill would require the President or CFIUS to notify Congress not later than 15 days after the commencement of all 30-day reviews and 45-day investigations.

Sixth, this bill would also require the President or CFIUS to notify Congress detailing all 30- and 50-day actions. These reports would include the intelligence subcommittee’s comments on each case, and they would be submitted in unclassified form with a classified annex.

Seventh, for any transaction where a foreign-owned company is seeking to acquire U.S. critical infrastructure, this bill would mandate that the company provide the appropriate notification to CFIUS of the proposed transaction as well as the required information for CFIUS to examine the case. Currently that process is voluntary and it shouldn’t be.

Eighth and finally, the National Security Protection Act would amend existing U.S. law, which governs under what conditions the President must conduct a full 45-day investigation. Currently, U.S. law requires a full investigation if “an entity controlled by or acting on behalf of a foreign government” attempts to acquire a U.S. entity engaged in interstate commerce that could affect U.S. national security. My bill would clarify this provision by requiring a 45-day investigation whenever the U.S. entity to be acquired controlled critical infrastructure in the U.S.

I don’t want anyone to misinterpret what I am saying here. Foreign investment in the U.S. economy provides an important influx of capital. In today’s globalized world, we would do tremendous damage to our economy by cutting off foreign investment. And I do not think anyone here is talking about that.

But simply filling a role of providing policy advice from the perspective of the intelligence community. On the subcommittee level, the DNI should oversee the collection, analysis, and reporting on specific, case-related intelligence that is vital to the CFIUS process.

Certainly, I understand the desire for protecting privacy, but that does not much as U.S. firms invested abroad. So while we rightly have concerns about outsourcing and enforcement of fair trade practices, the U.S. obviously gets significant benefits from participating in the global economy.

Supporting free and fair trade, and working to protect the national interest, are not mutually exclusive. Because we are not just working to protect the American worker, we are also trying to protect his or her family, and the generations to come.

Simply put, national security should never be subordinated to commercial interests.

Some would suggest that this is an issue of race-baiting, ill will, or bias toward the Arab world. Let me be clear on that point. Nothing we say with respect to DP World or the situation in the UAE—or any other potential deal—should be construed as such.

New Jersey, Baltimore, Miami, New Orleans, Mississippi, and Texas. And it reportedly includes two ports in Texas used by the Army, and through which approximately 40 percent of equipment shipped to our troops in Iraq has flowed.

Yet, CFIUS decided in less than 30 days that this deal did not pose a security threat to the U.S. There was no full and thorough 45-day investigation, which in my view was mandated by law. Indeed, the Byrd Amendment to Exxon-Florio requires a full 45-day investigation if two conditions are met: first, that the acquirer is controlled or acting on behalf of a foreign government; and second, if the acquisition could affect U.S. national security. Both of these conditions are clearly met in this case.

There also appears to have been no consultation with Members of Congress about the DP World acquisition. Under the Byrd Amendment, the Deputy Treasury Secretary Kimmitt testified that he and his agency support more effective communication with Members of Congress to enhance the transparency of CFIUS. I ask where that communication was with respect to DP World.

Certainly, I understand the desire for protecting privacy, but that does not
excuse the lack of any real consultation with Congress and the resulting lack of transparency. This is an issue of checks and balances, which exist to protect Americans. And the protection of Americans must never be subordinated to foreign interests.

But there are other problems with CFIUS that have become apparent through the DP World case. Indeed, we recently learned that neither Secretary Snow nor President Bush knew about the DP World acquisition. Not even Secretary Snow, who should have taken the matter while it was undergoing the initial 30 day review.

Now, given Secretary Snow’s history with CSX, whose port operations were acquired by DP World in 2004, his lack of involvement was the right thing. I only wish that it had been intentional.

And when it comes to the President, I would simply ask this question: When operations at 22 critical U.S. ports are to be sold to a company controlled and owned by one of our greatest rivals, one with a questionable security history with respect to terrorism and WMD proliferation, why wasn’t the President made aware of the deal?

In a March 1 New York Times article, the President quoted as saying that “If there was any doubt in my mind, or people in my Administration’s mind, that our ports would be less secure or the American people endangered, this deal wouldn’t go forward.”

I frankly have no idea how the President could reach this conclusion. There has been no thorough investigation, as required by law. The President did not even apparently know about the DP World deal until very recently. It is precisely this kind of superficial determination that has the American people so worried about their security—and rightly so.

If all of this is not evidence of a broken CFIUS process, then I do not know what is.

I know that some people would argue that the issue is not CFIUS—that the real issue is having adequate measures to protect our ports. Frankly, I think that both of these are major issues.

And if we look at the pathetic security situation at our Nation’s ports today, that becomes quite clear. Only about 5 percent of the cargo that comes through our ports is actually inspected. Indeed, the resources available to the Department of Homeland Security to undertake port and container security are woefully inadequate. According to reports, U.S. Customs has only 80 inspectors to monitor the compliance of nearly 6,000 importers, who are currently charged with maintaining the security of their goods during transit. The Coast Guard is even worse off with 20 inspectors dedicated to assessing worldwide compliance with relevant international shipping and port facility security codes. That’s 100 people for the whole world. And it is a problem that needs to be fixed.

But CFIUS reform is an indispensable part of the process of strengthening U.S. national security. Indeed, the current problems are evident in other cases besides DP World. Most recently we learned about another deal with a Dubai-based company. That company, Dubai International Capital is seeking, as part of a $1.2 billion deal, to acquire London-based Doncasters Group Ltd. Doncasters has operations in the U.S.—primarily in my home state of Connecticut and in Georgia.

“True, in this case, CFIUS has decided to perform the full 45-day investigation. I’m glad that they have, because Doncasters is involved in the production of components for some of our most critical military equipment, including the M1 Abrams tank.

But while I’d like to think that the Doncasters investigation was begun on its own merits, I must admit that I find the timing of this investigation highly suspect. In fact, it appears that this investigation was not even launched until the DP World issue became public and stirred up some very legitimate concerns.

So as we can see, it is critically important that we reform the CFIUS process. We cannot afford to sit and wait. That’s why the National Security Protection Act of 2006 would significantly strengthen CFIUS and thus our national security. I urge my colleagues to support this bill.

I ask unanimous consent that the text of my bill The U.S. National Security Protection 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:

S. 2380

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 “U.S. National Security Protection Act of 2006”.

SEC. 2. DEFINITIONS.

As used in this Act—

(1) the term “Committee on Foreign Investment in the United States” or “CFIUS” means the committee established by the President under Executive Order 11858, May 7, 1975, and any successor thereto; and

(2) the term “intelligence community” has the same meaning as in section 3(4) of the National Security Act of 1947 (50 U.S.C. 430a(d)).

SEC. 3. COMMITTEE ON FOREIGN INVESTMENT IN THE UNITED STATES.

(a) CFIUS MEMBERSHIP.

(1) DIRECTORS OF NATIONAL INTELLIGENCE AND CENTRAL INTELLIGENCE.—Notwithstanding any other provision of law, the Director of National Intelligence and the Director of Central Intelligence shall be members of the Committee on Foreign Investment in the United States.

(2) VICE CHAIRS.—The Secretary of Homeland Security and the Secretary of Defense shall serve as vice chairs of the Committee on Foreign Investment in the United States.

(b) SUBCOMMITTEE ON INTELLIGENCE.—Not later than 30 days after the date of enactment of this Act, the President shall establish within the Committee on Foreign Investment in the United States a Subcommittee on Intelligence, which shall be—

(1) chaired by the Director of National Intelligence; and

(2) comprised of the head of each member of the intelligence community.

SEC. 4. SUBCOMMITTEE REVIEW OF CFIUS INVESTIGATIONS.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by adding at the end the following:

SUBCOMMITTEE REVIEWS OF INVESTIGATIONS.—

“(1) PRE-INVESTIGATION REVIEW AND COMMENT.—The Subcommittee on Intelligence of the Committee on Foreign Investment in the United States shall—

“(A) review information relating to a proposed merger, acquisition, or takeover, during the 30-day period following the date of receipt of such information, and before the commencement of any investigation under subsection (a) or (b); and

“(B) provide written comments on any determination by the President or CFIUS not to conduct an investigation under subsection (a).

“(2) POST-INVESTIGATION REVIEW AND COMMENT.—The Subcommittee on Intelligence of the Committee on Foreign Investment in the United States shall—

“(A) review each investigation conducted by the President or CFIUS under subsections (a) and (b); and

“(B) provide written comments on the results of each investigation under subsections (a) and (b).

SEC. 5. TREATMENT OF CRITICAL INFRASTRUCTURE AS AFFECTING NATIONAL SECURITY.

Section 721(b) of the Defense Production Act of 1950 (50 U.S.C. App. 2170(b)) is amended by inserting after “commerce in the United States” the following: “including any person that owns, controls, or operates any critical infrastructure, as defined in section 1016(e) of the USA PATRIOT Act (42 U.S.C. 1553(e)).

SEC. 6. CERTIFICATION OF NATIONAL SECURITY DETERMINATIONS.

“(m) PRESIDENTIAL OR CHAIR CERTIFICATION OF THREAT DETERMINATIONS.—

“(1) IN GENERAL.—Notwithstanding any other provision of law, a final determination that an investigation under subsection (a) is not required with respect to a merger, acquisition, or takeover may be made only—

“(A) by the President, in any case in which the President is acting on his or her own behalf under subsection (a); or

“(B) by the Secretary of the Treasury, with the concurrence of the Secretary of Homeland Security and the Secretary of Defense, in their respective capacities as chair and vice chairs of CFIUS, in any case in which CFIUS is acting as the President’s designee under subsection (a).

“(2) CERTIFICATIONS REQUIRED.—

“(A) PRESIDENTIAL DETERMINATIONS.—In any instance in which the President is acting on his or her own behalf under subsection (a), the President shall certify in writing to a final determination that an investigation under subsection (a) is not required with respect to a merger, acquisition, or takeover, and such certification requirement may not be delegated to any person.

“(B) CFIUS DETERMINATIONS.—In any instance in which CFIUS is acting as the President’s designee under subsection (a), the Secretary of the Treasury, the Secretary of Homeland Security, and the Secretary of Defense shall each certify in writing to a final determination that an investigation under subsection (a) is not required with respect to a merger, acquisition, or takeover, and such certification requirement may not be delegated to any person.

“(3) NONCONCURRENCE.—If there is nonconcurrence among the chair and vice chairs of CFIUS, the President shall make the final determination that an investigation under subsection
S. 2381: A bill to amend the Congressional Budget and Impoundment Control Act of 1974 to provide line item rescission authority; to the Committee on the Budget.

Mr. FRIST. Mr. President, I rise to introduce the Legislative Line Item Veto Act of 2006. I am proud to say there are 10 Senators who have joined me as original cosponsors of this legislation, including our colleague from Massachusetts, Senator KERRY. I wish to thank Senator KERRY for his support, and for the support of all of the other original cosponsors who have joined me on this significant legislative reform proposal.

The legislation itself is long overdue. It is an authority provided in one version or another to 43 Governors today. It is an authority that has been apart of the President's portfolio, as President's designee in writing of any proposed merger, acquisition, or takeover of any United States critical infrastructure (as defined in section 1016(e) of the USA PATRIOT Act (42 U.S.C. 1809c(e))); and

(b) provide such information to the President or the President's designee with respect to such proposed transaction as may be necessary for purposes of this section.

(2) CONFIDENTIALITY OF INFORMATION.—Any information or documentary material filed, either voluntarily or under paragraph (1), .

SEC. 8. NOTICES OF REVIEWS AND INVESTIGATIONS AND QUARTERLY REPORTS REQUIRED.

Section 721(c) of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by adding at the end the following:

"(n) NOTICES OF REVIEWS AND INVESTIGATIONS AND QUARTERLY REPORTS TO CONGRESS.—

(1) NOTICE TO CONGRESS.—The President or the President's designee shall notify the appropriate committees of Congress—

(A) not later than 15 days after the date of receipt of written notification of a proposed or pending merger, acquisition, or takeover described in subsection (a) or (b); and

(B) at the commencement of each investigation under subsection (a) or (b).

(2) QUARTERLY REPORTS TO CONGRESS.—

(A) IN GENERAL.—The President shall, on a quarterly basis, submit to Congress a report on all mergers, acquisitions, and takeovers that were the subject of investigation or review during the section during the quarter, including any comments submitted under subsection (1)(2).

(B) FORM.—Each report required under subsection (a) shall be submitted in an unclassified form, and may contain a classified annex.

SEC. 9. CFIS AS PRESIDENT'S DESIGNEE UNDER DEFENSE PRODUCTION ACT.

Section 721 of the Defense Production Act of 1950 (50 U.S.C. App. 2170) is amended by adding at the end the following:

"(o) NOTWITHSTANDING any other provision of law, the President's designee for purposes of this section shall be the Committee on Foreign Investment in the United States, established by order of the President in Executive Order 11858, May 7, 1975 (in this section referred to as 'CFIS'), or any successor thereto."

By Mr. FRIST (for himself, Mr. MCCONNELL, Mr. MCCAIN, Mr. KERRY, Mr. SESSIONS, Mr. ALLEN, Mr. BUNNING, Mr. ALEXANDER, Mr. TALENT, Mr. DEMINT, Mr. GRAHAM, Mr. KYL, Mr. ALLARD, Mrs. DOLCE, Mr. ENZI, Mr. BROWNBACK, Mr. ISAKSON, Mr. BURR, Mr. CHAMBLISS, Mr. CHAFFEE, Mr. SANTORUM, Mr. THUNE, Mr. GREGG, Mr. SUNUNU, Mr. VITTER, Mr. MARTINEZ, Mr. CRAPO, and Mr. THOMAS):
section, consideration of a bill under this subsection shall not exceed 4 hours, which shall be equally divided and controlled in the usual form.

(D) MOTION TO LIMIT DEBATE.—A motion in the Senate to further limit debate on a bill under this subsection is not debatable.

(E) MOTION TO RECONSIDER.—A motion to reconsider the vote by which the motion to proceed is agreed to or disagreed to.

(F) CONSIDERATION OF THE HOUSE BILL.—(1) IN GENERAL.—If the Senate has received the House companion bill to the bill introduced in the Senate prior to the vote required under paragraph (1)(C), then the Senate may consider under paragraph (1)(C) may occur, the House companion bill shall be considered to be the bill on which the vote was taken.

(2) PROCEDURE AFTER VOTE ON SENATE BILL.—If the Senate votes, pursuant to paragraph (1)(C), on the bill introduced in the Senate, then immediately following that vote, or upon receipt of the House companion bill, the House shall be considered read the third time, and the vote on passage of the Senate bill shall be considered to be the vote on the bill received from the House.

(G) AMENDMENTS AND DIVISIONS PROHIBITED.—No amendment to a bill considered under this section shall be in order in either the Senate or the House of Representatives.

(H) CONSIDERATION IN THE HOUSE OF REPRESENTATIVES.—(A) MOTION TO PROCEED TO CONSIDERATION.—A motion to proceed to the consideration of a bill under this subsection in the Senate shall not be debatable. It shall not be in order to move to reconsider the vote by which the motion to proceed is agreed to or disagreed to.

(B) LIMITS ON DEBATE.—Debate in the Senate on any debatable motion in connection with a bill under this subsection shall be limited to not more than 1 hour, to be equally divided and controlled in the usual form.

(C) APPEALS.—Debate in the Senate on any debatable motion in connection with a bill under this subsection shall be highly privileged and not debatable. An amendment to the motion shall not be in order, nor shall it be in order to move to reconsider the vote by which the motion is agreed to or disagreed to.

(D) MOTION TO LIMIT DEBATE.—A motion to limit debate on a bill under this subsection shall not exceed 4 hours, which shall be divided equally between those favoring and those opposing the bill. A motion further limiting debate shall not be in order. It shall not be in order to move to reconsider a bill under this subsection or to move to reconsider the vote by which the bill is agreed to or disagreed to.

(E) APPEALS.—Appeals from decisions of the Chair relating to the application of the Rules of the House of Representatives on a bill under this subsection shall not be in order.

(F) APPLICATION OF HOUSE RULES.—Except to the extent specifically provided in this section, the House of Representatives, respecting any provisions of this section shall be governed by the Rules of the House of Representatives. It shall not be in order in the House of Representatives to consider in connection with a bill under this subsection provisions of this section under a suspension of the rules or under a special rule.
the most recently submitted President's budget; and

(7) the term 'suspend the execution' means, with respect to an item of direct spending or targeted tax benefit, to stop for a specified period, in whole or in part, the carrying into effect of the specific provision of law that provides such benefit.

(b) The term 'targeted tax benefit' means—

(i) any revenue-losing provision that provides a Federal tax deduction, credit, exclusion, the employer health benefits program administered by the Office of Personnel Management to offer health benefits plans to individuals who are not Federal employees, and for other purposes; to the Committee on Finance.

By Mr. DURBIN. Mr. President, 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.

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 "Small Employers Health Benefits Program Act of 2006."

SEC. 2. DEFINITIONS.

(a) IN GENERAL.—In this Act, the terms "member of family", "health benefits plan", "employer", "employee", "employee organizations", and "dependent" have the meanings given such terms in section 9801 of title 5, United States Code.

(b) OTHER TERMS.—In this Act:

1. EMPLOYEE.—The term "employee" has the meaning given such term under section 3(b) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002). Such term shall not include an employee of the Federal Government.

2. EMPLOYER.—The term "employer" has the meaning given such term under section 3(5) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002). Such term shall include only employers who employed an average of at least 1 but not more than 100 employees on business days during the year preceding the date of application. Such term shall not include the Federal Government.

3. HEALTH STATUS-RELATED FACTOR.—The term "health status-related factor" has the meaning given such term in section 223(d)(2) of the Public Health Service Act (42 U.S.C. 300gg-91).
(A) elects to provide health insurance coverage under this Act to its employees; and
(B) is not offering other comprehensive health insurance coverage to such employees.
(c) APPLICATION OF CERTAIN RULES IN DETERMINATION OF EMPLOYER SIZE.—For purposes of section 414 of the Internal Revenue Code of 1986 shall be treated as 1 employer.

(2) EMPLOYERS NOT IN EXISTENCE IN PRECEDING YEAR.—In the case of an employer which is not in existence for the 12-month period prior to the date on which the employer applies to participate, the determination of whether such employer meets the requirements of paragraph (b)(2) shall be based on the average number of employees that it is reasonably expected such employer will employ on business days in the employer’s first full year.

(3) PREDECESSORS.—Any reference in this subsection to an employer shall include a reference to any predecessor of such employer.

(d) WAIVER AND CONTINUATION OF PARTICIPATION.—

(1) WAIVER.—The Office may waive the limitations relating to the size of an employer which may participate in the health insurance program established under this Act on a case by case basis if the Office determines that such employer makes a compelling case for such a waiver. In making determinations under this paragraph, the Office may consider the effects of the employment of temporary and seasonal workers and other factors.

(2) CONTINUATION OF PARTICIPATION.—An employer participating in the program under this Act that experiences an increase in the number of employees so that such employer has in excess of 100 employees, may not be excluded from participation solely as a result of such increase in employees.

(e) TREATMENT OF HEALTH BENEFITS PLAN AS GROUP HEALTH PLAN.—A health benefits plan offered under this Act shall be treated as a group health plan for purposes of applying the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.) except to the extent that a provision of this Act expressly provides otherwise.

SEC. 3. HEALTH INSURANCE COVERAGE FOR NON-FEDERAL EMPLOYERS AND EMPLOYEES IN ACCORDANCE WITH THIS ACT.

(a) ADMINISTRATION.—The Office shall administer a health insurance program for non-Federal employers and employees in accordance with this Act.

(b) REGULATIONS.—Except as provided under this Act, the Office shall prescribe regulations to apply the provisions of chapter 89 of title 5, United States Code, to the greatest extent practicable to participating carriers, employers, and employees covered under this Act.

(c) LIMITATIONS.—In no event shall the enactment of this Act result in—

(1) a decrease in the level of individual or Federal Government contributions required under chapter 89 of title 5, United States Code, including copayments or deductibles;

(2) any decrease in the types of benefits offered under such chapter 89; or

(3) any other change that would adversely affect the quality of coverage under such chapter 89 to employees and annuitants and members of family under that chapter.

(d) ENROLLMENT.—The Office shall develop methods of enrollment for such Act, including the use of the Internet.

(e) CONTRACTS FOR ADMINISTRATION.—The Office shall enter into contracts for the furnishing of appropriate administrative functions under this Act.

(f) SEPARATE RISK POOL.—In the administration of this Act, the Office shall ensure that covered employees under this Act are in a risk pool that is separate from the risk pool maintained for individuals under chapter 89 of title 5, United States Code.

(g) RULE OF CONSTRUCTION.—Nothing in this Act shall require a carrier that is participating in the program under chapter 89 of title 5, United States Code, to provide health benefits plan coverage under this Act.

SEC. 4. CONTRACT REQUIREMENT.

(a) IN GENERAL.—The Office may enter into contracts with qualified carriers offering health benefits plans approved under section 8903 or 8904 of title 5, United States Code, without regard to section 5 of title 41, United States Code, or other statutes requiring competitive bidding, to provide health insurance coverage to employees of participating employers under this Act. Each contract shall be for a uniform term of at least 1 year, but may be renewed for additional terms in the absence of notice of termination by either party. In entering into such contracts, the Office shall—

(1) ensure that the Office is notified of any preclude benefit coverage that is not provided to participants in the program in the plan approved under this Act;

(2) make such contracts subject to the rights and limitations contained in section 4980B(g)(1) of the Internal Revenue Code of 1986;

(3) take such action necessary to protect the interests of individuals under such contract;

(4) ensure that the Office is paid for the cost of providing the contract services as soon as funds become available; and

(5) take such action as may be necessary to ensure the timely payment of health benefits to covered individuals under the terms of the contract.

(b) ENROLLMENT.—The Office shall develop methods to facilitate enrollment under this Act, including the use of the Internet.

(c) APPLICATION OF CERTAIN RULES IN DETERMINATION OF EMPLOYER SIZE.—For purposes of subsection (b)(2):

(D) shall be adjusted to cover the administration of the exclusion period provided for in section 701(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(a)(3));

(E) includes the requirements of section 4980B(g)(1) of the Internal Revenue Code of 1986; and

(F) shall be adjusted to cover the administration of the exclusion period provided for in section 701(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(a)(3)).

(2) any decrease in the types of benefits offered and shall include information concerning such maximums, limitations, exclusions, and other definitions of benefits as the Office considers necessary or desirable.

(2) A PREEXISTING CONDITION.—An individual who is not a qualified beneficiary as defined under section 4980B(g)(1) of the Internal Revenue Code of 1986 shall be treated in a similar manner as an individual who begins employment as an employee under chapter 89 of title 5, United States Code.

(b) PREEXISTING CONDITION EXCLUSIONS.—

(1) IN GENERAL.—Each contract under this Act shall contain a detailed statement of benefits offered and shall include information concerning such maximums, limitations, exclusions, and other definitions of benefits as the Office considers necessary or desirable.

(2) CALCULATION OF CHARGES.—

(a) IN GENERAL.—The Office shall ensure that a health benefits plan offered under this Act shall be offered to participating employers under this Act. Each contract shall be for a uniform term of at least 1 year, but may be renewed for additional terms in the absence of notice of termination by either party. In entering into such contracts, the Office shall—

(1) ensure that the Office is notified of any preclude benefit coverage that is not provided to participants in the program in the plan approved under this Act;

(2) make such contracts subject to the rights and limitations contained in section 4980B(g)(1) of the Internal Revenue Code of 1986;

(3) take such action necessary to protect the interests of individuals under such contract;

(4) ensure that the Office is paid for the cost of providing the contract services as soon as funds become available; and

(5) take such action as may be necessary to ensure the timely payment of health benefits to covered individuals under the terms of the contract.

(b) EXCLUSION PERIOD.—A preexisting condition exclusion under this subsection shall provide for coverage of a preexisting condition to begin not later than 6 months after the date on which the individual was covered under a health benefits plan administered by the Office for at least the 12 months immediately preceding the date the individual submitted an application for coverage under this Act. This provision shall be applied notwithstanding the application of the reduction of the exclusion period provided for in section 701(a)(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1181(a)(3)).

(c) RATES AND PREMIUMS.—

(1) IN GENERAL.—Rates charged and premiums paid for a health benefits plan under this Act—

(A) shall be determined in accordance with this subsection;

(B) may be annually adjusted subject to paragraph (3); and

(C) shall be negotiated in the same manner as rates and premiums are negotiated under section 4980B(g)(1) of the Internal Revenue Code of 1986.

(2) DETERMINATIONS.—In determining rates and premiums under this Act, the following presumptions shall apply:

(A) IN GENERAL.—A carrier that enters into a contract under this Act shall determine that amount of premiums to assess for coverage of an individual on a community rate that may be annually adjusted—

(1) to change the claims experience of the carrier; and

(2) to reflect an anticipated or actual change in the claims experience of the carrier; and

(3) to cover administrative costs.

(3) PREPAYMENT.—A contract for health insurance coverage under this Act shall provide for prepayment of the full amount of any premiums paid by the Office.

(4) REQUIREMENT OF PAYMENT.—The Office shall provide for health insurance coverage to employees of participating employers under this Act. Each contract shall provide for health insurance coverage to employees of participating employers under this Act. Each contract shall provide for the carrier to agree to pay for or provide a health service or supply in an individual case if the Office finds that the employee, annuitant, or dependent is unable to pay for such a health service or supply in an individual case if the Office finds that the employee, annuitant, or dependent is unable to pay for such a health service or supply.

(5) COVERAGE.—The carrier other than the Office shall be required to provide health insurance coverage to employees of participating employers under this Act. Each contract shall provide for the Office to pay for or provide a health service or supply in an individual case if the Office finds that the employee, annuitant, or dependent is unable to pay for such a health service or supply in an individual case if the Office finds that the employee, annuitant, or dependent is unable to pay for such a health service or supply.

(6) REQUIREMENT OF PAYMENT.—The Office shall provide for health insurance coverage to employees of participating employers under this Act. Each contract shall provide for the carrier to agree to pay for or provide a health service or supply in an individual case if the Office finds that the employee, annuitant, or dependent is unable to pay for such a health service or supply in an individual case if the Office finds that the employee, annuitant, or dependent is unable to pay for such a health service or supply.

(7) COVERAGE.—The carrier other than the Office shall be required to provide health insurance coverage to employees of participating employers under this Act. Each contract shall provide for the Office to pay for or provide a health service or supply in an individual case if the Office finds that the employee, annuitant, or dependent is unable to pay for such a health service or supply in an individual case if the Office finds that the employee, annuitant, or dependent is unable to pay for such a health service or supply.

(8) REQUIREMENT OF PAYMENT.—The Office shall provide for health insurance coverage to employees of participating employers under this Act. Each contract shall provide for the carrier to agree to pay for or provide a health service or supply in an individual case if the Office finds that the employee, annuitant, or dependent is unable to pay for such a health service or supply in an individual case if the Office finds that the employee, annuitant, or dependent is unable to pay for such a health service or supply.

(9) COVERAGE.—The carrier other than the Office shall be required to provide health insurance coverage to employees of participating employers under this Act. Each contract shall provide for the Office to pay for or provide a health service or supply in an individual case if the Office finds that the employee, annuitant, or dependent is unable to pay for such a health service or supply in an individual case if the Office finds that the employee, annuitant, or dependent is unable to pay for such a health service or supply.
(1) for the geographic area involved if the adjustment is based on geographical divisions that are not smaller than a metropolitan statistical area and the carrier provides evidence of geographic variation in cost of services;

(ii) based on whether such coverage is for an individual, two adults, one adult and one or more children, or a family; and

(iii) based on the age of covered individuals (subject to subparagraph (C)).

(B) LIMITATION.—Premium rates charged for coverage under this Act shall not vary based on health-status related factors, gender, class of business, or claims experience.

(C) AGE ADJUSTMENTS.—

(i) IN GENERAL.—With respect to subparagraph (A)(iii), in making adjustments based on age, the Office shall establish no more than 6 age brackets to be used by the carrier in establishing rates. The rates for any age bracket may not vary by more than 50 percent above or below the community rate on the basis of attained age. Age-related premiums may not vary within age brackets.

(ii) AGES 65 AND OLDER.—With respect to subparagraph (A)(iii), a carrier may develop separate rates for covered individuals who are 65 or older. Carrier for which Medicare is the primary payer for health benefits coverage which is not covered under Medicare.

(3) READJUSTMENTS.—Any readjustment in rates charged or premiums paid for a health benefits plan under this Act shall be made in advance of the contract term in which the plan is effective on a calendar year basis. In the judgment of the Office, is consistent with the practice of the Office for the Federal Employees Health Benefits Program.

(d) ADJUSTMENT FOR ACTUARIAL RISK.—If an individual who is enrolled in a health benefits plan under this Act terminates the enrollment of an individual who is enrolled in a health benefits plan under this Act, the carrier shall be entitled to a readjustment of the entire plan involved.

(3) COSTS ABOVE 108 PERCENT OF TARGET AMOUNT.—If the allowable costs for the carrier with respect to the health benefits plan involved for the year are greater than 108 percent of target amount, the carrier shall submit to the Office an application for an adjustment as provided in paragraph (4).

(B) COSTS ABOVE 108 PERCENT OF TARGET AMOUNT.—If the allowable costs for the carrier with respect to the health benefits plan involved for the year are greater than 108 percent of target amount, the Office shall reimburse the carrier in an amount equal to 75 percent of the difference between such allowable costs and 109 percent of such target amount.

(4) TARGET AMOUNT DESCRIBED.—

(A) IN GENERAL.—For purposes of this subsection, the term ‘target amount’ means, with respect to a health benefits plan offered under this Act for the calendar years 2007 through 2011, an amount equal to—

(i) the total of the monthly premium estimates for the carrier as determined by the Office for the carrier to be paid for enrollees in the plan for the calendar year involved; reduced by

(ii) the amount of administrative expenses that the carrier estimates, and the Office approves, will be incurred by the carrier with respect to the health benefits plans provided by the carrier under this Act.

(5) DISCLOSURE OF INFORMATION.—

(1) IN GENERAL.—Each contract under this Act shall provide—

(A) that a carrier offering a health benefits plan under this Act shall provide to the Office with such information as the Office determines is necessary to carry out this subsection including the notification of costs under subsection (a)(2) and the target amount under subsection (b)(4)(B); and

(B) that the Office has the right to inspect and audit any books and records of the organization that pertain to the information regarding costs provided to the Office under such subsections.

(2) RESTRICTION ON USE OF INFORMATION.—Information disclosed or obtained pursuant to the provisions of this subsection may be used by officers, employees, and contractors of the Office only for the purposes of, and to the extent necessary in, carrying out this section.

SEC. 8. ENCOURAGING PARTICIPATION BY CARRIERS THROUGH REINSURANCE.

(a) ESTABLISHMENT.—The Office shall establish a reinsurance fund to provide payments to carriers that experience one or more catastrophic claims during a year for health benefits provided to individuals enrolled in a health benefits plan under this Act.

(b) ELIGIBILITY FOR PAYMENTS.—To be eligible for a payment from the reinsurance fund for a plan year, a carrier under this Act shall submit to the Office an application containing—

(1) a certification by the carrier that the carrier paid for at least one episode of care for an individual in an amount that is in excess of $50,000; and

(2) such other information determined appropriate by the Office.

(c) PAYMENT.—

(1) IN GENERAL.—The amount of a payment from the reinsurance fund to a carrier under this Act shall not exceed an amount equal to 80 percent of the applicable catastrophic claim amount.

(2) APPLICABLE CATASTROPHIC CLAIM AMOUNT.—For purposes of paragraph (1), the applicable catastrophic episode of care amount shall be equal to the difference between—

(A) the amount of the catastrophic claim; and

(B) $50,000.

(3) LIMITATION.—In determining the amount of a payment under paragraph (1), the Office shall not reduce the amount due for the healthcare items or services involved under title XVIII of the Social Security Act (42
make premium contributions on behalf of an employee has an opportunity to enroll in a plan under this Act. 

(b) Application.—To be eligible to receive a contract under subsection (a), an entity shall notify the Office of an application at such time, in such manner, and containing such information as the Office may require. 

(c) Process.—

(1) COMPETITIVE BIDDING.—All contracts under this section shall be awarded through a competitive bidding process on a bi-annual basis. 

(2) REQUIREMENT.—No contract shall be entered into with any entity under this section unless the entity will perform its obligations under the contract efficiently and effectively and will meet such requirements as to financial responsibility, legal authority, and other matters as the Office finds pertinent. 

(3) PUBLICATION OF STANDARDS AND CRITERIA.—The Office shall publish in the Federal Register standards and criteria for the efficient and effective performance of contract obligations under this section, and opportunity shall be provided for public comment on the development of such standards and criteria. 

(d) TERMINATION.—The Office may terminate any such contract at any time (after such reasonable notice and opportunity for hearing to the entity involved as the Office may provide in regulations) if the Office finds that the entity has failed substantially to carry out the contract or is carrying out the contract in a manner inconsistent with the efficient and effective administration of the program established by this Act; or 

(e) NOTICE TO THE ENTITY.—The Office shall provide for a system to measure an entity’s performance of responsibilities. 

(3) Offer of Supplemental Coverage Options.—

(a) In General.—A participating employer may offer supplemental coverage options to employees. 

(b) Definition.—In subparagraph (A), the term “supplemental coverage” means benefits described as “excepted benefits” under section 15(b) of the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. 1801 (b)), or otherwise related to the administration of this Act. 

(c) RULE OF CONSTRUCTION.—Except as provided in section 15, nothing in this Act shall be construed to require that an employer make maximum contributions on behalf of employees. 

SEC. 11. ADMINISTRATION THROUGH REGIONAL COORDINATION COUNCILS.—

(a) In General.—In order to provide for the administration of the benefits under this Act with maximum efficiency and convenience for both eligible employers and employees, the Office shall enter into contracts with eligible entities to perform, on a regional basis, one or more of the following: 

(1) Collect and maintain all information relating to individuals, families, and employers participating in the program under this Act in the region served. 

(2) Receive, disburse, and account for payments of premiums to participating employers by individuals in the region served, and for payments by participating employers to carriers. 

(3) Serve as a channel of communication between participating employers, and individuals relating to the administration of this Act. 

(b) OTHERWISE CARRY OUT SUCH ACTIVITIES FOR THE ADMINISTRATION OF THE BENEFITS UNDER THIS ACT, IN SUCH MANNER, AS MAY BE PROVIDED FOR IN THE CONTRACT ENTERED INTO UNDER THIS SECTION. 

The payment of grievances and appeals 

(b) Application.—To be eligible to receive a contract under subsection (a), an entity shall notify the Office of an application at such time, in such manner, and containing such information as the Office may require. 

(c) Process.—

(1) COMPETITIVE BIDDING.—All contracts under this section shall be awarded through a competitive bidding process on a bi-annual basis. 

(2) REQUIREMENT.—No contract shall be entered into with any entity under this section unless the entity will perform its obligations under the contract efficiently and effectively and will meet such requirements as to financial responsibility, legal authority, and other matters as the Office finds pertinent. 

(3) PUBLICATION OF STANDARDS AND CRITERIA.—The Office shall publish in the Federal Register standards and criteria for the efficient and effective performance of contract obligations under this section, and opportunity shall be provided for public comment on the development of such standards and criteria. 

(d) TERMINATION.—The Office may terminate any such contract at any time (after such reasonable notice and opportunity for hearing to the entity involved as the Office may provide in regulations) if the Office finds that the entity has failed substantially to carry out the contract or is carrying out the contract in a manner inconsistent with the efficient and effective administration of the program established by this Act; or 

(e) NOTICE TO THE ENTITY.—The Office shall provide for a system to measure an entity’s performance of responsibilities.
SECTION 16. EFFECTIVE DATE.
Except as provided in section 10(e), this Act shall take effect on the date of enactment of this Act and shall apply to contracts that take effect on or after the calendar year 2007 and each calendar year thereafter.

AMENDMENTS SUBMITTED AND PROPOSED

SA 2910. Mr. Frist submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl (for himself and Mr. Ensign) to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2911. Mr. Frist submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl, Mr. Ensign and Mr. Snowe to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2912. Mr. Frist submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl, Mr. Ensign and Mr. Snowe to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2913. Ms. Snowe submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl, Mr. Ensign and Mr. Snowe to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2914. Ms. Snowe submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl, Mr. Ensign and Mr. Snowe to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2915. Ms. Snowe submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl, Mr. Ensign and Mr. Snowe to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2916. Ms. Snowe submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl, Mr. Ensign and Mr. Snowe to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2917. Ms. Snowe submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl, Mr. Ensign and Mr. Snowe to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2918. Ms. Snowe submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl, Mr. Ensign and Mr. Snowe to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2919. Ms. Snowe submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl, Mr. Ensign and Mr. Snowe to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2920. Ms. Hutchison submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl, Mr. Ensign and Mr. Snowe to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2921. Ms. Snowe submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl, Mr. Ensign and Mr. Snowe to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2922. Ms. Snowe submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl, Mr. Ensign and Mr. Snowe to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2923. Mrs. Hutchison submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl, Mr. Ensign and Mr. Snowe to the bill S. 2320, supra; which was ordered to lie on the table.

SA 2924. Ms. Snowe submitted an amendment intended to be proposed by him to the bill S. 2349, supra; to provide greater transparency in the legislative process; which was ordered to lie on the table.

SA 2925. 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.

SA 2926. Mr. CRAIG submitted an amendment intended to be proposed to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2927. Mr. KERRY submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2928. Mr. Obama (for himself and Mr. Coburn) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2929. Mr. Obama (for himself and Mr. Coburn) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2930. Mr. Obama (for himself and Mr. Coburn) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2931. Mr. Obama (for himself and Mr. Coburn) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2932. Mr. Reid proposed an amendment to the bill S. 2349, supra.

TEXT OF AMENDMENTS

SA 2910. Mr. Frist submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl (for himself and Mr. Ensign) 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 2933. Mr. Obama (for himself and Mr. Coburn) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2934. Mr. Obama (for himself and Mr. Coburn) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2935. 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.

SA 2936. Mr. Craig submitted an amendment intended to be proposed to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2937. Mr. Kerry submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2938. Mr. Obama (for himself and Mr. Coburn) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2939. Mr. Obama (for himself and Mr. Coburn) submitted an amendment intended to be proposed by him to the bill S. 2349, supra; which was ordered to lie on the table.

SA 2940. Mr. Reid proposed an amendment to the bill S. 2349, supra.

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking ‘‘for a 1-time only obligation and expenditure’’;

(B) in paragraph (1), by striking ‘‘$250,000,000,000 for fiscal year 2007’’ and inserting ‘‘$500,000,000,000 for fiscal year 2006’’;

(C) in paragraph (2), by striking ‘‘$750,000,000,000 for fiscal year 2007’’ and inserting ‘‘$500,000,000,000 for fiscal year 2006’’;

SA 2911. Mr. Frist submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl (for himself and Mr. Ensign) 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; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking ‘‘for a 1-time only obligation and expenditure’’;

(B) in paragraph (1), by striking ‘‘$250,000,000,000 for fiscal year 2007’’ and inserting ‘‘$500,000,000,000 for fiscal year 2006’’;

(C) in paragraph (2), by striking ‘‘$750,000,000,000 for fiscal year 2007’’ and inserting ‘‘$500,000,000,000 for fiscal year 2006’’;

SA 2912. Mr. Frist submitted an amendment intended to be proposed to amendment SA 2909 proposed by Mr. Kyl (for himself and Mr. Ensign) 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; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking ‘‘for a 1-time only obligation and expenditure’’;

(B) in paragraph (1), by striking ‘‘$250,000,000,000 for fiscal year 2007’’ and inserting ‘‘$500,000,000,000 for fiscal year 2006’’;

(C) in paragraph (2), by striking ‘‘$750,000,000,000 for fiscal year 2007’’ and inserting ‘‘$500,000,000,000 for fiscal year 2006’’;
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; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking "for a 1-time only obligation and expenditure";
(B) in paragraph (1), by striking "$250,000,000 for fiscal year 2007" and inserting "$500,000,000 for fiscal year 2006"; and
(C) in paragraph (2), by striking "$750,000,000 for fiscal year 2007" and inserting "$500,000,000 for fiscal year 2006";

SA 2913. Ms. SNOWE (for herself and Mr. Smith) submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) 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; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking "for a 1-time only obligation and expenditure";
(B) in paragraph (1), by striking "$500,000,000 for fiscal year 2007" and inserting "$600,000,000 for fiscal year 2006"; and
(C) in paragraph (2), by striking "$750,000,000 for fiscal year 2007" and inserting "$600,000,000 for fiscal year 2006";

SA 2917. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2905 submitted by Ms. SNOWE and intended to be proposed 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; as follows:

Beginning on page 1, strike line 7 and all that follows through page 2, line 5, and insert the following:

(A) by striking "for a 1-time only obligation and expenditure";
(B) in paragraph (1), by striking "$250,000,000 for fiscal year 2007" and inserting "$400,000,000 for fiscal year 2006"; and
(C) in paragraph (2), by striking "$750,000,000 for fiscal year 2007" and inserting "$600,000,000 for fiscal year 2006";

SA 2919. Ms. SNOWE submitted an amendment intended to be proposed to amendment SA 2905 submitted by Ms. SNOWE and intended to be proposed 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; as follows:

Beginning on page 1, strike line 8 and all that follows through page 2, line 5, and insert the following:

(A) by striking "for a 1-time only obligation and expenditure";
(B) in paragraph (1), by striking "$250,000,000 for fiscal year 2007" and inserting "$400,000,000 for fiscal year 2006"; and
(C) in paragraph (2), by striking "$500,000,000 for fiscal year 2007" and inserting "$300,000,000 for fiscal year 2006";

SA 2923. Ms. HUTCHISON submitted an amendment intended to be proposed to amendment SA 2899 proposed by Mr. KYL (for himself and Mr. ENSIGN) to the
SA 2924. Mr. LEAHY 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:

At the appropriate place, insert the following:

SEC. 3. HONEST SERVICES ACT OF 2006.

(a) Short Title.—This section may be cited as the “Honest Services Act of 2006.”

(b) Honest Services Fraud Involving Members of Congress. —

(1) In General.—Chapter 63 of title 18, United States Code, is amended by adding at the end the following:

§ 1351. Honest services fraud involving members of Congress

“(a) In General.—Whoever knowingly and with the intent to defraud, deprive the United States, the Congress, or the constituents of a Member of Congress, of the right to the honest services of a Member of Congress by—

(1) offering and providing to a Member of Congress, or an employee of a Member of Congress, anything of value, with the intent to influence the performance of an official act; or

(2) being a Member of Congress, or an employee of a Member of Congress, accepting anything of value or holding an undisclosed financial interest, with the intent to be influenced in performing an official act, shall be fined under this title or imprisoned not more than 20 years, or both.

“(b) Definitions.—In this section:

“Honest Services.”—The term “honest services” includes the right to confidentiality, loyalty, faithful, disinterested, and unbiased service, to be performed free of deceit, undue influence, conflict of interest, self-enrichment, self-dealing, concealment, bribery, fraud, and corruption.

“(c) Official Act.”—The term “official act” means—

(A) has the meaning given that term in section 201(a)(3) of this title; and

(B) includes supporting and passing legislation, placing a statement in the Congressional Record, participating in a meeting, conducting hearings, or advancing or advocating for an application to obtain a contract with the United States Government.

“(d) Undisclosed Financial Interest.”—The term “undisclosed financial interest” includes any financial interest not disclosed as required by statute or by the Standing Rules of the Senate.

“(e) No Inference and Scope.—Nothing in this section shall be construed to—

(1) provide a basis of adverse inferences with respect to whether the conduct described in section 1351 of this title was already a criminal or civil offense prior to the enactment of this section;

(2) limit the scope of any existing criminal or civil offense.”.

(2) Chapter Analysis.—The chapter analysis for chapter 63 of title 18, United States Code is amended by adding at the end, the following:

“1351. Honest services fraud involving Members of Congress.”.

(c) Authorization for Additional Personnel to Investigate and Prosecute Honest Services Fraud, Bribery, Craft, and Conflict of Interest Cases.—There are authorized to be appropriated to the Department of Justice, including the Public Integrity Section of the Criminal Division, and the Federal Bureau of Investigation (2) $25,000,000 for each of the fiscal years 2007, 2008, 2009, and 2010, to increase the number of personnel to investigate and prosecute violations of sections 201(a)(3) of title 18, 209, 1001, 1341, 1343, and 1346 of title 18, United States Code, as amended by this section.

SA 2925. 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:

At the appropriate place, insert the following:

SEC. 4. SPOUSE LOBBYING MEMBERS.

(a) In General.—Section 20(e) of title 18, United States Code, is amended by adding at the end the following:

“(5) SPOUSES.—Any person who is the spouse of a Member of Congress and who was not serving as a registered lobbyist at least 1 year prior to the election of that Member of Congress to Federal office or at least 1 year prior to his or her marriage to that Member of Congress and who, after the election of such Member, knowingly lobbies on behalf of a client for compensation any Member of Congress or is associated with any lobbying activity by an employer of that spouse shall be punished as provided in section 216 of this title.

“(b) Grandfather Provision.—The amendment made by subsection (a) shall not apply to any spouse of a Member of Congress serving as a registered lobbyist on the date of enactment of this Act.

SA 2926. Mr. CRAIG 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:

At the appropriate place, insert the following:

SEC. 5. RESTORATION OF JUDICIAL POWERS.

(a) Findings.—Congress makes the following findings:

(1) Section 101(b) of division A of Public Law 105–277, 112 Stat. 2681–88) is repealed.

(2) Regulations.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Treasury shall issue such regulations as are necessary to carry out the repeal made by paragraph (1), including removing any prohibition on transactions or payments to which subsection (a)(1) of section 211 of the Department of Commerce and Related Agencies Appropriations Act, 1999 applied.

(3) Authority of Courts.—United States courts shall have the authority to recognize, enforce, or otherwise validate any assertion of rights of foreign nationals who have suffered confiscation of their businesses at the hands of the State of Cuba.

(4) Section 211 is not needed for the courts to reach equitable results under the law of the United States.

(b) Purpose.—The purpose of this section is to restore to the judiciary the power to decide trademark disputes, cases arising under the laws and treaties of the United States, and for other purposes.

(c) Restoration of Judicial Powers.—

(1) In General.—Section 211 of the Department of Commerce and Related Agencies Appropriations Act, 1999 (as contained in section 101(b) of division A of Public Law 105–277, 112 Stat. 2681–88) is repealed.

(2) Regulations.—Not later than 30 days after the date of enactment of this Act, the Secretary of the Treasury shall issue such regulations as are necessary to carry out the repeal made by paragraph (1), including removing any prohibition on transactions or payments to which subsection (a)(1) of section 211 of the Department of Commerce and Related Agencies Appropriations Act, 1999 applied.

SA 2927. Mr. KERRY 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:
TITLE III—CONGRESSIONAL ETHICS OFFICE

SEC. 301. ESTABLISHMENT OF CONGRESSIONAL ETHICS OFFICE.

(a) Establishment—There is established in the legislative branch an independent authority to be known as the Congressional Ethics Office, and to be headed by a Congressional Ethics Officer.

(b) Membership—

(1) In general.—The Congressional Ethics Officer shall be appointed in accordance with paragraph (2).

(2) Appointment.—The majority leader of the Senate, the minority leader of the Senate, the Speaker of the House of Representatives, the majority leader of the House of Representatives, the chair and ranking member of the Committee on Standards of Official Conduct of the House of Representatives, and the chair and the ranking member of the Select Committee on Ethics of the Senate shall nominate the Congressional Ethics Officer at the beginning of a Congress. The Congressional Ethics Officer shall be confirmed by both the Senate and the House of Representatives.

(c) Terms—

(1) In general.—The Congressional Ethics Officer shall serve a term of 2 years and may be reappointed for 2 additional terms.

(2) Death or Resignation.—In the case of the death or resignation of the Congressional Ethics Officer a successor shall be appointed in the same manner to serve the remaining term of that Congressional Ethics Officer.

(d) Congressional Ethics Officer may be removed only by resolution of the Senate or the House of Representatives.

(e) Duties.—It shall be the duty of the Congressional Ethics Officer to—

(1) receive requests for review of an allegation described in section 302(b);

(2) make such informal preliminary inquiries in response to such a request as the Congressional Ethics Officer deems to be appropriate;

(3) if, as a result of those inquiries, the Congressional Ethics Officer determines that a full investigation is not warranted, submit a report pursuant to section 302(f); and

(4) if, as a result of those inquiries, the Congressional Ethics Officer determines that there is probable cause, the Congressional Ethics Officer—

(A) may determine a full investigation is warranted and conduct such investigation; and

(B) shall provide a full report of the investigation which shall be available for public inspection to either the Select Committee on Ethics of the Senate or the Committee on Standards of Official Conduct of the House of Representatives.

(f) COMPENSATION OF CONGRESSIONAL ETHICS OFFICER.—

(1) In general.—The Congressional Ethics Officer shall be compensated at a rate equal to the daily equivalent of the annual rate of basic pay prescribed for level IV of the Executive Schedule under section 5316 of title 5, United States Code, for each day (including travel time) during which he or she is engaged in the performance of the duties of the Congressional Ethics Officer.

(2) Travel expenses, including per diem in lieu of subsistence, for each day during which he or she is engaged in the performance of the duties of the Congressional Ethics Officer.

(g) STAFF.—

(1) In general.—The Congressional Ethics Office may, without regard to the civil service laws and regulations, appoint, and terminate an executive director and such other personnel as are necessary to enable the Congressional Ethics Officer to perform his or her duties. The staff of the Congressional Ethics Office shall be nonpartisan.

(2) Compensation.—The Congressional Ethics Officer may fix the compensation of the executive director and other personnel without regard to the provisions of chapter 51 and subchapter III of chapter 53 of title 5, United States Code, relating to classification of positions and General Schedule pay rates, except that the rate of pay for the executive director may not exceed the rate payable for level V of the Executive Schedule under section 5316 of that title.

(3) DETAILS.—Any Federal Government employee may be detailed to the Congressional Ethics Officer without reimbursement, and such detail shall be without interruption or loss of civil service status or privilege.

(4) TEMPORARY SERVICER.—The Congressional Ethics Office may procure temporary services under an appointment made under section 3109(b) of title 5, United States Code, at rates for individuals that do not exceed the daily equivalent of the annual rate of basic pay prescribed for level V of the Executive Schedule under section 5316 of that title.

(5) STAFFING.—Except at a time when additional personnel are needed to assist the Congressional Ethics Officer in his or her review of a particular request for review under section 302, the total number of staff personnel employed by or detailed to the Congressional Ethics Office under this subsection shall not exceed 50.

(h) INAPPLICABILITY OF THE FEDERAL ADVISORY COMMITTEE ACT.—The Federal Advisory Committee Act (5 U.S.C. App.) shall not apply to the Commission.

SEC. 302. REVIEW OF ALLEGATIONS OF MISCONDUCT AND VIOLATIONS OF ETHICS LAWS.

(a) Definitions.—As used in this section, the term "officer or employee of Congress" means—

(1) an elected officer of the Senate or the House of Representatives who is not a member of the Senate or the House of Representatives;

(2) an employee of the Senate or the House of Representatives, any committee or subcommittee of the Senate or the House of Representatives, or any member of the Senate or the House of Representatives;

(3) an employee of the Vice President if such employee's compensation is disbursed by the Secretary of the Senate; and

(4) an employee of a joint committee of Congress.

(b) REQUEST FOR REVIEW.—Any person, including a person who is not an officer or employee of Congress, may request a review and investigation of—

(1) improper conduct that may reflect upon Congress;

(2) a violation of the Senate Code of Official Conduct or the House Code of Official Conduct (rules XXXIV, XXXV, XXXVI, XXXVII, XXXVIII, XXXIX, XL, XLI, and XLII of the Standing Rules of the Senate) or the ethics rules of the House of Representatives; or

(3) a significant violation of a rule or regulation of the Senate or the House of Representatives relating to the conduct of a person in the performance of his or her duties as a member, officer, or employee of the Senate or the House of Representatives.

(c) Sworn Statement.—

(1) In general.—A request for review under subsection (b) shall be accompanied by a sworn statement, made under penalty of perjury under the laws of the United States, of facts within the personal knowledge of the person making the statement alleging improper conduct or a violation described in subsection (b).

(2) False Statement.—If the Congressional Ethics Officer determines that any person who files a request for review under paragraph (1) may have been a false statement made knowingly and willfully, the Congressional Ethics Officer may refer the matter to the Attorney General for prosecution.

(d) PROTECTION FROM FRIVOLOUS CHARGES.—

(1) In general.—Any person who—

(A) files a request for review of the Congressional Ethics Office a false complaint of misconduct on the part of any legislator or any other person shall be subject to a $10,000 fine or the cost of the preliminary review, whichever is greater, and up to 1 year in prison; or

(B) encourages another person to file a false complaint of misconduct on the part of any legislator or other person shall be subject to a $10,000 fine or the cost of the preliminary review, whichever is greater, and up to 1 year in prison.

(2) Subsequent Complaints.—Any person subject to either of the penalties in paragraph (1) may not file a complaint with the Congressional Ethics Office again.

(e) SCHEDULED FILING DEADLINES.—The Congressional Ethics Office may not accept charges filed in the—

(1) 30 days prior to a primary election for which the Member in question is a candidate; and

(2) 60 days prior to a general election for which the Member in question is a candidate.

(f) SUBPOENA.—The Congressional Ethics officer may bring a civil action to enforce a subpoena only when directed to do so by the adoption of a resolution by the Senate or the House of Representatives.

(g) R EFE R AL OF REPORTS TO THE SELECT COMMITTEE ON ETHICS OF THE SENATE, THE COMMITTEE ON STANDARDS OF OFFICIAL CONDUCT OF THE HOUSE OF REPRESENTATIVES OR THE DEPARTMENT OF JUSTICE.—

(1) In general.—If, after making preliminary inquiries, the Congressional Ethics Officer determines that there is probable cause that the ethics rules has occurred, the Congressional Ethics Officer shall submit to the Members of the House of Representatives, and the Department of Justice a report that—

(A) states findings of fact made as a result of the inquiries;

(B) states any conclusions that may be drawn with respect to whether there is substantial credible evidence that improper conduct or a violation of law may have occurred; and

(C) states its reasons for concluding that further investigation is not warranted.

(2) NO ACTION.—After submission of a report under paragraph (1), no action may be taken in the Senate or the House of Representatives to impose a sanction on a person who was the subject of the Congressional Ethics Officer's inquiries on the basis of any conduct that was alleged in the request for review and sworn statement.

SEC. 303. ADDITIONAL RESPONSIBILITIES.

The Congressional Ethics Officer shall—

(1) periodically report to Congress any changes to the ethics law and regulations governing Congress that the Congressional Ethics Officer determines would improve the investigation and enforcement of such laws and regulations; and

(2) provide an annual report to Congress on the number of ethics complaints filed and a description of the ethics investigations undertaken during the prior year.
SA 2928. Mr. KERRY 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:

At the end, add the following:

TITLE III.—CONGRESSIONAL PENSION ACCOUNTABILITY

SEC. 301. SHORT TITLE.

This title may be cited as the "Congressional Pension Accountability Act".

SEC. 302. RETIREMENT BENEFITS.

(a) In General.—Section 8312(a) of title 5, United States Code, is amended—

(1) by striking "or" at the end of paragraph (1), by inserting "; or" at the end of paragraph (2) and inserting "; or", and by inserting after paragraph (2) the following:

"(3) was convicted of an offense described in subsection (d), to the extent provided by the previous procurement and by insertion after subsection (d) the following:

"(C) with respect to the offenses described in subsection (d), to the period after the date of conviction.",

(b) OFFENSES DESCRIBED.—Section 8312 of such title 5 is amended by redesignating subsection (b) as subsection (c), and by inserting after subsection (c) the following:

"(d) The offenses to which subsection (a)(3) applies are the following:

(1) an offense within the purview of—

(A) section 201 of title 18 (bribery of public officials and witnesses); or

(B) section 371 of title 18 (conspiracy to commit offenses against the United States), to the extent of any conspiracy to commit an act which constitutes an offense within the purview of such section 201.

"(2) Perjury or making a false statement in connection with the false denial or false testimony of another individual as specified by paragraph (2).

An offense shall not be considered to be an offense described in this subsection except if or to the extent that it is committed by a Member of Congress (as defined by section 2106, including a Delegate to Congress).

(c) ABSENCE FROM UNITED STATES TO AVOID PROSECUTION.—Section 8313(a)(1) of such title 5 is amended by striking "or" at the end of subparagraph (A), by striking "and" at the end of subparagraph (B) and inserting "; or", and by adding at the end the following:

"(C) a written statement in connection with the false denial or false testimony of another individual as specified by paragraph (2).

An offense shall not be considered to be an offense described in this subsection except if or to the extent that it is committed by a Member of Congress (as defined by section 2106, including a Delegate to Congress).

(d) NONACCURAL OF INTEREST ON REFUNDS.—Section 8313(b) of such title 5 is amended by striking "or" at the end of paragraph (2) and inserting "; or", and by adding at the end the following:

"(D) if the individual was convicted of an offense described in section 8312(d), for the period after the conviction.",

SEC. 303. CONSTITUTIONAL AUTHORITY.

The constitutional authority for this title is the power to make all laws which shall be necessary and proper as enumerated in Article I, Section 8 of the United States Constitution, and the power to ascertain or regulate the Congressional service under Article I, Section 6 of the United States Constitution.

SA 2929. Mr. OBAMA (for himself and Mr. COBURN) 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:

At the end of title I, add the following:

SEC. 114. PROHIBITING ADVOCATING FOR EAR- MARK IN WHICH THERE EXISTS A FINANCIAL INTEREST.

Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

"13. No Member of the Senate shall advocate to include an earmark in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (including an accompanying joint statement of managers thereto) if the Member has a financial interest in such earmark.",

SEC. 2930. Mr. OBAMA (for himself and Mr. COBURN) 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:

At the end of title I, add the following:

SEC. 114. BUYING VOTES.

Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

"13. No Member of the Senate shall condition the inclusion of language to provide funding for an earmark in any bill or joint resolution (or an accompanying report) or in any conference report on a bill or joint resolution (including an accompanying joint statement of managers thereto) if the Member has a financial interest in such earmark.",

SEC. 2931. Mr. OBAMA (for himself and Mr. COBURN) 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:

At the end of this title, add the following:

TITLE III.—ADDITIONAL TRANSPARENCY AND ENFORCEMENT

SEC. 301. DISCLOSURE BY MEMBERS OF CONGRESSION AND SENIOR CONGRESSIONAL STAFF OF EMPLOYMENT NEgotIATIONS.

(a) Senate.—Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

"19. (a) A Member of the Senate shall not negotiate or have any arrangement concerning prospective private employment if a conflict of interest or the appearance of a conflict of interest exists.

(b) (1) An employee of the Senate earning in excess of 75 percent of the salary paid to a Senator shall notify the Committee on Ethics of such employment or have any arrangement concerning prospective private employment if a conflict of interest or the appearance of a conflict of interest may exist.

(2) The disclosure and notification under this subparagraph shall be made within 30 days after the commencement of such negotiation or arrangement.

(3) An employee to whom this subparagraph applies shall rescuse himself or herself from any matter in which there is a conflict of interest for that Member or employee under this rule and notify the Select Committee on Ethics of such arrangements.

(c) The Select Committee on Ethics shall develop guidelines concerning conduct which is covered by this paragraph.

(2) The Select Committee on Ethics shall maintain a current public record of all notifications received under subparagraph (a) and any recusals under subparagraph (c)."

APPLICATION.—This section shall apply in lieu of section 109 of this Act.

SEC. 302. ETHICS REVIEW OF EMPLOYMENT NEgOTIATIONS BY EXECUTIVE BRANCH OFFICIALS.

Section 208 of title 18, United States Code, is amended—

(1) In subsection (b)(1)—

(A) by inserting after "the Government official responsible for appointment to his or her position" the following: "and the Office of Government Ethics;

(B) by striking "a written determination made by such official" and inserting "a written determination made by the Office of Government Ethics, after consultation with such official,"; and

(2) In subsection (b)(3), by striking "the official responsible for the employee's appointment, after review of and inserting "the Office of Government Ethics, after consultation with the official responsible for the employee's appointment and after review of; and

(3) In subsection (d)(1)—

(A) by striking "Upon request" and all that follows through "Ethics in Government Act of 1978." and inserting "In each case in which the Office of Government Ethics makes a determination granting an exemption under subsection (b)(1) or (b)(3) to a person, the Office shall, not later than 3 business days after making such determination, make available to the public pursuant to the provisions set forth in section 109 of the Ethics in Government Act of 1978, and publish in the Federal Register, such determination and the materials submitted by such person for such exemption, in such manner and at such time as the Office determines to be appropriate.

(B) by striking "the agency may withhold" and inserting "the Office of Government Ethics may withhold".

SEC. 303. WRONGFULLY INFLUENCING A PRIVATE ENTITY'S EMPLOYMENT DECISIONS OR PRACTICES.

(a) In General.—Chapter 11 of title 18, United States Code, is amended by adding at the end the following:

"§ 226. Wrongfully influencing a private entity's employment decisions by a Member of Congress and others.

"Whoever, being a Senator or Representative in, or a Delegate or Resident Commissioner to, the Congress or an employee of either House of Congress, with the intent to influence, on the behalf of a political or professional affiliation an employment decision or employment practice of any private entity—

(1) takes or withholds, or offers or threatens to take or withhold, or

(2) influences, or offers or threatens to influence, the official act of another; shall be fined under this title or imprisoned for not more than 15 years, or both, and may be disqualified from holding any office of honor, trust, or profit under the United States.

(b) No Inference.—Nothing in section 226 of title 18, United States Code, as added by
this section, shall be construed to create any
inference with respect to whether the activity
described in section 226 of title 18, United
States Code, was already a criminal or civil
offense prior to the date of enactment of this
Act, including sections 20(b), 20(c), and 216
of title 18, United States Code.

(c) CHAPTER ANALYSIS.—The chapter anal-
ysis for title 18, United States Code, is amended
by adding at the end the following:

"226. Wrongfully influencing a private enti-
ty's employment decisions by a Member of Congress."

SEC. 304. BAN ON GIFTS FROM LOBBYISTS.

(a) IN GENERAL.—Paragraph (a)(2) of rule
XXXV of the Standing Rules of the Senate is amended
by adding at the end the following:

"This clause shall not apply to a gift from a
lobbyist."

(b) RULES COMMITTEE REVIEW.—The Commis-
ioner on Rules and Administration shall re-
view the present exceptions to the Senate gift
rule and make recommendations to the Senate
latter day. Organized, requester, throut
ulate of enactment of this Act on eliminating
all but those which are absolutely necessary
to effectuate the purpose of the rule.

(c) APPLIABILITY.—This section shall apply in
lieu of section 106 of this Act.

SEC. 305. PROHIBITION ON PRIVATELY FUNDED
TRAVEL.

Paraphrase 2(a)(1) of rule XXXV of the
Standing Rules of the Senate is amended by
striking "an individual" and inserting "an or-
ganization recognized under section 501(c)(3)
of the Internal Revenue Code of 1986 that is
not affiliated with any group that
lobbies before Congress.

SEC. 306. PROHIBITING LOBBYIST ORGANI-
ZATION AND PARTICIPATION IN CON-
GRESSIONAL TRAVEL.

(a) In General.—Paragraph 2 of rule
XXXV of the Standing Rules of the Senate is amended
by adding at the end the following:

"(g) A Member, officer, or employee may
not accept transportation or lodging on any
trip sponsored by an organization recognized
under section 501(c)(3) of the Internal Revenue
Code of 1986 that provides for the purpose of
influencing the Member's employment
decisions by a Member of Congress."

(b) CONFORMING AMENDMENTS.—Paraphrase
2(c) of rule XXXV of the Standing Rules of the Senate is amended
by adding at the end the following:

"(b) a description of meetings and events attended
during such travel, except when
disclosure of such information is deemed by
the Member or supervisor under whose direct
supervision the employee works to jeop-
dardize the safety of an individual or other-
wise interfere with the official duties of
the Member, officer, or employee."

(c) PUBLIC AVAILABILITY.—Paragraph 2(e)
of rule XXXV is amended to read as follows:

"(e) The Senate shall make available to the public all advance au-
notation, certifications, and disclosures
directed to subparagraphs (a) and (b) and
such as possible after they are received."

(d) APPLICATION.—The provisions of this
section shall apply in addition to the re-
quirements of section 207 of the Federal Election
Campaign Act of 1971.

SEC. 307. ADDITIONAL LOBBYING DISCLOSURE
REQUIREMENTS.

(a) IN GENERAL.—Section 5(b) of the
Lobbying Disclosure Act of 1995 (2 U.S.C. 1604(b))
is amended by adding at the end the fol-
lowing:

"(8) a certification that the lobbying firm or
registrant has not provided, requested, or
directed a gift, including travel, to a Member
or employee of Congress in violation of rule
XXXV of the Standing Rules of the Senate.
"

(b) FORMS.—The require-
ments of this Act shall not apply to the ac-
tivities of any political committee described
in section 304(c) of the Federal Election Cam-

SEC. 308. PENALTY FOR FALSE CERTIFICATION IN
CONNECTION WITH CONGRESS-
IONAL TRAVEL.

(a) CIVIL FINE.—

(1) IN GENERAL.—Whoever makes a false
certification in connection with the travel of
a Member, officer, or employee of either
House of Congress (within the meaning given
to those terms in section 207 of title 18, United
States Code), under paragraph 2(h) of rule
XXXV of the Standing Rules of the Senate,
shall, upon proof of such offense by a prepon-
ereration of the evidence, be subject to a civil
fine depending on the extent and gravity of
the violation.

(2) MAXIMUM FINE.—The maximum fine
per offense under this section depends on the
number of separate trips in connection with
which the person committed an offense under
this subsection, as follows:

(A) FIRST TRIP.—For each offense com-
mitted in connection with the first such trip,
the number of the fine shall not be more than
$100,000 per offense.

(B) SECOND TRIP.—For each offense com-
mitted in connection with the second such
trip, the amount of the fine shall be not more
than $300,000 per offense.

(C) ANY OTHER TRIPS.—For each offense
committed in connection with any such trip
after the second, the amount of the fine shall be
not more than $500,000 per offense.

(b) CRIMINAL PENALTY.—

(1) IN GENERAL.—Whoever knowingly and
willfully fails to comply with any provision
of this section shall be imprisoned for not
more than 5 years, or fined under title 18,
United States Code, or both.

(2) CORRUPTLY.—Whoever knowingly,
willfully, and corruptly fails to comply with
any provision of this section shall be impris-
ioned for not more than 10 years, or fined
under title 18, United States Code, or both.

SEC. 310. SENSE OF THE SENATE ON CON-
FERENCE COMMITTEE PROTOCOLS.

It is the sense of the Senate that—

(1) conference committees shall hold reg-
ular, formal meetings of all conferees that
are open to the public;

(2) all conferees should be given adequate
notice of the time and place of all such meet-
ings;

(3) all conferees should be afforded an op-
portunity to participate in full and complete
debates of the matters that such conference
committees may recommend to their respec-
tive Houses;

(4) all matters before a conference com-
mittee should be resolved in conference by
votes on the public record; and

(5) existing rules should be enforced and
new rules adopted in the Senate to shine the
light on special interest legislation that is
encased in the dead of night.

SEC. 311. ACTUAL VOTING REQUIRED IN CON-
FERENCE COMMITTEE MEETINGS.

Rule XXVIII of the Standing Rules of the
Senate is amended by adding at the end the fol-
lowing:

"(5) Each Senate member of a conference
committee shall be afforded an opportunity
at an open meeting of the conference to vote
on the full text of the proposed report of the
committee.

NOTICES OF HEARINGS/MEETINGS

COMMITTEE ON SMALL BUSINESS AND
ENTREPRENEURSHIP

Ms. SNOWE. Mr. President, I wish to in-
form Members that the Committee on Small Business & Entrepreneurship
will hold a public hearing to consider,
"The President's fiscal year 2007 Bud-
eget Request and Legislative Proposals for the SBA," on Thursday, March 9,
at 10 a.m., in Room 428A of the Russell
Senate Office Building. The Honorable
Hector Barreto, SBA Administrator,
will testify.

The Chair urges every member to at-
tend.

SUBCOMMITTEE ON NATIONAL PARKS

Mr. THOMAS. Mr. President, I would
like to announce for the information of
the Senate and the public that a hearing
has been scheduled before the Sub-
committee on National Parks.

The hearing will be held on Tuesday,
March 14th, at 2:30 p.m. in room SD-366
of the Dirksen Senate Office Building.

The purpose of the hearing is to re-
vie

the President's proposed budget for the National Park Service fiscal
year 2007.

Because of the limited time available
for the hearing, witnesses may testify
by invitation only. However, those who
wish to submit testimony for the hear-
ing record should send two copies of their testimony to the Com-
mittee on Energy and Natural Re-
sources, United States Senate, Wash-
ington, D.C. 20510-6102.

For further information, please con-
tact Tom Lillie, David Szymanski, or
Sara Zecher.
PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Mr. COLEMAN. Mr. President, I would like to announce for the information of the Senate and the public that the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs will hold a hearing on March 14, 2006, entitled “GSA Contractors Who Cheat on Their Taxes and What Should Be Done About It.” The hearing will be the third hearing on Federal contractors who are tax delinquent and what can be done about it.

The subcommittee has requested that the Permanent Subcommittee on Investigations of the Senate and the Subcommittee on Strategic Forces be authorized to meet during the session of the Senate on March 7, 2006, at 10 a.m. to conduct a hearing on “Assessing the Current Oversight and Operation of Credit Rating Agencies.” The hearing will be held in the Dirksen Senate Office Building.

The hearing will be the third hearing on Federal contractors who are tax delinquent. Federal contractors who owe taxes are allowed to do business with the Federal Government. The hearing will explore the extent to which these contractors are tax delinquent and what can be done about it.

The subcommittee hearing is scheduled for Tuesday, March 14, 2006, at 9:30 a.m. in room 342 of the Dirksen Senate Office Building. For further information, please contact Raymond V. Shepherd, III, Staff Director and Chief Counsel to the Permanent Subcommittee on Investigations.

AUTHORITY FOR COMMITTEES TO MEET
COMMITTEE ON ARMED SERVICES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Armed Services be authorized to meet during the session of the Senate on March 7, 2006, at 9:30 a.m. to receive testimony from combatant commanders on their military strategy and operational requirements, in review of the defense authorization request for fiscal year 2007 and the future years defense program.

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

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be authorized to meet on Tuesday, March 7, 2006, at 10 a.m. on Rural Telecom.

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources be authorized to meet during the session of the Senate on Tuesday, March 7, 2006, at 9:30 a.m. to hold a hearing on nominations.

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

COMMITTEE ON FOREIGN RELATIONS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Tuesday, March 7, 2006, at 9:30 a.m. to hold a hearing on nominations.

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

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Health, Education, Labor, and Pensions be authorized to meet during the session of the Senate on Tuesday, March 7, 2006, at 10 a.m. in SD-430.

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

COMMITTEE ON VETERANS’ AFFAIRS

Mr. FRIST. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be authorized to meet during the session of the Senate on Tuesday, March 7, 2006, to hear the legislative presentation of the Veterans of Foreign Wars.

The hearing will take place in room 216 of the Hart Senate Office Building at 10 a.m.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. FRIST. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on Tuesday, March 7, 2006, at 2:30 p.m. to hold a closed business meeting.

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

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. FRIST. Mr. President, I ask unanimous consent that the Sub-
The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Nevada [Mr. Reid] proposes an amendment numbered 2932.

Mr. REID. Mr. President, when we returned from the winter recess, this Democratic minority acted decisively by introducing S. 2180, which we call the Honest Leadership Act. We put reform to paper and established the baseline for the Senate by getting caucuswide support for what we believe is a very tough and comprehensive reform piece of legislation.

Much of what we worked for as a caucus has now gained bipartisan support. I appreciate the work done by Senators LOTT and DODD. I appreciate the work done by Senators LIEBERMAN and COLLINS. I especially appreciate the work of both the committee members, both Democrats and Republicans.

What we have now is a melding of both the bill that came out of the Committee on Homeland Security and Governmental Affairs and the Rules Committee. That bill included a significant portion of the bill we introduced. I compliment and applaud the two committees for getting us to the point where we are.

These are aspects of the reported bills that need to be strengthened. As far as these measures now before the Senate, we want them to be consistent with legislation we introduced earlier this year. The amendment I have offered does that.

The amendment would make a number of changes to the pending bill. It would prohibit sitting Members of the Senate and senior legislative and executive branch employees from negotiating for private sector employment where a conflict or appearance of a conflict exists.

This amendment would impose criminal penalties in order to put a stop to the system of what many believe is a system of corruption that developed under the so-called K Street project. The K Street project was a form of institutionalized corruption in which Members of Congress limited access to government offices and influence over policy matters, or threatened to do so, as a means of forcing corporations, trade associations, and lobbying firms to hire Republicans and to tilt their political contributions to Republicans. It is a kick-the-can scheme as blatant and arrogant as anyone has seen in Congress.

This amendment increases civil and criminal penalties under the Lobbying Disclosure Act for individuals who knowingly and willingly file false information.

This amendment puts an end to the dead-of-night legislating and the practice of shutting Members and the public out of committee conference proceedings.

One of our real complaints since we have become a minority is the major- ity does not even go through the sham of their leadership. They just march over in someone's office and say: This is what the bill is going to be.

That is not the way things previously were done. We had public meetings where there were debates and votes in public. What we need to be the future of this Senate. This amendment requires the conference committees hold regular formal open meetings and that each member of the conference be afforded an opportunity to vote on the full text of the bill in open session.

This amendment prohibits all gifts from lobbyists, including meals. This amendment goes beyond simple disclosure and prohibits outside interests who advocate before the Congress from paying for travel for Members and staff, and would extend those gifts to the travel by companies, groups, business associations, and other special interests that lobby Congress. There would be a limited exemption for travel sponsored by 501(c)(3) tax-exempt charities about which the lobbyist would be required to certify that lobbyists did not finance, organize, or participate in the travel.

We worked hard to get this bill to the Senate. I hope this amendment will not have used up the bipartisan support we need to strengthen this legislation now before the Senate.

I am disappointed we have heard today that the House Republican leaders have stated that they prefer a partisan approach, something different than what we have had in the Senate to this point. The House Republican leaders have said they intend to tack regulation of 527 groups onto their yet-to-be-seen lobbying reform bill. They also want to use the current regulation of 527 groups with measures to weaken McCain-Fein- gold laws in a way that would principally benefit the majority.

In fact, these are the only clear priorities House Republican leaders appear to have for their bill. That is where the House Republicans' narrow interest lies. There is a partisan goal of changing the rules of our campaign finance system to hedge against the possibility of Republican election losses this fall. They think if you cannot change the election system, you can change it. That is what the House Republican leaders plan.

What we have in the Senate, to this point, has been bipartisan. Democrats and Republicans. What has been talked about in the Senate today is anti-reform legislation. Our Senate leaders—and I am directing my attention principally to the two committees—have rejected this effort and, again, I congratulate them for that.

As Senator DODD so aptly put it yesterday, campaign finance reform is much larger than the narrow question of 527 groups. The House Republican leaders want to shut those down because of the perception that those groups benefit Democrats. But what about trade associations which engage in the same type of activities? What about these foundations that we have heard so much about lately that pay relatives and friends of campaign workers? We know these trade associations engage in activities because we have seen their handiwork in advertise- ments, political advertisements for Rep- ublican candidates up this cycle. They were also active in 2004.

Yet the trade associations engaging in these activities are even less regulated than 527 groups. They are not required, as 527s are, to disclose their expendi- tures and their donors. They oper- ate in the shadows. These groups principally benefit Republicans.

We also need to crack down on abuses of foundations, as I mentioned, and charities which are used by Members for personal gain or for campaign pur- poses. Personally, I do not hear Re- publican calls to regulate any of these activities.

So what Senator DODD and I say is, if we are going to have a debate on foun- dations, trade associations, and 527s, let the House think it will take this bill down. But as Senator DODD said, if this is the issue, there will not be lobbying reform. That would be very unfair, wrong for this institution.

As important as these campaign fi- nance issues are, they are on the periphery, really, of the big issue; that is, how do we pay for campaigns? Is public financing—which some Senators believe is the right way to go—where we need to go? That is why a debate should be on campaign finance reform rather than trying to muddle up and confu- se the Senate on the issue now before us.

Lobbying reform, of all things, should not be twisted into a vehicle ex- ploited by one party to gain electoral advantage. If that is a path which is chosen, it will be a poison pill. The legis- lation will come down. I hope this does not happen. We have worked with Republicans so far to make sure this issue does not get entangled with campaign finance reform. I hope we can continue to do that.

This amendment is, in effect, an ef- fort to plug the holes that were not placed in this legislation by the Rules Committee and the Homeland Security Committee. I hope we have a good de- bate on this issue. This is not some- thing that should take a long time. I have told the distinguished majority leader this is no attempt to stall this legislation. I am a majority leader that unless there are issues out- side of what the two committees did that are within their jurisdiction, we
have no intention of offering a myriad of issues we have Members clamoring to offer—issues on the port security deal, minimum wage, all kinds of things dealing with health care. There is a long list of issues we want to bring up as soon as possible, but we are not going to stop on this legislation. We believe this should be for lobbying reform. So I think it needs the good faith of both parties to see if we can move down that road.

I have asked my caucus, if they want to speak on this issue, to do it as soon as they can, hopefully in the morning when we come in. It would be good if we could have a vote before we go to our respective lunches. The majority has a Steering Committee meeting every Wednesday. We have a special caucus tomorrow. It would be good if we could wrap up the vote before then.

Mr. President, I wish everyone a good evening. Good night.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:15 p.m., adjourned until Wednesday, March 8, 2006, at 9:30 a.m.

NOMINATIONS

Executive nominations received by the Senate March 7, 2006:

DEPARTMENT OF STATE

MICHAEL R. BANNER, JR., OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF KENYA.

ROBERT P. COGGIN, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF TUNISIA.

FEDERAL ENERGY REGULATORY COMMISSION

PHILIP D. MOELLER, OF WASHINGTON, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNI 30, 2010, VICE PATRICK H. HUGHES, II, RESIGNED.

JON WELLINGHOF, OF NEVADA, TO BE A MEMBER OF THE FEDERAL ENERGY REGULATORY COMMISSION FOR THE TERM EXPIRING JUNE 30, 2008, VICE WILLIAM LLOYD MASSENT, EXPIRED.

DEPARTMENT OF TRANSPORTATION

RICHARD CAPKA, OF PENNSYLVANIA, TO BE ADMINISTRATOR OF THE FEDERAL HIGHWAY ADMINISTRATION, VICE MARY B. PETERS, RESIGNED.

CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

JERRY GAYLE BRIDGES, OF VIRGINIA, TO BE CHIEF FINANCIAL OFFICER OF THE CORPORATION FOR NATIONAL AND COMMUNITY SERVICE, VICE MICHAEL G. GILMULLEN, RESIGNED.

IN THE ARMY


To be general major

BRIG. GEN TIMOTHY J. WRIGHT, 0000

To be colonel

WILLIAM M. ROGERS, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be lieutenant colonel

KEVIN D. BROOKS, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

THOMAS L. REMPFFER, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

STEPHEN R. GERINGER, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

JAMIES D. GORDEY, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

CLINTON R. ASHLEY, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

JEFFREY J. ATTREY, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

JIMBO E. CUMMINGS, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

RICK B. DUNBAR, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

JAMIES D. GORDEY, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

WILLIAM M. ROGERS, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

ROSSALIND L. ABDUKHALIKE, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

JENIFER T. VECCHIONE, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

KINDRA J. WARNER, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

MARC D. WRISBAAR, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

TINA L. SOUTHS, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

KAYLEEN M. AMERSON, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

ROBERT S. ALLEN, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

JOSEPH P. BALLOCH, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

ANGELA J. P. COOZEY, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

BARRY B. BUELL, 0000

The FOLLOWING NAMED OFFICER FOR APPOINTMENT TO THE GRADE INDICATED IN THE UNITED STATES AIR FORCE UNDER TITLE 10, U.S.C., SECTION 624.

To be major

JOHN S. FRAZEY, 0000
To be lieutenant colonel

September 29, 2005.

The following named officers for regular appointment in the grades indicated in the United States Army as chaplains under title 10, U.S.C., sections 531 and 3064:

To be major

In the Marine Corps

The following named officers for appointment to the grade indicated in the United States Marine Corps under title 10, U.S.C., section 624:

To be major

Withdrawal

Executive Message transmitted by the President to the Senate on March 7, 2006 withdrawing from further Senate consideration the following nomination:

James Hardy Payne, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit, which was sent to the Senate on September 29, 2005.
PAYING TRIBUTE TO THE HONORABLE PETER I. BREEN
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Peter I. Breen for his service as a District Court Judge in the great State of Nevada.

Peter was born in Reno, Nevada, November 8, 1939. His mother, Gwendolyn (Ingram), was born in Sparks, Nevada, in 1908. His father, Peter, was born in Eureka, Nevada, in 1901, was District Judge of the Fifth Judicial District from 1956 to 1967. His grandfather, Peter Breen, was District Judge of the Third Judicial District from 1901–1923.

Peter was raised and educated in Goldfield and Tonopah, Nevada, where he graduated from Tonopah High School in 1956. He graduated from the University of Nevada in 1960 and the University of Santa Clara Law School in 1963.

Peter practiced law both in Reno and Carson City from 1963 to 1973. From 1967 to 1970 he served as Deputy Attorney General. Following that, he was a partner with Emerson J. Wilson in the firm of Wilson and Breen, Ltd. at the time of his appointment to the bench. Governor O'Callaghan made his appointment to fill the newly created Department Seven effective January 2, 1974. Peter has been elected six times to the post without opposition.

The Washoe County Courthouse Historical and Preservation Society was formed in June 1999 by Peter for the purpose of restoration and preservation of the historical courthouse and its history. The Society instituted the Flag Day Celebration in 2000 and holiday lighting of the courthouse, and they have become popular traditions. Peter continues to serve as the Society's President. A commemoration of the recently restored historical courtroom is to occur in 2006.

On July 1, 1999, Peter instituted a Probate Court in the District Court and presides over its operation.

Peter instituted the Washoe County Adult Drug Court on July 1, 1995. He also created and presides over a Diversion Court for criminal offenders whose crimes are attributable to drug addiction or alcoholism. He has participated at the National Judicial College in Reno, Nevada, and National Association of Drug Court Professionals in several programs concerning the Drug Court movement. In November 2001, he established the first Mental Health Court in Nevada.

Mr. Speaker, I am honored to recognize the Honorable Peter I. Breen on the floor of the House today.

IN HONOR OF THE MONTEREY CIVIC CLUB
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. FARR. Mr. Speaker, I rise today to honor the Monterey Civic Club which is celebrating its 100th anniversary this year. The Monterey Civic Club was founded in 1906 with the purpose of working to improve, beautify and promote the welfare of Monterey and help preserve its rich history. Looking back, I would like to applaud the work they have done over the past 100 years, and I look forward to the work they will continue to undertake in the next 100 years.

The Monterey Civic Club is located in the “House of the Four Winds,” a historic adobe built in the 1830s by Thomas Oliver Larkin, the first and only American Consul to Alta California. This house has undergone many uses, including a store under Governor Alvarado during the American occupation, headquarters for Secretary of State H.W. Halleck, and the location of the first Hall of Records for the State of California. The Monterey Civic Club bought this historic adobe in 1914 and restored it. Today, “The House of the Four Winds” is home to what is believed to be the oldest women’s clubhouse in continuous use in the United States.

Since its inception, the Monterey Civic Club has undertaken several projects and donated thousands of dollars to local charities dedicated to improving the quality of life in Monterey. Among its accomplishments are: building a bridge over muddy Del Monte Avenue in 1907, participating in adobe tours, maintaining and preserving the historic “House of the Four Winds”; and the paintings and articles of historical significance located therein. Another of the club’s beneficial endeavors is the lively and traditional “El Baile de Los Cascarones,” a pre-Lent “Cascaron Ball” held annually since 1939. The ticket sales from this traditional Spanish ball go to local charities and maintenance of the adobe.

Mr. Speaker, it is organizations like the Monterey Civic Club, with their dedication to preserving and improving the character of our local communities that make life unique in this vast and beautiful nation of ours. A distinct sense of identity is created by building upon local heritage, creating pride in the community. It is this sense of local pride that influences people to get involved in their communities, initiating the type of citizen service that our democracy depends on. The Monterey Civic Club’s 100th anniversary is a commendable achievement, and I salute the club’s numerous accomplishments.

EDITORIAL OF PRESIDENT BUSH’S VISIT TO INDIA
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. WILSON of South Carolina. Mr. Speaker, on Thursday, March 2, 2006, The Post and Courier of Charleston, South Carolina, published the following editorial regarding President Bush’s historic visit to India and the nuclear agreement between the United States and India.

HISTORIC RECONCILIATION WITH INDIA
President George W. Bush’s whirlwind, five-day visit to South Asia is almost certain to have lasting significance. By visiting India, the world’s largest democracy, and also making a previously unannounced stop in Afghanistan, one of the world’s youngest developing democracies, the president continues to demonstrate his commitment to political freedom. The embrace of India, after decades of strained relations, follows a five-year personal courtship by President Bush. It ranks as one of the president’s most important diplomatic achievements. His lasting success depends on maintaining the right balance in America’s relationship with Pakistan, a vital strategic ally in the war against al Qaeda-led terrorism, and also with China. After three days in India, Mr. Bush flies on to Pakistan, the subcontinent’s rival nuclear power and India’s foe in three wars.

United States and Indian interests intersect in many areas: in the fight against Muslim terrorism; in promoting democracy through a joint Global Democracy Initiative and a new United Nations Democracy Fund; in combating threats to public health such as AIDS and pandemic flu; in developing new energy technologies, including nuclear energy; and in trade. Economic ties are strong. United States exports to India rose 30 percent in 2005, and despite the controversial outsourcing of American service jobs to India, the United States trade surplus with India was $1.8 billion last year.

United States friendship with India also helps counterbalance China’s rising economic and military power in the Asia region and keep the pressure on Pakistan’s President Pervez Musharraf to suppress Islamic fundamentalist movements. The administration’s most controversial initiative towards India—a proposal to share peaceful nuclear technology with a nation that has not joined the Nuclear Non-Proliferation Treaty—is moving forward. The president was conducting negotiations up to the last minute by telephone from Air Force One, if and when details are ironed out, and India opens its peaceful nuclear activities to international inspection. New Delhi will take its responsible place in the rank of the world’s nuclear powers. That will place great pressure on Pakistan to follow suit.

The street demonstrations held to protest, peacefully, the president’s visit, were mostly by Muslims. They served to underscore India’s commitment to democracy, but also to emphasize by contrast the warm reception the president and first lady were given by Prime Minister Manmohan Singh,
who broke with protocol to meet them at the airport.

Polls show that the vast majority of the Indian people welcome what Prime Minister Singh described as "an act of historic reconciliation." This visit is already being compared to Richard Nixon’s breakthrough journey to Communist China. By forging a new era in relations between South Asia, the president continues to build a foreign policy legacy.

PAYING TRIBUTE TO MARINE LANCE CPL. JOHN JOSHUA THORNTON, KILLED WHILE SERVING HIS COUNTRY IN IRAQ

HON. KENNY MARCHANT
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. MARCHANT. Mr. Speaker, today I rise to pay tribute to Mr. and Mrs. Ben H. Carpenter. Their lifelong dedication to improving lives and communities in North Texas will be sorely missed. Ben Carpenter passed last Friday, March 3, at his home in Dallas. His wife, Betty Dupree, followed him in death on Sunday, March 5.

Mr. Carpenter’s vision and astuteness as a business leader helped shepherd Dallas into a new role as an international city in the latter part of the 20th century. He ran one of the country’s largest insurance companies, South-land Life Insurance, which was founded by his father, John Carpenter and later became Southland Financial Corp. In 30 years, in 1959, he built the city’s tallest skyscraper, the Southland Center, which is now the Adam’s Mark Hotel.

Mr. Carpenter’s greatest legacy is Los Colinas, one of the most successful real estate developments in the United States. In the early 1970s he launched a plan to turn his family ranch into a world class residential and commercial community. Las Colinas now houses some 12,000 acres of apartments, homes, hotels, shopping centers, and company headquarters. It is home to 40 Fortune 500 Companies today, including ExxonMobil, Nokia, Microsoft, and Kimberly Clark.

Mr. Carpenter served his country during World War II as a volunteer in the Army. He was awarded the Bronze Star for his heroics in the China-Burma-India theater. Upon his graduation from the University of Texas at Austin in 1948, he married this lifelong love, Betty Ann Dupree.

Mrs. Carpenter will also be remembered for her commitment to service and giving spirit. She served as an officer and board member in several charitable organizations, including the Child Guidance Center of Dallas and the Irving Community Hospital. An active Presbyterian, she and her husband donated land for the creation of two new Presbyterian churches in the Dallas area. They also funded the construction of the Carpenter Chapel at the Presbyterian Hospital in Dallas.

Betty and Ben Carpenter were charitable contributors to multiple causes in North Texas. They provided land for the establishment of the Irving Arts Center and the Irving Community Hospital. Their generous gifts founded the Carpenter Family MBA Leadership Center and Carpenter Family MBA Leadership Endowment for Cardiovascular Research at the Heart, Lung, and Vascular Clinical Center of Excellence at St. Paul Hospital of Dallas.

Ben and Betty Carpenter’s endeavors in both the business and service worlds have left an indelible mark on the city of Dallas and the state of Texas. I honor their lives and their legacy; North Texas would not be what it is today without their contributions.

RECOGNIZING THE ACCEPIEMENTS OF TED HODGES OF SALINA, KANSAS

HON. JERRY MORAN
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. MORAN of Kansas. Mr. Speaker, I rise today to recognize the accomplishments of Ted Hodges, a high school student from Salina, Kansas, who recently won the Kansas Voice of Democracy Audio Essay Competition. Ted’s speech illustrates that our everyday activities are freedoms that should not be taken for granted. I would like to submit the text of his speech for the record to encourage the citizens of our Nation to cherish their freedoms.

HOW I DEMONSTRATE MY FREEDOM

I wake up, take a shower, get dressed, eat breakfast go to school I practice football, do homework, talk with my mom and friends, then go to bed. I go read the paper, go to church, watch TV. Each one of these simple, ordinary actions in itself seems mundane, but it actually is an expression of freedom that I enjoy daily. Going to school is an indulgence? Attending church a privilege? Writing an essay a luxury? C’mon. Those are all things that we take for granted, right? They are things that I have to do!

In an address to Congress in 1941, President Franklin Delano Roosevelt enumerated four freedoms that every American should expect and protect: freedom of speech, freedom to worship, freedom from fear, and freedom from want. To me, these are the ideal that America has been defined by throughout the years. I am the everyday beneficiary of these four freedoms.

Firstly, I express my freedom of speech by doing things such as writing letters to the editor of my local newspaper, posting web logs on the Internet, or interacting with school board members to change various policies. All of these things I can do without fear of retribution. I can peacefully demonstrate or agitate for change on any subject. I can read articles in newspapers, magazines, and websites that represent every viewpoint of the political spectrum. I can make my own contributions, find my own voice.

The next freedom mentioned by President Roosevelt—freedom of religion—also is present in my life. Every day I see different religions. Christianity or Judaism, Muslim or Hindu: each of these has a place in this great nation. Some larger, some smaller, all tolerated. And not promoted or encouraged by the state or in our schools. I am free to offer a prayer to the God that I worship at home, anywhere, being a crucifer for the last eight years during my church’s Sunday services or leading the team prayer after a hard-fought football game, I have that freedom.

Another freedom, freedom from fear, is too found in our society. Personally, I have the freedom to sleep well at night knowing that our troops are working diligently not only to preserve our way of life, but to also bring that opportunity to many others. A day does not go by that we should not be extremely appreciative to those who go into the line of fire to keep our nation free from fear. Laws that will govern and protect me and my family whether we are black or white, male or female.

Freedom from want: Where do I start? I have all the privileges that the wealthiest nation on earth can give me. A strong school, competent teachers, good roads, and reliable energy. A hot shower. Food that’s safe. Freedom from want is something that we as Americans utilize every second of every day.

As I look back on Franklin D. Roosevelt’s four freedoms I begin to wonder, “How can I show my appreciation and demonstrate my own commitment to freedom?” The answer is shown in many of my every day actions.

By taking advantage of every opportunity bestowed upon me: working diligently at school so that I can become a better informed citizen. By exercising my religious
freedom to worship God as I choose. By not being afraid to voice my opinion. By becoming an active member of my community—doing volunteer work, serving on boards. By paying taxes and holding the government accountable. By working to improve the way of life for my descendants. By registering for the selective service and being ready to serve our country. And by being a dedicated, informed voter.

Living within the confines and routines of a typical teenager’s life, freedom might seem like a rare commodity. But the simple act of putting a pen to paper, of committing my voice to a recording for the Voice of Democracy audio essay profoundly represents the many freedoms I take for granted every day.

PAYING TRIBUTE TO TIMOTHY BURRIS

HON. JON C. PORTER
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Timothy Burris, who retired on January 3rd of this year, after 26 years of dedicated service to the Las Vegas Metropolitan Police Department, his last 8 years serving in the Laughlin Substation as Detective.

Tim began his career in 1979 as a patrol officer in Las Vegas, and started the Bicycle Patrol Unit there. He moved up to work in the Detective Bureau, an assignment he has maintained for the last 15 years. Tim also served on the International Outlaw Motorcycle Gang Investigators Association and before joining Metro, he served 3 tours in Vietnam in the U.S. Navy as a crewman on the U.S.S. Kawishiwi, affectionately referred to as the “Special K” by the crew.

Demonstrating that his job is something he does, not who he is, Timothy’s fondest memories are not necessarily the ones from being on the force, but rather memories of his family. The detective has 3 sons that he is very proud of; Timothy, 30, a high school art and theater teacher; Matthew, 27, a member of Metro’s Mounted Patrol Unit; and James, 12, a middle school student and promising young bow-hunter.

Tim has spent much of his career downplaying his efforts while serving on the force. When approached with a recommendation for an award or medal, with his typical humble demeanor he will tell you that he doesn’t see the need for medals or honors. He feels that he is just doing his job. That unassuming attitude is exactly what makes Tim so loved and respected.

His fellow police officers describe him as a real professional and a long-time solid police officer of the highest caliber. His outstanding record shows that he is the go-to-guy on any difficult case. His knowledge and experience will be greatly missed in southern Nevada.

Mr. Speaker, I am honored to recognize Timothy Burris on the floor of the House today. I congratulate him on a great career and wish him the best in retirement.

IN HONOR OF NOT THIS TIME VETS

HON. SAM FARR
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. FARR. Mr. Speaker, I rise today to honor Not This Time Vets, a Santa Cruz Bay Area organization ensuring the well being of veterans, both from previous and current conflicts. The organization was created in response to the indifference and hostility Vietnam soldiers faced as part of the Nation’s criticism of the war. A non-profit organization, Not This Time Vets is committed to honoring the service and sacrifices of veterans in Santa Cruz County as well as show appreciation for citizens currently serving in Iraq, Afghanistan, and other parts of the world.

Not This Time Vets has demonstrated its appreciation to our veterans by drawing attention to their honorable service as well as advocating on their behalf in regard to preserving veterans’ benefits and programs. For the estimated 18,000 veterans in Santa Cruz County, Not This Time Vets works to pay tribute to military service through organizing celebrations, informational events and advocating for effective veterans’ support policies. On May 21, 2005, Not This Time Vets sponsored a parade in Santa Cruz, which drew an estimated crowd of 2,000 people. Those in attendance enthusiastically showed their support for veterans of all eras. While Americans may differ in their view of current and previous conflicts, we all need to honor the young men and women serving this country, past and present. This is a universal point of agreement that Not This Time Vets keeps front and center.

Mr. Speaker, we know military service is a valuable and difficult sacrifice. Organizations like Not This Time Vets provide important services to our communities and veterans by providing a forum through which recognition, respect and appreciation can be demonstrated to those who have served our country. While no gesture could ever remove the scars inflicted by war, Not This Time Vets hopes to heal those physical and emotional wounds by publicly recognizing their service and bringing to light the tribulations they still endure. I applaud Not This Time Vets for the services they have provided to veterans in our community and their intentions to spread their message of healing and appreciation throughout the country.

CELEBRATING THE 80TH BIRTHDAY OF RICH DEVOES

HON. JOE WILSON
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. WILSON of South Carolina. Mr. Speaker, I rise today to honor Richard (Rich) DeVos, a great American business leader, on the special occasion of his 80th birthday. Rich co-founded Amway Corporation, a direct selling company, based on the principle of helping individuals around the world the opportunity to be entrepreneurs. Amway has become an industry leader, and is now a subsidiary of Alticor, Inc.—a Michigan-based company with international presence and annual sales of $6.4 billion.

Now retired from the company, Rich serves as Chairman of the Orlando Magic, which he and his family acquired in 1991. Rich continues to be a source of inspiration and motivation to others by sharing accounts of his personal challenges and achievements through speaking engagements and writings. Remarkably, Rich did not stop upon reaching his American Dream, but rather continues to encourage others to believe in themselves and pursue their own dreams. Rich DeVos was born in Grand Rapids, Michigan on March 4, 1926. He and his wife, Helen DeVos, have four children and fifteen grandchildren.

PAYING TRIBUTE TO SERGEANT GARY HOOD

HON. JON C. PORTER
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Las Vegas Metropolitan Police Department Sergeant Gary Hood who retired on January 3, 2006, after 24 years of service on the force.

Sgt. Hood began his career with the Las Vegas Metropolitan Police Department (Metro) in 1976, after serving in the Air Force for 8 years. He was a crew member of the USAF Thunderbirds before leaving the service. At Metro, Sgt. Hood started as patrol officer and remained so by choice for 15 years. He also served in the Special Investigations and Concealed Weapons units for about 2 years and 6 years respectively. Sgt. Hood has been a sergeant for 14 years.

He and his wife, Sue, are the parents of two beautiful daughters, Christina, 26, and Erin, 21. They also have one granddaughter, Rhianna, 5. All are residents of Henderson, NV.

The more notorious cases that he was involved with during his career include the shooting of rapper Tupac Shakur and the violent fight between the rival Hells Angels and Mongol outlaw biker gangs during the Laughlin River Run in 2002. Three people were killed and 13 others were shot or stabbed in the confrontation.

Sgt. Hood received the 2002 Medal of Valor for his efforts in the shoot-out, the highest honor issued by the department. He also gives of himself by being a member of the Laughlin Town Advisory Board, a volunteer position. He can be described as a dedicated man, dedicated to the community, the police department and his family.

Mr. Speaker, it is a privilege to honor Sgt. Gary Hood on the floor of the House today. I congratulate him on his retirement. He has been an honorable and valuable public servant and he will be missed.
RECOGNIZING KATELYN SLOEFF
OF CARROLLTON, TEXAS

HON. KENNY MARCHANT
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. MARCHANT. Mr. Speaker, today I rise to recognize Katelyn Sloeff of Carrollton, Texas. Katelyn has been named one of the top youth volunteers in Texas for 2006 in the 11th annual Prudential Spirit of Community Awards.

Katelyn Sloeff, age 13, is an eighth-grader at DeWitt Perry Middle School in Carrollton, Texas. She created a peer tutoring program to provide students with academic help without charge for long-term efforts to sustain and revitalize their community.

Her efforts led to her selection as a Distinguished Finalist in this year’s Prudential Spirit of Community awards program. Together they provided regular tutoring sessions for 15 students in need of assistance. Her efforts led to her selection as a Distinguished Finalist in this year’s Prudential Spirit of Community awards program.

Today I salute Katelyn for her impressive community service. It is encouraging to see outstanding young adults like her making significant contributions to their communities. I thank Katelyn for her dedication to volunteering; she is a great example of the high quality of the young people in our North Texas schools. I am proud to represent her in the U.S. House of Representatives.

RECOGNIZING THE COMMUNITY OF PALCO, KANSAS

HON. JERRY MORAN
OF KANSAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. MORAN of Kansas. Mr. Speaker, I rise today to recognize the citizens of Palco, Kansas for long-term efforts to sustain and revitalize their community.

Mayor Leo VonFeldt is proud to call this town of 235 people home. “Palco continues to grow,” VonFeldt said. “The community has done a lot to keep going forward.”

Over the last ten years, the citizens of Palco have taken action to ensure that their community continues to be home to another generation of Kansans.

In 1996, a USDA Rural Development grant was supplemented by $125,000 of local dollars in order to complete an expansion of Kyser Machine Products. This effort provided six jobs to the local economy.

The development of Keller Motors/Petro Plus & Quality Collision Repair was completed in 1998. This half a million dollar project included a $250,000 owner investment, $200,000 in local contributions and Federal funding of $50,000. The result of this shared investment is that 6 employees now provide area residents a full service gas station, 24 hour fuel access and auto collision service.

The business has made a positive contribution to the community. The significance of that contribution was highlighted when owner Myron Keller was recognized as the 2004 National Young Entrepreneur of the Year by the U.S. Small Business Administration. Keller said he was humbled by the award, which in his opinion belongs to the entire community.

“Our community recognizes that we can’t just sit back. We must be pro-active and keep working hard for a better future,” Keller said. “Nothing just happens in rural America. You have to make it happen.”

In 2002, a dedicated effort was made to enhance local government by the construction of a new city building. The facility was funded by $120,000 in local donations and includes a city office, ambulance service and fire department.

The following year, community food service availability was greatly improved when the local community purchased and completely remodeled a local restaurant. The $45,000 project has resulted in 6 day a week restaurant service. In addition, new ownership took over Palco’s grocery store which preserved access to grocery service for local residents.

In 2004, an investment of $132,000 from local and Federal sources resulted in the renovation and opening of the Palco Medical Clinic. The clinic provides residents with needed health care service. Also, Midwest Community Bank opened a facility in Palco which preserved local access to lending and investment opportunities. That same year, the city completed a two year community enhancement initiative. The $2.2 million project established a home improvement program, a new sewer plant and construction of a new city street near the downtown area.

In the last decade, the citizens of Palco have leveraged more than $3,250,000 of private, local and Federal investment into their community. Most recently, the town has taken on the task of developing a local day care facility. Community leaders hope to have the facility open by the fall of this year. According to Mayor VonFeldt this is just one more example of the community coming together to achieve a goal. “Citizens are willing to give of their time, energy and resources,” VonFeldt said. “This is what makes Palco great.”

For rural communities to survive and prosper into the future, citizens must be willing to create their own opportunities for success. On-going efforts to revitalize Palco are an example of how hard work, vision and community support can create just such an opportunity. Citizens throughout Kansas are working together to enhance the quality of life in their communities. Palco is a success story that demonstrates how teamwork and creative thinking can make a positive difference in rural America.

PAYING TRIBUTE TO CONSTABLE PATRICK KETTERER

HON. JON C. PORTER
OF NEVADA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Laughlin Town Constable Patrick Ketterer for his outstanding service to the community of Laughlin and his dedication to making that community a safer and more pleasant place in which to live and visit.

Patrick Ketterer has been a Laughlin resident since 1988. He served through the Laughlin Village Council and has since been reelected to the position to fill a vacancy and has since been reelected to the position four times. He is the longest serving elected official in Laughlin.

Along with serving as the town Constable, Patrick Ketterer has given countless hours of service to the community through volunteer activities. Some of his activities include serving with the Metro Volunteer Police (MVPs), volunteering as a Homeland Security reserve officer and working for the local Community Emergency Response Team as Team Trainer. He is also a member of the Kiwanis and Lions clubs, as well as the American Legion Post 60. On January 10, 2006, He received the Citizen of the Year award for 2005 from the Laughlin Town Advisory Board.

To the children of Laughlin Patrick Ketterer is known simply as “Santa.” Usually arriving at holiday events by police car, fire truck, or even a horse and buggy, he has thrilled the children of the community for years by playing the role of Santa Claus.

Mr. Speaker, it is a privilege to honor Patrick Ketterer for his community service in the great state of Nevada.

CONGRATULATING THE ASIAN PACIFIC AMERICAN TIMES ON ITS 10TH ANNIVERSARY CELEBRATION

HON. MARK UDALL
OF COLORADO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. UDALL of Colorado. Mr. Speaker, I rise today to congratulate the Asian Pacific American Times on its upcoming 10th Anniversary celebration and to honor the important contributions this paper has made over the last decade. On March 25, 2006, the APA Times will celebrate a record of substantial achievement and growth among its readership.

The Asian Pacific American Times began with a narrower mission and title than it has today as the “Philippine American Times,” focusing on issues relevant to Filipino-Americans living and working in Colorado. Over time it recognized the need to reach more Asian-American communities and it broadened its coverage and objectives accordingly. In March 2003, the Asian Pacific American Times became “The Voice of Asian Pacific Americans in the Rockies.”

Reading the Asian Pacific American Times today, it is not uncommon to see datelines from locations as varied as Denver, Washington D.C., South Korea, Mongolia, China, and the Philippines. This breadth demonstrates the APA Times’ dedication to reporting on a wide range of issues important to emerging Asian communities. In addition to substantive reporting and editing, it is important to recognize the APA Times’ devotion to community involvement. Having won the Asian Chamber of Commerce Small Business of the Year Award in 2003 and the Martin Luther King, Jr. Business Social Responsibility Award in 2005, the APA Times shows a clear commitment beyond routine journalism to greater support of Asian-American communities and cultural awareness. From volunteering in programs to participating in community events, the APA Times and its employees go above and beyond their laudable work as a press outlet to become public servants and community leaders.
For their accomplishments, service, and hard work, I ask my colleagues to join me in congratulating the employees of the Asian Pacific American Times on their 10th Anniversary and their many journalistic achievements over the last decade. I look forward to reading their work and witnessing their accomplishments for another ten years and beyond.

TRIBUTE TO PEACE CORPS VOLUNTEERS

HON. SOLOMON P. ORTIZ OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2006

Mr. ORTIZ. Mr. Speaker, I rise today to recognize the Peace Corps as it reached its 45th anniversary on March 1, 2006. The Peace Corps is an outstanding organization that promotes peace through helping countless individuals who want to help build a better life for the community in which they serve.

Since the Peace Corps’ inception in 1961, more than 182,000 Peace Corps Volunteers have been invited by 138 host countries to work in areas such as HIV/AIDS prevention, information technology, business development, education, and environmental preservation.

The Peace Corps also works to empower people in various communities to take charge of their futures.

In addition to serving overseas, the Peace Corps’ Crisis Corps Volunteers have helped their fellow Americans. In response to Hurricane Katrina, the Peace Corps deployed approximately 272 Crisis Corps Volunteers to the Gulf Coast region to assist with hurricane response efforts, through an agreement with the Federal Emergency Management Agency (FEMA). This deployment of volunteers within the U.S. was an historic first for the Peace Corps.

I would like to take some time now to honor current Volunteers from my District who are working on the front lines of humanity. Christina M. Burke serving in Nicaragua, Lisa M. Droegte serving in Honduras, Cibeles Garcia serving in Ghana, Jesse S. Lovegren serving in Cameroon, Timothy A. Markin serving in Thailand, Jesse S. Lovegren serving in Ghana, and Timothy A. Markin serving in Thailand.

Upon graduation, Larry’s first General Foremen’s position came while working Travel Card out of the Chico Local in 1961 and 1962 at a Titan missile base. Larry’s elevation to a supervisory position was a rare feat for a Travel Card worker and came as a direct result of his outstanding skill level and ability to lead. Larry was devoted to his commitment to Local 342 and elected to the Apprentice Committee in the General Election of Officers on December 10, 1967.

In the early 1970’s, Larry was encouraged by Brother Vern Gosney to start regularly attending Membership Meetings and become more involved with the organization and operations of the Local. Brothers Les Reed and Tom Irvin also worked closely with Larry and were the first to recommend that he begin teaching. He took all of this advice to heart and began regularly attending meetings and started taking night school classes to learn supervisory techniques and engineering skills.

It wasn’t long before Larry began instructing the Local 342 Apprenticeship Training Program and subsequently earned a Life Time Services Teaching Credential through the State of California.

Starting in 1977, Larry embarked on another career path and undertook the task of running the Training Center as Director of Training. It was during his ten years as Director that the school was expanded to accommodate larger classes of apprentices to help complete the many projects within the Local’s jurisdiction. As the need for apprentices grew, Larry also oversaw the expansion of the Journeyman Training classes. These classes were designed to upgrade the skill levels of the Local’s journeymen and keep them current with the industry’s expanding technological advancements.

Larry understood the need to stay on top of the changing industry and worked diligently to keep pace.

On December 11, 1988 in the General Election of Officers, Larry won a three-way race for Business Representative over Contra Costa County with more than 53% of the vote. While overseeing Contra Costa County, the Local worked major projects such as: the TKC Rebuild at Chevron in Richmond, CoGeneration Power Plants throughout the area’s refineries, major expansions throughout Chevron, and Clean Fuels projects at Chevron, Shell, Tosco and Unocal. Almost overnight Larry’s jurisdiction went from just a couple hundred UA members to more than 2,000. Larry’s skills helped ensure that the work was manned with qualified craftsmen and the jurisdiction of the Local was protected.

After three terms as Business Representative, Larry put in his bid for nomination to the Local’s top position, Business Financial Secretary. On December 14, 1997, with the largest turnout for any election in Local’s history, Larry was elected with 88% of the votes cast. The Membership’s confidence in him was high enough in the General Election of Officers in 2000 and again in 2003 that he was re-elected unopposed.

With Larry’s leadership and the assistance of many dedicated members, Local 342 has one of the finest and most progressive training centers in the country. Larry also worked tirelessly as a Board of Trustee member to stabilize the Health and Welfare Plan and amend the Master Labor Agreement to improve the conditions on the work site. Larry negotiated an increase in the Total Package that provides...
funds for the Pension, the Health and Welfare plan. These advancements have not only helped to significantly improve working conditions; the language and monetary conditions were also greatly increased.

Larry has represented Local 342 countless times in negotiations of the California State Pipe Trades Council, the United Association, the Western States Pipe Trades Council and the Western States Pipeline Conference. He’s also served on the Executive Boards of these associations as well as the Contra Costa and Alameda County Building and Construction Trades Councils. In 2001, Larry was appointed by the UA General President to the prestigious Laws Committee at the UA Convention in Miami Beach, Florida. On October 26, 2001, Larry was honored as Labor Leader of the Year and recognized by the Contra Costa Central Labor Council, the Contra Costa Building and Construction Trades Council and the California State Senate and Assembly for his service to the community and to working men and women.

Larry not only worked tirelessly for his brothers and sisters of organized labor, he also cultivated friendships within the community. Some of the community projects he has been a part of include, Camp Okizu, the building of the Shepard’s Gate home for battered women, the Mother Wright Foundation and the Northern California Special Olympics.

Upon retirement Larry will now have more time to devote to his wife, Debbie, sons Donald and Keith, daughter Dorothy, stepchildren Derrick and Andrea, as well as grandchildren Stephanie, Marshall, Amber and Curtis.

As we wish Larry Kohn fond farewell, we can rest assured that he has left Local 342 financially strong, cultivated a strong symbiotic relationship with the Local’s contractors, and helped strengthen the ties with Sister Locals and other branches. Larry’s honorable toil has helped cement a positive place within the community for the brothers and sisters of Local 342. We are all beneficiaries of his hard work and we salute his efforts. Cheers to a happy and healthy retirement.

TRIBUTE TO MEDICALERT

HON. GEORGE RADANOVICH
OF CALIFORNIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. RADANOVICH. Mr. Speaker, I would like to take this opportunity to recognize an organization founded by Dr. Marion, and Chrissie Colling of Turlock, California in 1956. The MedicAlert system provides identification and medical information in emergencies, alerting emergency medical professionals to preexisting medical conditions such as diabetes, heart conditions, implanted devices, and allergies to medications.

MedicAlert utilizes identification bracelets and the E-Health Key, both of which are to be carried at all times in case of emergency. A 24-hour Emergency Response Center can be reached by calling a phone number on MedicAlert bracelets allowing direct dialogue with nurses who have access to patients’ Electronic Health Record. The emergency contact information available in those records helps make sure that patients’ families are contacted in an emergency. MedicAlert provides free training pertaining to the use of MedicAlert bracelets and E-Health Keys for emergency response personnel and the public safety community.

Now in its 50th year, MedicAlert is endorsed by the American Red Cross, the National Institute of Health, the American College of Emergency Physicians and the American Pharmaceutical Association. Over 100,000 medical professionals recommend MedicAlert to their patients. MedicAlert currently receives 3,500 emergency calls a year. MedicAlert has grown to have affiliates in nine countries: Canada, the United Kingdom, Australia, New Zealand, Cyprus, Malaysia, Iceland, South Africa and Zimbabwe.

I am very proud to congratulate MedicAlert on the occasion of its 50th Anniversary. Over 80,000 people credit MedicAlert with having saved their lives in an emergency, and I wish this amazing organization many more years of growth, increased awareness, and success. Four million members worldwide understand the great importance of this organization and the immeasurable service it provides.

WHITHER THE SIX PARTY PROCESS?

HON. JAMES A. LEACH
OF IOWA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. LEACH. Mr. Speaker, on September 19, 2005, China, Japan, North Korea, Russia, South Korea, and the U.S. signed a Joint Statement of principles under which North Korea committed to abandoning all nuclear weapons and existing nuclear programs. In contrast to the hopes surrounding that pledge, the intervening 6 months have brought no substantive progress toward that end, and the Six Party process is beginning to appear moribund.

This circumstance is particularly regrettable because time is on no one’s side. Every day of the status quo is another day for the North Korean regime to produce additional fissile material, and another day that the people of North Korea fall further behind the remarkable economic and social march of the rest of Asia. At the same time that the malfeasance of the North Korean government has brought us to this impasse, it remains in the interest of the U.S. to initiate additional dialogue, even if prospects for its success are uncertain.

Alternatively, to continue to maintain a reactive approach—such as placing unrealistic conditions on high-level contacts and other forms of meaningful engagement with the DPRK—cedes too much control to hard-liners in a regime that does not yet feel sufficient pressure or incentive to denuclearize.

We must continually test the intent of North Korea and not miss any opportunity for progress, however improbable. We are also obligated to consistently demonstrate to the other parties in the region that the intransigence impeding progress is not ours. Both of these priorities presuppose dialogue. Because we control what we say, we ought not fear additional discussions or supplementary avenues of discussion. Conversation is never concession if one is speaking the truth, advancing the national interest. At all levels of human interaction, including the international strategic level, there exists a significant psychological dimension: Between nations, as between people, the stronger party has greater strategic confidence and thus capacity to take the first conciliatory steps when intrinsigent differences arise. Given the enormity of the stakes at issue, it behooves the U.S. to take advantage of the greater flexibility we possess to creatively explore possibilities for resolving the challenges posed by North Korea.

One has the sense that due to understandable frustrations relative to past North Korean actions, including cheating on international commitments, the White House has given exceedingly constrained options to our negotiators. But clear-headedness about the nature of the North Korean regime should not cloud our diplomatic research and processes to overcome differences.

We have many assets, not the least of which is our professional diplomatic corps.
American professionalism is exemplified by Assistant Secretary of State Christopher Hill, who has developed a constructive relationship with all of the parties to the Six Party Talks, including North Korea. The case for sending him to Pyongyang to test the boundaries—and push the implementation—of the Joint Statement is compelling.

In particular, we should not be hesitant to begin considering the utility of negoti[ating] a permanent peace regime on the Korean Peninsula at an appropriate separate forum, as envisioned by the Joint Statement and the recent U.S.-ROK strategic dialogue. Taking the initiative to formally end the Korean War would underscore our peaceful intent in an unparalleled fashion, and remind the Korean people that the U.S. singularly and unequivocally supports the peaceful reunification of the Peninsula. There may be sequencing concerns but forging ahead on this aspect of the statement of principles may increase the willingness of the other parties to exert greater pressure to enforce its critical core—the denuclearization of the Korean Peninsula—and provide North Korea greater psychological as well as strategic comfort to accede to concerns of the outside world.

While we speak directly to the North Korean delegation in Beijing at the Six Party Talks and have certain contacts with the North Korean ambassador to the United Nations, there is clearly a problem of communication between our two governments. Accordingly, it is time, perhaps with appropriate quid pro quos, that we explore the feasibility of establishing liaison offices in our two capitals.

For the U.S. to continue to stand pat is to transfer initiative to others, indebting us to the diplomacy of countries that may have different interests, or simply ensconcing the status quo.

It’s time for the U.S. to lead.

TRIBUTE TO FAITH MISSIONARY BAPTIST CHURCH

HON. ALBERT RUSSELL WYNN
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. WYNN. Mr. Speaker, today I recognize the Faith Missionary Baptist Church of Capitol Heights, Maryland and Reverend Dr. Michael C. Turner, Sr. for their outstanding commitment to the community over the last fifteen years.

Their church home was purchased in May of 2000, and the dedication and cornerstone laying service was held on November 11, 2000. Since its inception the Church has baptized hundreds of new converts, provided structured Bible classes, established a strong and viable Youth Ministry, established mentoring and tutorial programs, and established a 10-week Summer Youth Enrichment Program.

I submit for the record the celebration of the Church’s 15th Anniversary with the theme of “Remembering the Past, Celebrating the Present, and Stepping into the Future.”
members of the Fairfax County Police Department have earned this highest honor that Fairfax County bestows upon its public safety officials.

There are several types of Valor Awards that are awarded to a public safety officer: the Lifesaving Award, the Certificate of Valor, the Golden Medal of Valor, or the Gold, Silver, or Bronze Medal of Valor. It is with great pride that I enter into the record the names of the recipients of the 2006 Valor Awards in the Fairfax County Police Department. Receiving the Lifesaving Award: Master Police Officer James R. Greeves; Police Officer First Class Chris R. Musser; Officer Travis L. Tate; the Certificate of Valor: Officer Robert M. Bauer; Officer Connie E. Gerten; Police Officer First Class Timothy A. Judd; Officer Ryan A. Kaspar; Police Officer First Class Michael S. Lamper; Police Officer First Class Gregory McNeill; Officer Thomas E. Wilbert; the Bronze Medal: Police Officer First Class Keith J. Baker; Police Officer First Class Raymond E. Betts; Police Officer First Class Jonathan J. Bobel; Master Police Officer John D. Brocco; Police Officer First Class Sean M. Brodick; Second Lieutenant Michael L. Connor; Master Police Officer Paul G. DeHaven; Officer Ryan L. Fisher; Police Officer First Class Edward F. Hanko; Officer Louis J. Marino; Officer Brandon C. McAlleese; Master Police Officer Michael L. Mountjoy; Police Officer First Class Michael S. O’Brien; Master Police Officer John F. Pennington; Officer Anthony N. Taormina; Sergeant Paul Thompson; the Silver Medal: Police Officer First Class Anthony D. Erway; Police Officer First Class Lance T. Guckenberger; Officer Paul A. Meler.

Mr. Speaker, in closing, I would like to take this opportunity to thank all the men and women who serve in the Fairfax County Police Department. Their efforts, made on behalf of the citizens of Fairfax County, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

CONGRATULATING JOEL B. BULLARD, JR., FOR RECEIVING TIME MAGAZINE’S 2006 QUALITY DEALER AWARD

HON. JO BONNER
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. BONNER. Mr. Speaker, it is with great pride and pleasure that I rise to honor Mr. Joel B. Bullard, Jr., President of Joe Bullard Cadillac-Hummer on the occasion of receiving the 2006 Time Magazine Quality Dealer Award.

Joe has been a vital member of the Mobile, Alabama, community all of his life. He began his career at his family’s car dealership, Joe Bullard Oldsmobile, in 1972 and rose through the ranks to become dealer in 1980. Under his leadership, the dealership has expanded, and he recently opened a 6.5 acre Cadillac and Hummer business.

In addition to his professional successes, Joe has long been a supporter of community organizations. He serves as a trustee of the United Way of Mobile, Alabama, and he is past chairman of the Mobile Area Chamber of Commerce. He has also served as a director for the Mobile Kiwanis Club, the Federal Reserve Board of New Orleans, the Mobile Air-Port Authority, Mobile Economic Development Council, and the Mobile Community Foundation.

Joe’s long-standing commitment to the community combined with his business successes led to this well-deserved nomination. He was one of 66 automobile dealers, from more than 19,500 nationwide, nominated for the 37th annual award. The Time Magazine Quality Dealer Award is the most prestigious and highly coveted award for car dealers, and the recipients are among the nation’s most successful auto dealers.

Mr. Speaker, I would like to offer my congratulations to Joe for being named Time Magazine’s 2006 Quality Dealer Award recipient and for his many professional achievements. I know his wife, Foncie, his two children, and his many friends join with me in praising his accomplishments.

HON. NATHAN DEAL
OF GEORGIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. DEAL of Georgia. Mr. Speaker, not-for-profit charitable organizations provide an essential service in meeting the needs of the down-trodden and forgotten of our nation. Today I rise to recognize the honorable service of one such organization from my district that supports many who have fallen through the cracks. New Horizons, Helping the Hurting, Inc., is dedicated to providing free counseling to single mothers as well as abused women and children, many of whom do not have Medicare, Medicaid, or any other kind of insurance. This guidance has assisted thousands during their time of deepest need in circumstances ranging from substance abuse to marital hardships to managing personal finances. Helping the Hurting’s aid goes beyond counseling services to offering a food bank, clothes closet, and even helping low-income individuals find ways to get their prescriptions at a lower cost through Patient Assistance Programs. The organization’s founder Daniel Staats has helped many through his 17 years of service who felt forgotten by all those around them, and I salute his admirable sacrifice and dedication to those in need.

Mr. Speaker, in closing, I would like to take this opportunity to thank all the men and women who serve in the Fairfax County Fire and Rescue Department. Receiving the Lifesaving Award: Apparatus Technician Cliff E. Sweeney, the Certificate of Valor: Lieutenant David P. Conrad; Firefighter Lawrence L. Ellison; Firefighter Kimberly A. Schoppa; Technician Jeffrey S. Seabright; Captain II Clayton Thompson; Lieutenant Chester E. Waters; the Bronze Medal: Firefighter Justin D. Childs; Lieutenant Gary C. Dize; Firefighter James P. Hobgood; Captain IV EMS Supervisor Lorenzo M. Thrower.

Mr. Speaker, in closing, I would like to take this opportunity to thank all the men and women who serve in the Fairfax County Fire and Rescue Department. Their efforts, made on behalf of the citizens of the Fairfax County, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

CONGRATULATING DR. SAMUEL EICHOLD ON THE OCCASION OF HIS 90TH BIRTHDAY

HON. JO BONNER
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. BONNER. Mr. Speaker, it is with great pride and pleasure that I rise to honor Dr. Samuel Eichold on the occasion of his 90th birthday.

As a Marine, internist, University of South Alabama medical school professor, founder of Camp Sea-Harbor for disabled children, and creator of the Mobile Medical Museum, Sam Eichold has dedicated his 90 years to helping others.

Recognizing the American Heart Association’s “Go Red for Women” Effort in Franklin, Tennessee

HON. MARSHA BLACKBURN
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mrs. BLACKBURN. Mr. Speaker, heart disease is the number one killer of women in the United States. The numbers are staggering. Each year heart disease claims the lives of more than 475,000 women and yet less than 15 percent of women know that this disease is a major threat to their health. Clearly education is critical to fighting this disease.

The American Heart Association’s “Go Red for Women” effort is a movement committed to wiping out heart disease by educating women on steps they can do to reduce their risk.

On May 4, 2006 hundreds of women will be gathering in Franklin, Tennessee to show their support for the “Go Red for Women” campaign. I want to join them in speaking out on this issue and thank our community for focusing on this issue.

Recognizing the Fairfax County Chamber of Commerce 2006 Valor Award Recipients

HON. TOM DAVIS
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to recognize an outstanding group of men and women in Northern Virginia. The Fairfax County Chamber of Commerce annually recognizes individuals who have demonstrated superior dedication to public safety with the prestigious Valor Award. Several members of the Fairfax County Fire and Rescue Department have earned this highest honor that Fairfax County bestows upon its public safety officials.

There are several types of Valor Awards that are awarded to a public safety officer: the Lifesaving Award, the Certificate of Valor, or the Gold, Silver, or Bronze Medal of Valor. It is with great pride that I enter into the record the names of the recipients of the 2006 Valor Awards in the Fairfax County Fire and Rescue Department. Receiving the Lifesaving Award: Apparatus Technician Cliff E. Sweeney, the Certificate of Valor: Lieutenant David P. Conrad; Firefighter Lawrence L. Ellison; Firefighter Kimberly A. Schoppa; Technician Jeffrey S. Seabright; Captain II Clayton Thompson; Lieutenant Chester E. Waters; the Bronze Medal: Firefighter Justin D. Childs; Lieutenant Gary C. Dize; Firefighter James P. Hobgood; Captain IV EMS Supervisor Lorenzo M. Thrower.

Mr. Speaker, in closing, I would like to take this opportunity to thank all the men and women who serve in the Fairfax County Fire and Rescue Department. Their efforts, made on behalf of the citizens of the Fairfax County, are selfless acts of heroism and truly merit our highest praise. I ask my colleagues to join me in applauding this group of remarkable citizens.

CONGRATULATING DR. SAMUEL EICHOLD ON THE OCCASION OF HIS 90TH BIRTHDAY

HON. JO BONNER
OF ALABAMA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. BONNER. Mr. Speaker, it is with great pride and pleasure that I rise to honor Dr. Samuel Eichold on the occasion of his 90th birthday.

As a Marine, internist, University of South Alabama medical school professor, founder of Camp Sea-Harbor for disabled children, and creator of the Mobile Medical Museum, Sam Eichold has dedicated his 90 years to helping others.
Mr. DEAL of Georgia. Mr. Speaker, I rise to salute the thousands of small businesses across the United States which, by definitional size, are classified as micro enterprises. More than one-half of the nation's economic engine is fueled by small businesses.

Micro enterprise embraces strategic economic development relative to the smallest of the businesses, generally with five employees or less. Once called "mom and pop" businesses, they no longer equate to the folksy moniker. In many cases across rural America, the micro enterprises become capital for human development and poverty alleviation. It is documented and recognized that micro enterprises create jobs, generate income, build assets and enhance interpersonal skills among its owners and their employees.

Micro enterprises utilize a valuable conduit for financial training, business development and loans. Community Development Financial Institutions (CDFIs) earn this designation through rigorous Department of Treasury standards. The CDFIs interface with the men and women who have a dream of owning and growing a small business; it is they who extend credit and become project partners in entrepreneurial enterprises throughout the land.

Micro enterprises and CDFIs also partner with foundations, community banks, regional banks, state economic development agencies, the Small Business Administration, the Federal Home Loan Bank and other like-missioned federal entities, such as the Appalachian Regional Commission. As traditional working capital is beyond the financial reach of many, a unique collaboration steers these business entities toward success and self-sufficiency.

The Association for Enterprise Opportunity strives to assist underserved entrepreneurs in starting, stabilizing and expanding businesses. As its national conference is held in May in Atlanta, the economic capital of the southeastern United States, I welcome them to my state.
Mr. TOM DAVIS of Virginia. Mr. Speaker, I rise today to commemorate the Dewberry Company’s 50th anniversary.

Dewberry was established as a small land design and survey practice on Friday, April 13, 1965, in Arlington, Virginia. Currently, Dewberry has more than 1,800 employees in 30 offices nationwide. The company has expanded from a small business to a nationwide company with over 1,800 employees and 30 offices. Dewberry provides an array of services, including civil engineering, surveying, design-build, environmental sciences, land development, security and homeland defense.

The company has assisted in major projects in the Northern Virginia area including the full planning and engineering of services for Kings Park (a residential community in Fairfax County), Tysons II, the Dulles Toll Road, and assisted with work for the Washington Metropolitan Area Transit Authority. Moreover, Dewberry has consulted for the Federal Emergency Management Agency (FEMA), and the U.S. Department of Housing and Urban Development during presidential-declared disasters.

Dewberry has been a strong member of the community through various charitable and scholarship programs. An example would be the Dean Meyers Scholarship fund, named for a Dewberry engineer who tragically lost his life in the DC sniper attacks of 2002. This scholarship which is awarded annually to a civil engineering student from a rural Pennsylvania high school has grown to $100,000. Dean Meyers was a civil engineer who worked for Dewberry until his tragic death in October of 2002 when he became a victim of the Washington, DC area sniper attacks. Dewberry has also donated $20,000 to the victims of the tsunami and another $20,000 to the victims of the 2005 Gulf Coast hurricanes.

The founder of Dewberry, Sidney O. Dewberry, has not only propelled the success of Dewberry, but has served in numerous positions within the community including the Blue Ribbon Commission on Higher Education and the Commission on Transportation. Additionally, he has served as member of the Commission on Fiscal and Spending Priorities in Fairfax County, as chairman of the Arlington County, Virginia Planning Commission, and as chairman of the Fairfax County, Virginia Engineering Standards Review Committee. Currently, Mr. Dewberry is the Rector of George Mason University Board of Visitors and part of the George Mason University Foundation Board of Trustees.

Mr. Speaker, in closing, I would like to commend and congratulate Dewberry on all of its contributions and accomplishments. They have served their community well, truly meriting recognition. I call upon my colleagues to join me in the applauding Dewberry’s past accomplishments and in wishing the company continued success in the years to come.

HONORING DEWBERRY’S 50TH ANNIVERSARY

HON. TOM DAVIS
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. HIGGINS. Mr. Speaker, it gives me a tremendous sense of pleasure to honor the personal accomplishments and the long career in public service of a great elected leader and long-time member of the New York State Assembly, Richard J. Keane.

Dick Keane is, as I said, a close friend of long standing. In point of fact, I succeeded Dick Keane as a member of the New York State Assembly in the 145th District. In all truthfulness, not one new member had a better mentor than I did.

Like me, Dick Keane is a lifelong—and tremendously proud—resident of South Buffalo, New York. A product of a large and politically prominent family in South Buffalo, Dick’s career began protecting the public as a Buffalo Firefighter. From there, Dick went on to serve on the Erie County Board of Supervisors and was the first Democrat to serve as Chairman of its successor body, the Erie County Legislature.

Dick was elected to a vacant seat in the State Assembly in 1976, and served in that seat proudly for 22 years. But in Albany, Dick had two official duties that brought him great joy—his management of the Assembly’s baseball team, and the Presidency of the American Irish Legislators Society of New York State, the latter being an organization in which I would later serve as Historian.

Each year, the American Irish Legislators Society of New York State honors one of its own, a former member of the State Legislature who made a significant contribution both to public service and, usually, to the Society itself. On Monday, March 13th, in Albany, NY, Dick Keane will be the Society’s 2006 honoree. That that event, it will be my distinct honor to present Dick with a commemorative copy of these remarks and to join in the applause of Historian, Assemblyman Mark Schroeder, in honoring Dick Keane’s service to New York State and to his community.

Mr. Speaker, owing to my past service as Historian, I want to close with a bit of history. Ireland provided the United States a number of wonderful gifts, but none more valuable than its people. Since the first days of landing on American soil, the Irish people have demonstrated a commitment to public service that is unrivaled by any other ethnic group. From police and fire service to elective office, Irish Americans represent what is best about America—that if you work hard, play by the rules, love your family and your community and give as much as you can back to that community, the vaunted American Dream can be yours.

Dick Keane is a public citizen utterly worthy of that description and of the respect of whose lives he made better for that service. It is my distinct honor to recognize him here today.

HONORING RETIRED NEW YORK STATE ASSEMBLYMAN RICHARD J. KEANE

HON. BRIAN HIGGINS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Nancy is a wonderful addition. She has dedicated her life to expand businesses and her service to so many young women. Whether teaching money-management skills to Girl Scouts or speaking on university campuses, Peterson is a wonderful role model. And Nancy has counseled fellow female entrepreneurs on how to expand their businesses.

Congratulations and many thanks to Nancy Peterson for her unlimited energy and enthusiasm and her service to so many young women.

THE RETIREMENT OF U.S. MARINE CORPS GUNNERY SERGEANT LORENZO V. CHANCE

HON. KENDRICK B. MEEK
OF FLORIDA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. MEEK of Florida. Mr. Speaker, I rise today to honor Gunnery Sergeant Lorenzo V. Chance, who is retiring after more than 22 years of service in the United States Marine Corps.

Gunnery Sergeant Chance was raised in Fayetteville, North Carolina where he graduated from Cape Fear High School in 1983. He began his military career at Marine Corps Recruit Depot Paris Island, South Carolina, where he attended basic training in 1984. His assignments included the MOS’s of Rifleman, Administrative Chief, Drill Instructor, and Marksmanship Instructor.

Throughout his distinguished career, Gunnery Sergeant Chance has served in a wide variety of assignments in the Marine Corps including:

September 1984–1986—Administrative Clerk, HQMC Manpower Branch;
HONORING A GREAT AMERICAN—THOMAS WADSWORTH LITTLEFIELD

HON. HENRY E. BROWN, JR.
OF SOUTH CAROLINA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. BROWN of South Carolina. Mr. Speaker, a constituent and respected businessman,

T. Jeffrey Littlefield, vice president of TRICARE North Region Operations for PGBA, LLC, will soon be joined by many members of his family in recognizing their patriarch, Thomas Wadsworth Littlefield, on the occasion of his 87th birthday, April 8. The quote that my friend Jeff recalls hearing his father say often is “this too shall pass.” In living by these words, Mr. Littlefield sought to give strength to his family when faced with challenges that seemed too great to bear. Like many of his generation, he knew firsthand the frequency and degree to which life could present great challenges.

It is the sad horror of human existence that there will always be evil leaders who would deprive others of life and liberty to satisfy their own zealous quest for corrupt power. Never was this more evident than during World War II.

Men such as Thomas Wadsworth Littlefield represent the very backbone of America—having sacrificed so much for the good of family, nation, and religious freedom—their collective actions singularly define them as our “Greatest Generation.” When he joined battle and fought bravely in the last offensive against Japan while serving as a Private First Class in the U.S. Army’s 105th Infantry, H Company, at Okinawa, Japan, Mr. Littlefield faced threats and fears most of us will, thankfully, never come to know. Like many American soldiers, his military service did not end there as he fought to defend liberty in numerous locations in and around Japan throughout World War II.

In living commemoration of the great Victory over Japan, known commonly as “V-J Day,” he named his second daughter, Vickie Jane Littlefield (“V.J.”) born in August of 1945, soon after Japan surrendered.

Not long after winning the peace, Mr. Littlefield returned to civilian life and worked to win the hearts and minds of faculty, parents and children as elementary school principal in the Weber County school district of Ogden, Utah. There, he labored for 30 years, laying the foundation for a new generation of American leaders; eventually retiring at age 65.

Before the war, Mr. Littlefield attended Weber State College (now Weber State University) in Ogden, where he led them to numerous victories as their football quarterback. Later, he attended Utah State University in Logan, Utah, where he received his educator’s degree.

An avid sports fan, he always enjoyed snow skiing, tennis and exploring the trails of Mount Ogden on his dirt bike several times a year.

Raised on a turkey farm in Morgan, Utah along with eight brothers and sisters, his mother, Kate Wadsworth Littlefield, helped to nurture leadership in their family by serving as an active Republican event organizer and as the first female United States Postmaster in Morgan County, Utah.

A faithful follower of the Church of Jesus Christ of Latter-Day Saints, Mr. Littlefield was always active in church events and, together with his wife of 65 years this coming June, raised their family as Mormons. Thomas Wadsworth Littlefield and Myrtle Carrigan Littlefield have been blessed with nine grand-children and nine great-grandchildren. In August of this year, my friend Jeff Littlefield and Tommy Starling will share another blessing, as this loving family will welcome grandchild number 10 into the world.

Throughout his life, Mr. Littlefield’s philosophy and outlook on life was to make sure that his children were raised with love and to instill in them the confidence, drive and ambition to succeed. In so doing, it was his fervent hope to see his descendants achieve more than he ever could experience in his own life. A testament to his service, sacrifice and values, Mr. Littlefield will be joined by family members in presence and in spirit on April 8 to herald the celebration of his 87th birthday.

At this time, Mr. Speaker, I would like to recognize, individually, the names of those so dear to this great American: Thomas Wadsworth Littlefield, Father; Myrtle Carrigan Littlefield, Mother; Joseph Littlefield, Paternal Grandfather; Kathryn Wadsworth Littlefield, Paternal Grandmother; Irvin Carrigan, Maternal Grandfather; Catherine Jones Carrigan, Maternal Grandmother; Patti Ann Fowers, Daughter; Norman George Fowers, Son-In-Law; Holly Fowers, Granddaughter; Heather Fowers Smedley, Granddaughter; Daren Smedley, Heath’s husband; Christopher Smedley, Great Grandson; Annabelle Smedley, Great Grandson; Nate Fowers, Grandson; Caleb Fowers, Great Grandson; Mitch Fowers, Grandson; Vicki Jane Olson, Daughter; Brook Clyde Olson, Son-In-Law; Marci Olson Kiehl, Granddaughter; Sam Kiehl, Marci’s husband; Jake Kiehl, Great Grandson; Spencer Kiehl, Great Grandson; Alli Kiehl, Great Granddaughter; Komi Olson Howe, Granddaughter; Chad Howe, Kami’s husband; Conner Howe, Great Grandson; Hunter Howe, Great Grandson; Jo Howerton; Audri Ann Olson, Granddaughter; Jenni Olson, Granddaughter; Thomas Jeffrey Littlefield, Son; Thomas Brent Starling, Partner and future Son-In-Law; and Carrigan Shea Starling-Littlefield, if the latest addition to their family is a Granddaughter, or Hayden Thomas Starling-Littlefield, if the newborn is a Grandson.

War veteran, educator, father and grandfather, athlete, and loving husband, his life and service to our nation helped to forge a nation and spread Democracy the world over.

Mr. Speaker, I respectfully ask my colleagues in the U.S. House of Representatives to join me in congratulating Mr. Thomas Wadsworth Littlefield and his extended family on the occasion of his 87th birthday.

HONORING MIKE WALKER

HON. MARSHA BLACKBURN
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mrs. BLACKBURN of Tennessee. Mr. Speaker, all too often our local, State and Federal governments turn to tax increases rather than responsible budgeting in order to balance the bottom line.

In 1990, Mike Walker became city manager for Brentwood, TN, just after a property tax increase had been imposed. This was the last property tax increase in Brentwood. Mike has refused to use tax increases to balance the budget, instead he’s been a responsible steward of our tax dollars. It’s no wonder he was named City Manager of the Year by the Tennessee City Management Association. He’s done a great job.

With clear vision and detailed planning, Mike has increased the parkland in Brentwood...
from 50 acres to 575 acres and he helped shepherd the construction of a new 43,500 square foot library.

Mike is a consummate professional and a talented leader. We all thank him for his work.

AMERICAN RED CROSS MONTH

HON. STENY H. HOYER
OF MARYLAND
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2006

Mr. HOYER. Mr. Speaker, the month of March is a time for us to officially recognize the essential role the American Red Cross plays in our communities. 2006 is a special year for the Red Cross, as we commemorate its 125th year of making our country safer, healthier and more secure. In honoring the national organization of the Red Cross, we must also recognize the local chapters that work tirelessly to achieve these goals, such as the Red Cross of Southern Maryland, now in its 80th year of service.

The Southern Maryland Red Cross, and the Nation, faced new challenges in 2005. The deadly tsunami in late 2004 tested the character and will of the international community, and Hurricane Katrina and Rita to recognize families and communities. Throughout every trial we faced, the Red Cross was there to help ease suffering and aid recovery. These dedicated people were first in line to help families and individuals, friends and strangers.

The Southern Maryland Red Cross faced not only the national disasters of 2005, but ones that hit closer to home. The response they provided is a testament to the kindness of any American touched by tragedy. The citizens of Southern Maryland rolled up their sleeves to donate over 7,000 units of blood and gave donations to aid the victims of 200 house fires. They learned CPR, lifesaving skills, and first aid techniques. They volunteered their time, money and hearts to anyone who needed help. And they did not just aid their neighbors at home, but also those abroad, allowing over 200 military personnel to communicate with their families in Maryland.

Mr. Speaker, the people of the Southern Maryland Red Cross are no different from you or me. They have full time jobs, families, and responsibilities at home. What makes these Americans so extraordinary is that they have selflessly taken time out of their lives to help schools, workplaces, families, and any person who needs a hand. The Southern Maryland Chapter consists of 200 volunteers and donors, but it responds to the needs of a nation.

The Southern Maryland Red Cross brings aid and recovery, gives hope and comfort, and inspires Americans to reach out when help is needed. I feel assured knowing that the Southern Maryland Chapter is working every day to better the lives of my fellow Maryland residents. We must all do our part to recognize the vitality of the Red Cross and ensure that they are ready to help us respond to the challenges that lie ahead.

In honor of the Southern Maryland Chapter of the Red Cross, I would like to take this time to officially recognize March as American Red Cross Month. In a donation of time, money or courage, the American Red Cross is there for us. This March is a time to stand up and recognize their continued service.

I encourage all Americans to show their commitment to the Red Cross by donating money or volunteering their time at one of the many local chapters across the country.

RECOGNIZING THE FIRST U.S.-KOREA STRATEGIC CONSULTATION FOR ALLIED PARTNERSHIP

HON. VITO FOSSELLA
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2006

Mr. FOSSELLA. Mr. Speaker, when President George Bush traveled to South Korea late last year to attend the Asia-Pacific Economic Cooperation, APEC, Summit in Busan, he and President Moo-Hyun Roh agreed that while the strategic partnership and evolving security alliance between our two nations were “mutually beneficial,” increased and more efficient communication were still required.

Against this backdrop, Presidents Bush and Roh agreed to launch a strategic dialogue called Strategic Consultation for Allied Partnership, SCAP, at the ministerial level for consultations on bilateral, regional and global issues of mutual interest. Currently, the U.S. only holds such consultations with Australia, Saudi Arabia and Japan.

The first of these meetings took place in Washington on January 19, 2006, when South Korea’s Minister of Foreign Affairs and Trade, K-Moon Ban, met with U.S. Secretary of State Condoleezza Rice. According to the State Department, among the key initiatives Secretary Rice and Foreign Minister Ban laid out as topics for continued discussion include: coordination of efforts to promote freedom, democratic institutions and human rights worldwide; strengthened cooperation on fighting terrorism and exerting common efforts for the observance and implementation of international security cooperation regimes for the prevention of proliferation of weapons of mass destruction; coordination of efforts to develop comprehensive international strategies to fight transnational pandemic disease; maintaining a strong U.S.-ROK alliance to contribute to peace and stability in Northeast Asia; and developing common approaches to reinforcing peace and stability through multinational peacekeeping and improved collaboration on crisis response and disaster management.

It is clearly evident that the shared agenda of the United States and South Korea is both broad and comprehensive. South Korea is one of our country’s principal trading partners, with over $72 billion in trade volume each year and being the fifth largest supplier of U.S. agricultural products. In fact, on Thursday, February 2, 2006, the U.S. and Korea announced the launching of negotiations on a Free Trade Agreement, FTA, which would represent, according to U.S. Trade Representative Rob Portman, the “most commercially significant” free trade pact since NAFTA.

Moreover, according to the U.S. Department of Commerce, during the 2004 calendar year, 627,000 South Koreans visited the United States for tourism and business travel, making Korea the fifth largest overseas market for tourists. As the chairman of the Millennial Caucus on Korea, I am also well aware that Korea has made great progress in working to meet all the statutory requirements for entry into the Visa Waiver Program, VWP.

The United States and South Korea also share a deep concern about regional stability and continued peace on the Korean Peninsula. At the same time, South Korea has been an important and indispensable ally in the global war on terror and in bringing peace, stability and democracy to Iraq. In fact, South Korea has deployed more troops in Iraq than any other country besides the United States and Great Britain.

Mr. Speaker, for all these reasons, the first Strategic Consultation for Allied Partnership was an important contribution to strengthen the U.S.-Korea bilateral relationship and expand the horizon of the alliance. I also commend Secretary Rice and Foreign Minister Ban on their pledge to continue sustaining the formative discussions as their joint efforts deserve our full recognition and support.

HONORING SERGEANT DENNIS KRAMER AND SPECIALIST JOSEPH DELAPP

HON. MARSHA BLACKBURN
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 7, 2006

Mrs. BLACKBURN. Mr. Speaker, America has always relied on the men and women of our Armed Services to keep us free. Quite simply, without them the greatest bastion of freedom on this planet, or any other country besides the United States, would not exist. We can never thank them enough.

Today I ask my colleagues to honor two men who have served America with distinction.

Sergeant Dennis Kramer received the distinguished honor of Noncommissioned Officer of the Year for 2004.

Specialist Joseph Delapp was awarded the esteemed Soldier of the Year for 2004.

Sergeant Dennis Kramer of Baudette, Minnesota enlisted in May 2001 and is serving in the 1/187th Infantry Regiment at Fort Campbell as a reconnaissance squad leader. During Operation Enduring Freedom, he served as a rifleman in A Company of the 1/187 and upon redeployment he volunteered for the scout platoon where he served as a sniper and sniper section squad leader during Operation Iraqi Freedom.

Specialist Joseph Delapp of Mayfield, Kentucky was awarded Battalion Soldier of the month in August 2004 and Brigade Soldier of the Year 2004. Formerly in D Company 2/327 Infantry, Delapp is now the Commanding General’s Driver, and a Noncommissioned Officer. Delapp entered the Army on January 31, 2002 and was deployed in March 2003 in support of Operation Iraqi Freedom where he served as a driver and a gunner.

Mr. Speaker, now we owe a debt of gratitude to these men and to their families. I ask my colleagues to join me in congratulating these outstanding members of our military and thank them for their dedication to defending our country. God Bless the U.S. Armed Forces.
like most rocks, it is very old. Heavy not only because it is very big and very
chronicled Tom 1940 movie the actor Mickey Rooney who starred in the
in its own right to preserve the memory of
his hometown. That town has done a fine job
New Jersey, he called Port Huron, Michigan,
another communities across America—and in ev-
everyone of them you have the opportunity to
reach for greatness.

IN FAVOR OF THE SOLOMON AMENDMENT SUPREME COURT DECISION
HON. STEVE BUYER
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006
Mr. BUYER. Mr. Speaker, I applaud the March 6 Supreme Court Decision in favor of the Solomon Amendment. This decision brings us one step closer to providing equal access to our military recruiters on campus for all veterans. This is a vital step in ensuring that our service members and their families are able to take full advantage of the educational opportunities available to them. I urge the Senate to act quickly and consider the Solomon Amendment as a matter of urgency.

Mr. WOLF. Mr. Speaker, it is an honor for me to join in this discussion on the Solomon Amendment. As a member of the Armed Services Committee, I have seen the importance of providing equal access to military recruiters on college campuses. This decision is a major victory for our service members and their families, and I am confident that it will help to ensure that they have the same opportunities as their civilian counterparts. I urge my colleagues to support this important legislation.

REMEMBERING CALVIN RITCHIE OF FAUQUIER COUNTY, VIRGINIA
HON. FRANK R. WOLF
OF VIRGINIA
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006
Mr. WOLF. Mr. Speaker, it is an honor for me to remember Calvin L. “Boots” Ritchie, a farmer and activist deeply committed to agriculture and his fellow farmers in Fauquier County, Virginia, who passed away on February 26.

Selected by the Fauquier Times-Democrat as “Citizen of the Year” in 1994, Boots will be remembered for his countless accomplish-
ments, including co-founding People Helping People of Fauquier County, Inc., a local char-
ity offering immediate help to residents of Fau-
quier struggling against natural disaster, illness, or sudden financial hardship.

We insert for the Record a Fauquier Times-
Democrat obituary from February 28. A Fau-
quier native, Boots will be deeply missed by
the people of the county, and at home by his
family.

‘‘Boots’’ Succumbs to Cancer
SOUTHERN FAUQUIER FARMER WAS OUTSPOKEN ADVOCATE FOR AGRICULTURE
Calvin L. “Boots” Ritchie, of Bealeton, one of Fauquier County’s leading citizens for the past two decades and an active force behind a home-grown charitable organization, died at home on Feb. 27 after a long and valiant fight against cancer. He was 78.

A native son of Fauquier, Mr. Ritchie was born June 17, 1927 at Ingleswood Farm, where he grew up.

He earned his unique nickname as a child, when he did his chores around the farm wearing an adult-sized pair of gumboots that reached to his hips,” recalled his sister, Hazel Bell, in a 1994 interview. “He was about 5 or 6 years old, and the name stuck.’’

He spent his entire life working in agri-
culture, first on the family farm and later, while engaged in custom farming. In the mid-1970s, he founded the Fauquier Grain Company.

Mr. Ritchie came to the general public’s attention in 1978, when he was involved in the American Agriculture Movement. The AAM sought 100 percent parity for farm products, and made their point by stag-
ing a memorable ‘‘Tractorcade’’ demonstra-
tion that passed through Fauquier into Walton, D.C.

“Our main agricultural export is grain, which is priced lower now than it was five
years ago,’” wrote Mr. Ritchie in a 1979 column in the Democrat. “No other industry could stay in business under these circumstances, and farmers cannot be expected to, either.”

In later years, Mr. Ritchie became a driving force behind Fauquier County’s purchase of development rights program. However, it was a different crisis, far from Fauquier, that put Mr. Ritchie on a new path that would make a lasting difference for hundreds of people.

In the wake of the disaster in South Carolina caused by Hurricane Hugo in 1989, Mr. Ritchie and several of his friends founded People Helping People of Fauquier County, Inc., a nonprofit corporation for the purpose of helping people struggling against natural disasters, illness or sudden financial hardship.

**EDUCATION ADVOCATE**

In the early 1990s—after a school bond referendum held to provide funding for a second high school failed—Mr. Ritchie became active in yet another arena.

Determined to see a second high school in southern Fauquier, Mr. Ritchie persistently lobbied the School Board and pushed for the needed school bond referendum. When Liberty, Va., and Bealeton opened in 1994—without the funding for a football stadium—he was at the forefront of the campaign, soliciting donations and selling raffle tickets to raise the money to get the stadium built.

After Mr. Ritchie and his friends on the Principal’s Advisory Committee at Liberty raised $100,000 for the stadium lights, the Board of Supervisors, then under the late Dave Mangum (Lee District), came up with the remaining $256,000 to build it.

Due to his efforts and his growing, positive influence in Fauquier County, he was recognized as the Fauquier Times-Democrat’s Citizen of the Year for 1994.

His influence continued throughout his final years, and he often spoke out on issues that were important to him. A frequent contributor to the Democrat’s opinion pages, Mr. Ritchie’s last letter was published here on Jan. 25, 2006.

In it, he urged the Board of Supervisors to consider giving tax money to parents who wish to withdraw their children from the public schools and send their children to private or Christian schools.

“The movement would be so great that I doubt that we would have to build any more new public schools,” he said. “The good news is that everyone wins.”

Mr. Ritchie was a longtime, active member of Mount Carmel Baptist Church near Morrisville, where he served on the Building and Grounds Committee, as well as videographer for worship services.

According to his family, one of the highlights of Boots’ life was being chosen to carry the Olympic Torch.

Mr. Ritchie is survived by his wife, Gail R. Ritchie; his sons, and Glenn C. Ritchie, all of Bealeton; and his daughters, Jennifer R. Krick of Bealeton and Helen R. Ritchie of Strasburg.

Also surviving are his step-sons, Edward C. Lynskey of Annandale and William E. Lynskey of Midland; and his step-daughters, Linda A. Krick of Front Royal; Karen L. Hughes, both of Bealeton; and his sisters, Hazel R. Bell of Warrenton, Va.; Drayden, Md., Jennalee R. McNally, Marie R. Lee and Peggy R. Dahany, all of Fredericksburg; 11 grandchildren and four great-grandchildren.

He was preceded in death by his parents, Wilbur Early Ritchie and Ethel Barker Ritchie; his brother, W. Hunter Ritchie; and his brothers, C. Hunter Ritchie, Claude Ritchie, and Charles Dwight Ritchie.

**FUNERAL SERVICES**

Funeral services and internment will be private. A public memorial service will be held on Saturday, March 4 at 2 p.m. at the Liberty High School auditorium.

Memorial contributions may be made to the American Cancer Society, Relay for Life, P.O. Box 1095, Warrenton, VA 20188; People Helping People, P.O. Box 3108, Warrenton, VA 20188; or to Mount Carmel Baptist Church, 12714 Elk Run Road, Midland, VA 22738.

Online condolences may be made at http://www.moserfuneralhome.com.

**HONORING JUSTICE CORNELIA CLARK**

**HON. MARSHA BLACKBURN**

**OF TENNESSEE**

**IN THE HOUSE OF REPRESENTATIVES**

*Tuesday, March 7, 2006*

Mrs. BLACKBURN, Mr. Speaker, today I want to take a moment to recognize and honor Justice Cornelia Clark.

Justice Clark has been selected for a seat on the Tennessee Supreme Court where she will be only the 4th woman ever to serve. Her wealth of experience and insight will serve her well in this important role and we honor her for such a wonderful achievement.

Justice Clark’s professional accomplishments are proof of her dedication to the judiciary. Since her graduation from Vanderbilt Law School in 1979, Justice Clark devoted herself to the law as a litigation attorney and later as an attorney for the City of Franklin. For 10 years, Justice Clark served as a Circuit Court Judge and most recently as the Director of the Administrative Office of the Courts.

Cornelia has shown a remarkable inquisitiveness and dedication to lifelong learning throughout her career. Prior to law school she earned her Master of Arts in Teaching from Harvard University and worked as an educator. She served 10 years as an adjunct professor at the Vanderbilt University School of Law. Countless women have been inspired by her example and we all thank her for her work.

Mr. Speaker, I ask my colleagues to join me in congratulating Justice Clark and welcoming her to the bench of the Tennessee Supreme Court.

**BEMIDJI, MINNESOTA OLYMPIANS**

**HON. COLLIN C. PETERSON**

**OF MINNESOTA**

**IN THE HOUSE OF REPRESENTATIVES**

*Tuesday, March 7, 2006*

Mr. PETERSON of Minnesota. Mr. Speaker, the nation watched with pride and admiration as the United States Men’s and Women’s Olympic Curling teams competed at the XX Olympic Winter Games in Turin, Italy. I am proud to point out that both teams hail from the United States will long be a source of pride for all Minnesotans, especially those who call Bemidji, Minnesota their home.

**HONORING DIXON GROVE BAPTIST CHURCH**

**HON. DAVID SCOTT**

**OF GEORGIA**

**IN THE HOUSE OF REPRESENTATIVES**

*Tuesday, March 7, 2006*

**HONORING DIXON GROVE BAPTIST CHURCH**

Mr. SCOTT of Georgia. Mr. Speaker, I rise today to honor Dixon Grove Baptist Church on the occasion of its 50th anniversary. Dixon Grove Baptist Church has demonstrated an unwavering commitment to its surrounding community and the state of Georgia.

The late Reverend John Arthur Dixon founded Dixon Grove Baptist Church in 1956 and declared that the church would be built by faith. Reverend James E. Harris assumed leadership of the church in 1979. As a result of their combined leadership and vision the church rose from its humble beginnings in a schoolhouse with a congregation of fewer than 50 members to a multi-acre facility that accommodates the 600 members that attend the church today.

Reverend James E. Harris continues to uphold the vision and mission set by his predecessor John Arthur Dixon of adhering to Biblical principles while improving the lives of people in the community. Reverend James E. Harris demonstrated his leadership through community, civic, and religious involvement by accepting my request to represent the 50th anniversary of Dixon Grove Baptist Church at the White House Conference on Aging in December of 2005.

Through faith in God and commitment to service, church ministries expanded under
Reverend James E. Harris to include: Family Counseling and a Youth Christian Basketball League to reach the youth of the Clayton County community. After the most devastating natural disaster in the history of the United States struck in 2005, Dixon Grove Baptist Church responded to the needs of evacuees by providing assistance through its Community Food and Clothing Co-operative.

Please join me in honoring Dixon Grove Baptist Church and Reverend James E. Harris for their commitment to Jesus Christ’s example of faith and giving. It is my sincere hope that the meaningful work of Dixon Grove Baptist Church prospers for another 50 years.

CAPUANO PROVIDES LEADERSHIP ON DARFUR

HON. BARNEY FRANK
OF MASSACHUSETTS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. FRANK of Massachusetts. Mr. Speaker, no crisis confronting the world is as grave as that in Darfur, Sudan, where genocide is a tragic fact. America’s failure to act more vigorously to prevent grave error is true. It is true that there are other nations, including many in Africa—which bear some of the blame. But we must not let the inaction of others become a justification for our own failure to take steps that we know to be morally necessary to save lives. My colleague from Massachusetts, Mr. CAPUANO, on his return from a trip to Darfur led by the gentilewoman from California, the Democratic Leader, wrote a forceful article in the Boston Herald for March 7th making the case for much firmer action by the U.S. and others in Darfur.

Mr. Speaker, given the moral imperative of action, I hope all of our colleagues will agree with the gentleman from Massachusetts who writes that “I urge the President to fully support the U.N. peacekeeping mission and put the full weight of the U.S. military behind it. More troops, with a mandate to protect civilians, are desperately needed . . . If the U.N. cannot meet this timetable, we must strengthen the AU force and provide additional civilian support.”

Mr. Speaker, at a time when people compete with each other to stress the importance of the moral element in politics, our colleague from Massachusetts (Mr. CAPUANO) has struck a clear note on one of the overriding moral issues of our time, and I join him in calling on the President and the rest of us to take prompt action.

U.S. MUST WORK TO HALT DARFUR GENOCIDE
(By Michael Capuano)

We look back on the Holocaust and wonder how the world stood by while 6 million Jews were slaughtered. Never again, we pledged. Yet in 1994, 1 million Rwandans were massacred. Afterward, we declared it genocide and pledged never again. Many leaders later expressed deep regret over our inaction.

In 2003, our attention was drawn to Darfur, Sudan, where innocent civilians were being murdered, enslaved, raped and driven from their homes. We then declared it genocide, but failed to act, again.

Since 2003, more than 400,000 people have been murdered in Darfur and 2 million more displaced. I just returned from Sudan, on a trip led by House Democratic Leader Nancy Pelosi.

In Al Fashir, Darfur, we met with relief workers, traveled to Internally Displaced Persons camps and spoke with African Union (AU) personnel. This reinforced my conviction that genocide is still occurring in the government of Sudan is responsible and not enough is being done.

We also met with Sudanese government officials in Khartoum. They claimed that genocide is occurring, but they are doing a good job of it. There were skirmishes over water and grazing rights, they said, but nothing to concern outsiders. They admitted funding the Janjaweed, the militias who attack civilians, yet vehemently denied genocide is occurring. Everyone else we spoke with, AU personnel and relief workers, recognize they are genocide.

There are 7,700 AU personnel on the ground. However, they don’t have a mandate to protect civilians and lack sufficient resources. Without a drastic troop increase and outside logistical assistance, the AU will continue struggling. AU officials told us they need more support and are planning for the involvement of a United Nations force. But the government of Sudan, the perpetrators of the genocide, rejects U.N. involvement.

I have persistently called for the protection of civilians and an end to the violence. Attempts to address this crisis legislatively have faced resistance. I have tried to introduce an amendment to a State Department bill and a Foreign Operations bill, authorizing the president to use all necessary means to stop the genocide. These amendments were blocked.

President Bush and U.N. Secretary General Kofi Annan recently discussed a U.N. peacekeeping force for Darfur. The president has publicly called for the doubling of peacekeepers. I urge the president to fully support a U.N. peacekeeping mission and put the full weight of the U.S. military behind it. More troops, with a mandate to protect civilians, are desperately needed and must arrive in the next couple of months. If the U.N. cannot meet this timetable, we must strengthen the AU force and provide additional civilian support.

President Bush recently said America was first to recognize the genocide in Darfur. He said, “our country was the first country to call what was taking place a genocide, which matters—words matter.”

Actions matter more. It’s time to back our words up with action. Time is running out.

HONORING JOHN ROSS, DR. JENNIFER STEWART-WRIGHT, AND RAY BELL

HON. MARSHA BLACKBURN
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mrs. BLACKBURN. Mr. Speaker, it is an honor today to acknowledge the achievements of Tennesseans who have made a tremendous contribution to our community.

Savannah resident John Ross has committed a great deal of energy to the conservation of our state’s wildlife and natural resources. In recognition of this work, he has been named 2004 Land Conservationist of the Year. John’s passionate advocacy work and his effort to educate others on this issue are a great example to the community, and I want to thank him for his hard work.

Dr. Jennifer Stewart-Wright of Fairview was honored by the Harpeth River Watershed with the River Steward Award for her active work on multiple restoration projects and her efforts as a professor at Tennessee State University. Dr. Stewart-Wright has made this a family affair with the assistance of her children, Selah and Jesse, who share their mom’s passion for revitalizing and protecting our waterways.

Mr. Ray Bell of Franklin has been awarded the Lane W. Adams Quality of Life Award for his years of service to helping those diagnosed with cancer. A cancer survivor himself, Ray has dedicated countless hours not only to cancer patients but to their families as well. Ray’s compassion and commitment are incredibly inspiring in a world facing this disease. We all thank him for his work.

Mr. Speaker, I ask my colleagues to join me in thanking and congratulating these outstanding Tennesseans for making a difference in their communities.

WOMEN’S BUSINESS DEVELOPMENT CENTER CELEBRATING 20 YEARS CREATING SUCCESSFUL WOMEN-OWNED BUSINESSES 1986–2006 CELEBRATING THE PAST CHALLENGING THE FUTURE

HON. DANNY K. DAVIS
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. DAVIS of Illinois. Mr. Speaker, the Women’s Business Development Center (WBDC) is a nationally recognized nonprofit business assistance organization dedicated to providing services and programs that support and accelerate women’s business ownership and strengthen the impact of women on the economy.

The year 2006 marks the beginning of the third decade of the WBDC’s successful commitment to meeting the needs of women entrepreneurs for greater opportunities in business ownership. Founded in 1986 by S. Carol Dougal and Hedy M. Rather, more than 50,000 women in Illinois have benefited from its programs and services including counseling, entrepreneurial training, child care, business development, strengthening of emerging businesses, Latina Initiative providing business development programs in Spanish in economically disadvantaged communities, certification and business opportunities for women’s business enterprises, and financial assistance and loan packaging.

The WBDC has worked for 20 years to economically empower women and their families, striving to influence the larger political and economic environment in a way that encourages and supports women’s economic empowerment and minority business development.

The WBDC has affected the national women’s business landscape helping to establish women’s business assistance centers in six states. Now there are over 10,800 certified women-owned businesses in the U.S., employing over 19.1 million workers, and over 350,000 of those businesses are in Illinois. Minority-owned businesses are growing faster than all firms, and 1 in 5 women-owned firms in the U.S. is owned by a woman of color. Women-owned businesses nationally generate over $2.46 trillion in sales.

In 2006 the Women’s Business Development Center celebrates its 20th anniversary.
As the Center moves into its third decade of service to women business owners and outstanding advocacy for the strengthening and support of minority and women owned businesses, I am proud to recognize its impressive achievements.

HONORING THE 2005 FOOTBALL SEASON OF THE LIVINGSTON ACADEMY WILDCATS

HON. BART GORDON
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. GORDON. Mr. Speaker, today I rise to recognize the championship season of the Livingston Academy Wildcats. The Wildcats won their first state football championship at the Class 3A Blue Cross Bowl in December.

Residents of Overton County, Tennessee, can be proud of their Wildcats. The team fought against the odds as they went into the playoffs as the Number 4 seed in Region 2–3A with a 5–5 record. They impressively defeated four region champions on their way to the state football championship.

Early in the championship game, the Wildcats held a 21–0 lead over David Lipscomb. Showing great skill and determination, the Wildcats left MTSU’s Floyd Stadium as victors with a 28–13 win over their competitor. This group of Wildcats was the first football team in the school’s history to advance past the quarterfinals. In addition, they became only the second team from the Upper Cumberland to win the state title.


INTRODUCTION OF THE SUNSHINE IN MONETARY POLICY ACT

HON. RON PAUL
OF TEXAS
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. PAUL. Mr. Speaker, I rise to introduce the Sunshine in Monetary Policy Act, which requires the Federal Reserve to resume reporting the monetary measure known as M3. M3 consists of M1 (currency in circulation plus travelers’ checks, demand deposits, Negotiable Order of Withdrawal (NOW) accounts, and similar interest-earning checking accounts) plus M2 (M1 plus holdings of large time deposits, small time deposits, and retail money market mutual funds balances except for balances held in IRA and Keogh accounts) plus institutional money market mutual fund balances and managed liabilities of deposits. The bill also requires the Federal Reserve to report time deposits, repurchase agreements, and Eurodollars.

The Federal Reserve Board has recently announced it will stop reporting M3, thus depriving Congress and the American people of the most comprehensive measure of the money supply. The cessation of Federal Reserve’s weekly M3 report will make it more difficult for policymakers, economists, investors, and the general public to learn the true rate of inflation. As Nobel laureate Milton Friedman famously said, “inflation is always and everywhere a monetary phenomenon.” Therefore, having access to a comprehensive measure of the money supply like M3 is a vital tool for those seeking to track inflation. Thorsten Polleit, honorary professor at HfB-Business School of Finance and Management, in his article “Why Money Supply Matters” posted on the Ludwig von Mises Institute’s website examined the relationship between changes in the money supply and inflation and concluded that “money supply signals might actually be far more important for inflation— even in the short-term—than central bank practice suggests,” thus demonstrating the importance of the M3 aggregate.

The Federal Reserve Board has claimed neither policymakers nor the Federal Reserve staff closely track M3. Even if M3 is not used by Federal Reserve Board economists or legislators, many financial services professionals whose livelihoods depend on their ability to obtain accurate information about the money supply rely on M3. For example, my office has been contacted by a professional money manager complaining that the Federal Reserve Board’s discontinuance of M3 reports will make it difficult for him to do his job.

Whatever lack of interest policymakers are currently displaying in M3 is no doubt related to the mistaken perception that the Federal Reserve Board has forcibly figured out how to effectively manage a fiat currency. This illusion exists largely because the effects of the Fed’s inflationary polices are concentrated in malinvestments in specific sectors of the economy, particularly in housing, as the one that occurred in the stock market in the late nineties and the bubble that many believe is occurring in the current real estate market. When monetary inflation is reflected in sector-specific bubbles, it is easier to pretend that the bubbles are caused by problems specific to those sectors, instead of reflecting the problems inherent in a fiat currency system. Once the damage to our economy done by our reliance on fiat currency becomes clear, I am certain that policymakers will once again take more interest in M3.

Economists and others who are following M3 have become increasingly concerned about inflation because last year the rate of M3 rose almost twice as fast as other monetary aggregates. This suggests that the inflation picture is not as rosy as the Federal Reserve would like Congress and the American people to believe. Discontinuing reporting the monetary aggregate that provides the best evidence that the Federal Reserve Board has not conquered inflation suggests to many people that the government is trying to conceal information about the true state of the economy from the American people. Brad Conrad, a professor of investing who has also worked with IBM, CDC, and Amdahl, spoke for many when he said, “I [the discontinuance of M3 is unsettling. It detracts from the transparency of the Fed’s statements and adds to the suspicion that the Fed wants to hide information showing money growth high enough to fuel inflation...”

Discontinuing reporting M3 will only save 0.00000699% of the Federal Reserve Board’s yearly budget. This savings hardly seems to justify depriving the American people of an important measurement of money supply, especially since Congress tasked the Federal Reserve Board with reporting on monetary aggregates. Discontinuing reporting M3 may not be a violation of the letter of the Federal Reserve Board’s statutory duty, but it is a violation of the spirit of the congressional command that the Federal Reserve Board ensure the American public is fully informed about the effects of monetary policy.

Mr. Speaker, knowledge of the money supply is one of the keys to understanding the state of the economy. The least American people should expect from the Federal Reserve Board is that the Sunshine in Monetary Policy Act is complete and accurate information regarding the money supply. I urge my colleagues to ensure that the American people can obtain that information by cosponsoring the Sunshine in Monetary Policy Act.

HONORING MCDONALD AND ROSETTA CRAIG

HON. MARSHA BLACKBURN
OF TENNESSEE
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mrs. BLACKBURN. Mr. Speaker, today I rise to honor McDonald Craig, the owner of a Tennessee Century Farm in Linden, Tennessee. On Christmas Day in 1871, Craig’s great-grandparents, Tapp and Amy, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War, purchased the 110 acre farm. Tapp and Amy Craig, freed from slavery after the Civil War.
Robin Kelly Sheares is an active member of the Wayside Baptist Church and her Block Association. At Wayside, she works closely with the Sunday School and Youth Ministry. Robin's other memberships include, but are not limited to, the Metropolitan Black Bar Association, the Brooklyn Women's Bar Association and the Brownstoners of Bedford-Stuyvesant, Inc.

Robin has been dedicated to the Noel Point Education Task Force and her Brownstoners. At the age of 6, her family moved to Bedford-Stuyvesant and ever since she has been a member of the Brooklyn community.

A proud graduate of the public school system, Robin has been an attorney for nearly 20 years. She is experienced in housing, criminal and civil law. In her nearly 20 years as an attorney, she has been an administrative law judge, an instructor, and an arbitrator. She is active in Brooklyn, working with community-based organizations, religious institutions, and youth mentoring groups.

Robin Kelly Sheares was born in Harlem to the late Gloria and Herman Sheares. At the tender age of 6, her family moved to Bedford-Stuyvesant and ever since she has been a member of the Brooklyn community.

Ms. Hawthorne is a product of the New York education system. She earned her professional diploma and masters of science in administration of education.

Deeply committed to the education of New York's youth, Ms. Hawthorne worked as a teacher, an assistant principal, and a principal. Today Ms. Hawthorne is the community superintendent for District 11 as well as local institutions. She has even addressed students at her alma mater, Public School 309 and Junior High School 57. Although, Robin has no biological children, she has nurtured a number of youth and is a strong advocate for children and parents rights as evident by her work with the Brownstoners.

Mr. Speaker, I rise today in recognition of Robin Kelly Sheares, as she offers her talents and polices to provide services for the good of our local communities.

Mr. Speaker, I believe that it is incumbent on this body to recognize the accomplishments of Robin Kelly Sheares, as she offers her talents and polices to provide services for the good of our local communities.

Mr. Speaker, Robin Kelly Sheares's selfless service has continuously demonstrated a level of altruistic dedication that makes her most worthy of our recognition today.

A TRIBUTE TO MARY ANN HAWTHORNE

HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. TOWNS. Mr. Speaker, I rise today in recognition of Mary Ann Hawthorne, a distinguished member of the Brooklyn community. It behooves us to pay tribute to this outstanding leader and I hope my colleagues will join me in recognizing her impressive accomplishments.

Born and raised in Brooklyn, Collage in New York City in 1972. During her first 2 years as a teacher, Ms. Hawthorne simultaneously worked her way through graduate school and earned a masters in business education from Long Island University. Four years later Ms. Hawthorne received her professional diploma and masters of science in administration of education.

Deeply committed to the education of New York's youth, Ms. Hawthorne worked as a teacher, an assistant principal, and a principal. Today Ms. Hawthorne is the community superintendent for Region 2.

Ms. Hawthorne has acted as a wonderful role model to children and fellow educators alike. Ms. Hawthorne's achievements in education are endless. In September 2001 Ms. Hawthorne was selected by the National Association of Secondary School Principals to serve as an assessor for new principals.

In January 2003, President Bush and Secretary of Education Rod Paige at the White House honored her when she was picked to be part of a panel of the top eight principals in the United States.

Mr. Speaker, Ms. Hawthorne is a product of the New York education system and a true inspiration to the community around her. She continues to work to improve education in New York and for that I ask that we recognize and give thanks to Mary Ann Hawthorne for her wonderful contribution to our community.

INTERNATIONAL COMMUNITY MUST PROMOTE DEMOCRACY IN HAITI

HON. CHARLES B. RANGEL
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. RANGEL. Mr. Speaker, I rise today to articulate how crucial it is for the international community to reach out to Haiti and help President-elect Rene Preval achieve his many goals for the impoverished nation that is Haiti.

Mr. Speaker, the International Community was right on the money as it demonstrated last elections.

I urge that the Transitional government of Haiti to actively engage in the transfer of power to Preval.

The international community must show the Haitian people that it is sincere about ending their suffering.

U.S. Congressman Charles Rangel, one of the strongest and most consistent voices on Capitol Hill when it comes to articulating Caribbean causes was right on the money as he summarized the Haitian situation. His call on the world’s leading nations and many developing states to move swiftly to improve the economic and social conditions in what is the Western Hemisphere’s poorest nations can’t have come at a better time.

His plea to the United Nations, Washington, Paris, Ottawa, Berlin, Brasilia, Santiago and other capitals which say they have had enough of the happenings in the French-speaking Republic that’s next door to the Dominican Republic was voiced a few days after Rene’ Preval had been declared the winner in the February 7th presidential elections.

If the same international community had previously shown the resolve to end the Haitian nightmare that it demonstrated last week to end the election standoff, the world’s oldest Black Republic would have been spared the pain and trauma it has endured for decades.

By stepping in and forcing the incompetent and politically biased Electoral Council to declare Preval the winner, the countries with the resources and the influence to halt the slide into anarchy avoided more spilling of blood and paved the way for the will of 2.2 million Haitian voters to be recognized.

It took eight days of hand counting to count the votes and announce a winner was clear evidence of an attempt by a handful of people, backed by the powerful business, political and military elite of Preval, a former protégé of ousted President Jean Bertrand Aristide, from taking office after the elections.

Some 33 candidates had faced the electorate but Preval was the only one with widespread national support, especially in the urban slums of Port-au-Prince. That was in the fact that his nearest rival, Leslie Manigat, a former President, had received only 12 percent of the votes cast.

Early in the count, Preval had secured a resounding 61 percent. His share of the votes cast began to decline, so much so that by the time 90 percent of the ballots had been tabulated he had only 48.7 percent, less than two percent of the 50 percent plus one vote needed to escape a run-off.

Obviously, the Council and Preval opponents were manipulating the process by invalidating almost 150,000 votes, many of them from the poorest areas of the country. They claimed that the spoilt or blank votes which represented about seven percent of the total had to be counted, never mind that it was difficult to understand how so many Haitians who had waited in line for hours, traveled long distances under all kinds of hardship in order to select their president would then turn around and turn their collective votes to Preval.
in blank ballots. It just didn’t make sense. Several people believed most of the blank votes were simply stuffed into the ballot boxes to defraud Preval.

Additionally, election woe, almost 10 percent of the tally sheets disappeared and several supporters found thousands of burned ballots smoldering in a garbage dump in Port-au-Prince.

The suspicions of fraud and the delay in announcing a winner triggered pro-Preval demonstrations that virtually shut down the capital and raised the real fear that riots would turn deadly.

The problem in the Caribbean country is that it doesn’t have a tradition of electoral politics and its fledgling democratic institutions are weak. The judiciary is far from being independent and the security forces are untrained and often heavy-handed. To add to such woes, the powerful elite isn’t concerned about the widespread poverty and illiteracy. Instead, it is committed to furthering its own interests, often at the expense of progress and peace.

What the country needs the most is a government committed to economic and social progress. Such an administration would need all of the help it can get from both inside and outside of the country. Now that Preval has demonstrated that he has the people’s support through relatively free and fair elections, the international community must step forward and live up to its responsibility providing the much promised but never delivered massive financial and technical support.

At the same time Preval, who is the only candidate President to have served out a full four-year term without being overthrown, must reach out to his opponents in a meaningful fashion in order to be able to deliver on his election promises.

Just as the elected President of the Haitian Diaspora in North America must back the government and help to keep it focused on its key task, and that is to lift the nation out of deep poverty and despair.

A TRIBUTE TO PRISCILLA A. WOOTEN
HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. TOWNS. Mr. Speaker, a community is only as great as those individuals who perform exemplary service on its behalf, whether through unique achievement in professional endeavors or simply through a lifetime of good citizenship. The Honorable Priscilla A. Wooten is one of the most distinguished members of our community and is most deserving of this tribute.

Priscilla Wooten, a devoted mother, grandmother, and community leader, has lived in the New York City community for over 50 years. Ms. Wooten was a dedicated employee of the New York City Board of Education for many years. From January 1982 through January 2002 she served on the New York City Council. She has also served as Chairperson of the Ethnic Affairs Committee and as a member of the Finance, Health, and Elections Committees.

Additionally, she also found time to serve on such boards as the Commission on Students of African Descent, the New York Collaborative for Excellence, the NAACP and others too numerous to mention.

Ms. Wooten is a Deaconess of the Greater Bright Light Missionary Baptist Church and has spent countless hours sheltering the homeless, clothing the naked, and being a friend to the friendless. She is a woman who dared to be different.

Mr. Speaker, in recognition of her life-long commitment to the people of New York, I believe that it is incumbent on this body to bestow upon Priscilla A. Wooten this honor with the highest respect and esteem.

A TRIBUTE TO EVELYN CRUZ
HON. JAMES R. LANGEVIN
OF RHODE ISLAND
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006

Mr. LANGEVIN. Mr. Speaker, I rise in honor of the 16th annual National Sportsmanship Day, which is celebrated today around the world.

National Sportsmanship Day raises awareness about issues relating to sportsmanship and ethics in athletics as well as daily life. Athletic competition can teach students, coaches, and parents valuable lessons that can be applied on and off the field. With increased pressure to succeed placed upon today’s athletes and students, the importance of honesty, fairness and fair play have never been more necessary.

Given the heightened demand for accomplishment in today’s society, the idea of participation and fitness in many aspects of sport is often lost. Forgetting this important basis of athletic competition, students often are forced to maintain a ‘win at all costs’ mentality. Each year, the Institute for International Sport, based in my district in Kingston, Rhode Island, provides the opportunity to counter these notions through meaningful dialogue among school administrators, coaches, teachers, and students on the subject of ethics, fair play and sportsmanship.

The 16th annual National Sportsmanship Day strives to foster sportsmanship through the defeat of gamesmanship, the practice of ethically dubious methods to gain an objective. Through activities and discussions, more than 13,000 schools throughout the United States and around the world participate in these events to spread honest athletics.

Each year, National Sportsmanship Day recognizes a number of athletes who offer a tribute to their respective sport and enhance their skills with their desire to play fairly. This year, the Institute for International Sport has selected their Sports Ethics Fellows from a number of players, coaches, and school administrators at the high school level. With both their simultaneous pursuit of academic and athletic excellence, they model and promote the virtues of the student-athlete in the truest sense.

I hope that my colleagues can join with me on this day in celebrating and promoting the continued success of National Sportsmanship Day. With its moral, ethical and fitness components, today’s activities can promote a healthy and more active community amongst our nation’s youth, and support a team oriented future for our country of sports enthusiasts.
Mr. Speaker, I believe that it is incumbent on this body to recognize the accomplishments of Evelyn Cruz, as she offers her talents and community services for the good of our local communities.

Mr. Speaker, Evelyn Cruz's selfless service has continuously demonstrated a level of altruistic dedication that makes her most worthy of our recognition today.

DANA REEVE
HON. SHERROD BROWN
OF OHIO
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006
Mr. BROWN of Ohio. Mr. Speaker, I rise today to recognize Dana Reeve, who lost her battle to cancer yesterday at the age of 44.

Like her husband, Christopher, Dana will be remembered for her resilience and courage in the face of adversity.

Dana stood by her husband as he fought for his life, working as a tireless advocate for increased funding to find the key to reversing paralysis.

Through the Christopher Reeve Foundation they created together, Chris and Dana moved the science forward and brought hope to 2 million paralyzed Americans and their families.

After Christopher's death in 2004, Dana skillfully led the foundation where she established Quality of Life initiatives to improve the day-to-day lives of paralyzed people. She founded the Christopher and Dana Reeve Paralysis Resource Center.

Though her life was much too short, Dana left an indelible mark on this world. Her grace and personal strength are an inspiration to us all.

A TRIBUTE TO ESTER E. WATERMAN
HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006
Mr. TOWNS. Mr. Speaker, I rise today in recognition of Ester E. Waterman, a distinguished member of the Brooklyn community. It behooves us to pay tribute to this outstanding leader and I hope my colleagues will join me in recognizing her impressive accomplishments.

Ester E. Waterman is the daughter of Joseph and Mavis Waterman. Ms. Waterman was born in Trinidad W.I. and spent her childhood in San Fernando, Trinidad. In 1970, Ms. Waterman migrated to the United States where she attended Erasmus High School. Upon high school graduation, Ms. Waterman was accepted to New York University. A tireless and devoted undergraduate, Ms. Waterman worked her way through college and graduated with a degree in Computer Science. Her professional experience includes American Express, Alexander & Alexander Benefit Services and AON Consulting Company.

Today Ester E. Waterman is an active community resident of Brooklyn, New York and an inspiration to those around her. She is deeply committed to her love for children and learning. In 1998 Ms. Waterman fulfilled her community's need for a childcare service when she established "Loving Arms Learning Day Care Center."

Community members and leaders alike have praised Ms. Waterman's work. The Caribbean American International Child Care Network Inc. & United Family Services Inc. recognized Ms. Waterman in 2002 for her work and dedication to children. In 2004 Council Member Leroy Comrie awarded Ms. Waterman with the New York City Council Citation for Child Care and in 2005 Senator Nick Perry presented her with the New York State Assembly Certificate of Merit.

Ms. Waterman continues to dedicate her time to the people and children of Brooklyn. She has truly made a strong positive impact on the community and for that I ask that we recognize and give thanks to Ester E. Waterman for her wonderful contribution to our community.

A TRIBUTE TO JULIA L. JAMES
HON. EDOLPHUS TOWNS
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Tuesday, March 7, 2006
Mr. TOWNS. Mr. Speaker, I rise today in recognition of Julia L. James, a distinguished member of the Brooklyn community. It behooves us to pay tribute to this outstanding leader and I hope my colleagues will join me in recognizing her impressive accomplishments.

Julia L. James is an active community resident of Brooklyn, New York. Over the past several years, she has devoted her time and energies to improving the quality of life in her community. Ms. James is a member of New York City Community Board No. 17, where she serves as the chair of the Social Services Committee. She also serves on the boards of Beulah Community Housing Development Corporation and the Wyckoff Museum Advisory Board. Ms. James was also invited to serve on the board of Protestant Board of Guardians, Inc., a 40-year-old organization. For 8 years, Ms. James contributed her talents and abilities to the community as a member of Community School Board No. 18, including her tenure as a past president.

Julia L. James is the daughter of Rev. Henry R. and Ruth James and was born on the Island of the Commonwealth of Dominica. Ms. James is a Certified Public Accountant, licensed in the State of New York, and a Certified Management Accountant. She earned her undergraduate degree from Baruch College and her graduate degree from the Leonard Stern School of Business at New York University. Her professional experience includes Ernst & Young and Deloitte.

Ms. James is an active member of the Beulah Church of the Nazarene where she serves as a musician. She was instrumental in the creation of the Church's Housing Development Corporation, which seeks to encourage home ownership among members and community residents.

Ms. James has worked actively on the political campaigns of many individuals seeking to improve the quality of life for Brooklyn residents. With the help of God, Julia L. James strives to be a "woman who dares to be different."

Mr. Speaker, I believe that it is incumbent on this body to recognize the accomplishments of Julia L. James, as she offers her talents to our local communities.
Daily Digest

HIGHLIGHTS
Senate passed S. 2320, LIHEAP Funding.

Senate

Chamber Action
Routine Proceedings, pages S1807–S1858

Measures Introduced: Nine bills were introduced, as follows: S. 2375–2383.

Pages S1833–34

Measures Passed:

LIHEAP Funding: Senate passed 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, after taking action on the following amendments proposed thereto:

Adopted:

By 68 yeas to 31 nays (Vote No. 34), Frist (for Snowe) Amendment No. 2913 (to Amendment No. 2899), to improve the distribution of funds to States under the Low-Income Home Energy Assistance Program.

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.

During consideration of this measure today, Senate also took the following action:

By 75 yeas to 25 nays (Vote No. 33), three-fifths of those Senators duly chosen and sworn, having voted in the affirmative, Senate agreed to the motion to close further debate on the bill.

Chair sustained a point of order that Inhofe Amendment No. 2898, to reduce energy prices, was not germane, and the amendment thus fell.

Legislative Transparency and Accountability Act: Senate continued consideration of S. 2349, to provide greater transparency in the legislative process, taking action on the following amendment proposed thereto:

Pending:

Reid Amendment No. 2932, to provide additional transparency in the legislative process. Pages S1850–52

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10 a.m., on Wednesday, March 8, 2006.

Pages S1850

Nominations Received: Senate received the following nominations:

Michael E. Ranneberger, of Virginia, to be Ambassador to the Republic of Kenya.

Robert F. Godec, of Virginia, to be Ambassador to the Republic of Tunisia.

Philip D. Moeller, of Washington, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2010.

Jon Wellinghoff, of Nevada, to be a Member of the Federal Energy Regulatory Commission for the term expiring June 30, 2008.

Richard Capka, of Pennsylvania, to be Administrator of the Federal Highway Administration.

Jerry Gayle Bridges, of Virginia, to be Chief Financial Officer, Corporation for National and Community Service.

1 Army nomination in the rank of general.

Routine lists in the Air Force, Army, Marine Corps.

Pages S1852–58

Nominations Withdrawn: Senate received notification of withdrawal of the following nomination:

James Hardy Payne, of Oklahoma, to be United States Circuit Judge for the Tenth Circuit, which was sent to the Senate on September 29, 2005.

Pages S1858

Executive Communications:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Additional Statements:

Amendments Submitted:
Notices of Hearings/Meetings: Pages S1849–50
Authorities for Committees to Meet: Page S1850
Record Votes: Two record votes were taken today. (Total—34) Pages S1815, S1826
Adjournment: Senate convened at 9:45 a.m., and adjourned at 7:13 p.m., on Wednesday, March 8, 2006. (For Senate’s program, see the remarks of the Majority Leader in today’s Record on page S1850.)

Committee Meetings
(Committees not listed did not meet)

SUPPLEMENTAL FUNDING
Committee on Appropriations: Committee held a hearing 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, after receiving testimony from Alabama Governor Bob Riley, Montgomery; Louisiana Governor Kathleen Blanco, Baton Rouge; Mississippi Governor Haley Barbour, Jackson; and Texas Governor Rick Perry, Austin.

Hearings continue tomorrow.

APPROPRIATIONS: DEPARTMENT OF DEFENSE
Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2007 for the Department of Defense, after receiving testimony from Tina W. Jonas, Under Secretary of Defense (Comptroller); and Vice Admiral Evan M. Chanik, USN, Director, Force Structure, Resources and Assessments (J8).

DEPARTMENT OF DEFENSE AUTHORIZATION
Committee on Armed Services: Committee continued open and closed 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, receiving testimony from Admiral William J. Fallon, USN, Commander, United States Pacific Command; General Burwell B. Bell, III, USA, Commander, United Nations Command and Republic of Korea-United States Combined Forces Command, Commander, United States Forces Korea; and General James L. Jones, USMC, Commander, United States European Command and Supreme Allied Commander, Europe.

Hearing recessed subject to the call.

DEPARTMENT OF DEFENSE AUTHORIZATION
Committee on Armed Services: Subcommittee on Strategic Forces concluded open and closed 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, after receiving testimony from Linton F. Brooks, Administrator, National Nuclear Security Administration, and James A. Rispoli, Assistant Secretary for Environmental Management, both of the Department of Energy.

CREDIT RATING AGENCIES
Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the current oversight and operation of credit rating agencies, after receiving testimony from Paul Schott Stevens, Investment Company Institute, Damon A. Silvers, AFL-CIO, and Alex J. Pollock, American Enterprise Institute, both of Washington, D.C.; Colleen S. Cunningham, Financial Executives International, Florham Park, New Jersey; Glenn L. Reynolds, CreditSights, Inc., and Vickie A. Tillman, Standard and Poor’s Credit Market Services, both of New York, New York; Frank Partnoy, University of San Diego School of Law, San Diego, California; and Jeffrey J. Diermeier, CFA Institute, Charlottesville, Virginia.

RURAL TELECOMMUNICATIONS
Committee on Commerce, Science, and Transportation: Committee concluded a hearing to examine rural telecommunications, including telephony, data transmission, video transmission and mobility, after receiving testimony from Thomas Dorr, Under Secretary, and James M. Andrew, Administrator, Rural Utilities Service, both of the Department of Agriculture; Mark Goldstein, Director, Physical Infrastructure Issues, Government Accountability Office; Mark K. Johnson, Regulatory Commission of Alaska, Anchorage; Ray Baum, Commissioner, Public Utility Commissioner of Oregon, Salem; William Squires, Blackfoot Telecommunications Group, Missoula, Montana; Larry Sarjeant, Qwest Communications, and Joe Garcia, National Congress of American Indians, both of Washington, D.C.; and Craig Mundie, Microsoft, Redmond, Washington.

ENERGY INDEPENDENCE
Committee on Energy and Natural Resources: Committee concluded a hearing to examine the goal of U.S. energy independence, focusing on how the United States can facilitate the advancement of technologies to create new sources of energy, how to make more
efficient use of existing energy resources, and how to increase access to domestic resources in an environmentally safe way, after receiving testimony from R. James Woolsey, Booz Allen Hamilton, McLean, Virginia; Susan M. Cischke, Ford Motor Company, Dearborn, Michigan; Frank A. Verrastro, Center for Strategic and International Studies, Washington, D.C.; and Amory B. Lovins, Rocky Mountain Institute, Snowmass, Colorado.

U.S.-OMAN FREE TRADE AGREEMENT
Committee on Finance: On Monday, March 6, Subcommittee on International Trade held a hearing to examine the U.S.-Oman Free Trade Agreement, receiving testimony from Susan C. Schwab, Deputy U.S. Trade Representative; Edward S. Walker, Jr., Middle East Institute; David Hamod, National U.S. Arab Chamber of Commerce, and Thea M. Lee, AFL–CIO, all of Washington, D.C.; and Robert Hemphill, AES Corporation, Arlington, Virginia.

Hearing recessed subject to the call.

NOMINATION
Committee on Foreign Relations: Committee concluded a hearing to examine the nomination of Randall L. Tobias, of Indiana, to be Administrator of the United States Agency for International Development, after the nominee, who was introduced by Senator Bayh, testified and answered questions in his own behalf.

2005 GULF COAST HURRICANES RESPONSE
Committee on Health, Education, Labor, and Pensions: Committee met to discuss the response of community-based organizations to the 2005 Gulf Coast hurricanes, receiving testimony from Cynthia Fagnoni, Managing Director, Education, Workforce and Income Security Issues, Government Accountability Office; Kay Wilkins, American Red Cross, Metairie, Louisiana; Jayne Wright, Louisiana State Voluntary Organizations Active in Disaster and Food Bank of Central Louisiana, Alexandria; Todd Hawks, Salvation Army, Arlington, Virginia; Craig Nemitz, America’s Second Harvest, and Heather Feltman, Lutheran Disaster Response, both of Chicago, Illinois; Mostafa Mahboob, Islamic Relief USA, Burbank, California; Almeta Franklin, St. Mary Community Action Agency, Franklin, Louisiana; Tanya Harris, Association of Community Organizations for Reform Now, New Orleans, Louisiana; Lorna Bourg, Southern Mutual Help Association, New Iberia, Louisiana; Thomas E. Green, Office of Community Services, Little Rock, Arkansas; and Ande Miller, National Voluntary Organizations Active in Disaster, Tom Hazelwood, United Methodist Committee on Relief, William Daroff, United Jewish Communities, and Welton Gaddy, Interfaith Alliance, all of Washington, D.C.

Hearing recessed subject to the call.

VETERANS OF FOREIGN WARS
Committee on Veterans Affairs: Committee concluded a hearing to examine the legislative presentation of the Veterans of Foreign Wars, after receiving testimony from James R. Mueller, Robert E. Wallace, and Dennis Cullinan, all of the Veterans of Foreign Wars of the United States, Washington, D.C.

BUSINESS MEETING
Select Committee on Intelligence: Committee met in closed session to consider pending intelligence matters.

Committee recessed subject to the call.

House of Representatives

Chamber Action
Public Bills and Resolutions Introduced: 17 public bills, H.R. 4881–4897; and 5 resolutions, H.J. Res. 81–82; H. Con. Res. 352; and H. Res. 711–712 were introduced.

Additional Cosponsors:

Reports Filed: Reports were filed today as follows:
H. Res. 645, requesting the President and directing the Secretary of Defense to transmit to the House of Representatives all information in the possession of the President or the Secretary of Defense relating to the collection of intelligence information pertaining to persons inside the United States without obtaining court-ordered warrants authorizing the collection of such information and relating to the policy of the United States with respect to the gathering of counterterrorism intelligence within the United States; adversely (H. Rept. 109–384);
H. Res. 641, requesting the President to provide to the House of Representatives certain documents in his possession relating to electronic surveillance without search warrants on individuals in the United States, adversely (H. Rept. 109–385); and
H. Res. 710, providing for further consideration of the bill (H.R. 4167) to amend the Federal Food, Drug, and Cosmetic Act to provide for uniform food safety warning notification requirements (H. Rept. 109–386).

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

Recess: The House recessed at 12:45 p.m. and reconvened at 2 p.m.

Presidential Message: Read a message from the President wherein he transmitted to Congress a legislative proposal entitled, the “Legislative Line Item Veto Act of 2006”, to give the President line item authority to reduce wasteful spending—referred to the Committee on Budget and the Committee on Rules and ordered printed (H. Doc. 109–94).

Suspensions: The House agreed to suspend the rules and pass the following measures:

Designating the facility of the United States Postal Service located at 80 Killian Road in Massapequa, New York, as the “Gerard A. Fiorenza Post Office Building”: H.R. 3934, to designate the facility of the United States Postal Service located at 80 Killian Road in Massapequa, New York, as the “Gerard A. Fiorenza Post Office Building”;

Designating the facility of the United States Postal Service located at 6110 East 51st Place in Tulsa, Oklahoma, as the “Dewey F. Bartlett Post Office Office”: H.R. 4054, to designate the facility of the United States Postal Service located at 6110 East 51st Place in Tulsa, Oklahoma, as the “Dewey F. Bartlett Post Office”, by a yea-and-nay vote of 413 yeas to 1 nay, Roll No. 19;

Designating the facility of the United States Postal Service located at 1271 North King Street in Honolulu, Oahu, Hawaii, as the “Hiram L. Fong Post Office Building”: S. 2089, to designate the facility of the United States Postal Service located at 1271 North King Street in Honolulu, Oahu, Hawaii, as the “Hiram L. Fong Post Office Building”—clearing the measure for the President;

USA PATRIOT Act Additional Reauthorizing Amendments Act of 2006: S. 2271, to clarify that individuals who receive FISA orders can challenge nondisclosure requirements, that individuals who receive national security letters are not required to disclose the name of their attorney, that libraries are not wire or electronic communication service providers unless they provide specific services, by a yea-and-nay vote of 280 yeas to 138 nays, Roll No. 20—clearing the measure for the President;

Stop Counterfeiting in Manufactured Goods Act: H.R. 32, amended by the Senate, to amend title 18, United States Code, to provide criminal penalties for trafficking in counterfeit marks; and

Supporting the goals and ideals of National Engineers Week: H. Res. 681, to support the goals and ideals of National Engineers Week.

Recess: The House recessed at 4:02 p.m. and reconvened at 6:30 p.m.

Senate Message: Messages received from the Senate by the Clerk and subsequently presented to the House today appear on pages H575 and H601.

Senate Referral: S. 2320 was referred to the Committees on Energy and Commerce and Education and the Workforce.

Quorum Calls—Votes: Two yea-and-nay votes developed during the proceedings of today and appear on pages H598–99 and H599. There were no quorum calls.

Adjournment: The House met at 12:30 p.m. and adjourned at 11:45 p.m.

Committee Meetings

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on the Department of Transportation. Testimony was heard from Norman Y. Mineta, Secretary of Transportation.

MILITARY QUALITY OF LIFE, AND VETERANS AFFAIRS, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies held a hearing on Air Force Budget. Testimony was heard from GEN T. Michael Moseley, USAF, Chief of Staff, Department of the Air Force.
HUMAN CLONING/STEM CELL RESEARCH
Committee on Government Reform: Subcommittee on Criminal Justice, Drug Policy, and Human Resources held a hearing entitled “Human Cloning and Embryonic Stem Cell Research After Seoul: Examining Exploitation, Fraud and Ethical Problems in the Research.” Testimony was heard from the following officials of the Department of Health and Human Services: James F. Battey, Jr., M.D., Chair, NIH Stem Cell Task Force, Director, National Institute on Deafness and Other Communication Disorders; Bernard Schwetz, Director, Office for Human Research Protections; and Chris B. Pascal, Director, Office of Research Integrity; and public witnesses.

CRUISE SHIPS/INCIDENT INVESTIGATION
Committee on Government Reform: Subcommittee on National Security, Emerging Threats and International Relations held a hearing entitled “International Maritime Security II: Law Enforcement, Passenger Security and Incident Investigation on Cruise Ships.” Testimony was heard from public witnesses.

BRIEFING—BIENNIAL BIOLOGICAL RISK ASSESSMENT
Committee on Homeland Security: Subcommittee on Prevention of Nuclear and Biological Attack met in executive session to receive a briefing on the Biennial Biological Risk Assessment. The Subcommittee was briefed by departmental witnesses.

OVERSIGHT—WHITE COLLAR ENFORCEMENT
Committee on the Judiciary: Subcommittee on Crime, Terrorism, and Homeland Security held an oversight hearing on White Collar Enforcement (Part 1): Attorney-Client Privilege and Corporate Waivers. Testimony was heard from Robert D. McCallum, Jr., Associate Attorney General, Department of Justice; and public witnesses.

Hearings continue March 9.

NATIONAL FOOD UNIFORMITY ACT
Committee on Rules: Granted, by voice vote, a structured rule providing for further consideration of H.R. 4167, National Food Uniformity Act of 2005. The rule provides that no further general debate shall be in order. The rule makes in order only those amendments printed in the report. The rule provides that the amendments printed in the report may be offered only in the order printed in the report, may be offered only by a Member designated in the report, shall be considered as read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question in the House or in the Committee of the Whole. The rule waives all points of order against the amendments printed in the report. Finally, the rule provides one motion to recommit with or without instructions.

COMMITTEE MEETINGS FOR WEDNESDAY, MARCH 8, 2006
(Committee meetings are open unless otherwise indicated)

Senate
Committee on 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, 9:30 a.m., SD–106.
Subcommittee on District of Columbia, to hold hearings to examine potential effects of a flat Federal income tax in the District of Columbia, 2 p.m., SD–124.
Committee on Armed Services: to hold hearings to examine the Department of Defense quadrennial defense review; to be followed by a closed session in SR–222, 2:30 p.m., SH–216.
Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Trade and Finance, to hold hearings to examine the proposed reauthorization of the Export-Import Bank of the United States, 10 a.m., SD–538.
Committee on the Budget: business meeting to markup concurrent resolution on the budget for fiscal year 2007, 2 p.m., SD–608.
Committee on Commerce, Science, and Transportation: Subcommittee on Trade, Tourism, and Economic Development, to hold hearings to examine impacts of piracy and counterfeiting of American goods and intellectual property in China, 2:30 p.m., SD–562.
Committee on Energy and Natural Resources: business meeting to consider pending calendar business, 10 a.m., SD–366.
Committee on Finance: to hold hearings to examine a prognosis of the nation’s health care tax policy, 10 a.m., SD–215.
Committee on 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 be 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, 10 a.m., SD–419.
Subcommittee on Western Hemisphere, Peace Corps and Narcotics Affairs, to hold hearings to examine the impact of the American Servicemembers’ Protection Act on Latin America, 2:30 p.m., SD–419.
Committee on Health, Education, Labor, and Pensions: business meeting to consider S. 1955, 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. Foulke, 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, Arlene Holen, 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 West 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 Legal Services Corporation, Richard Stickler, of West Virginia, to be Assistant Secretary of Labor for Mine Safety and Health, Kent D. Talbert, of Virginia, to be General Counsel, Department of Education, 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, 10 a.m., SD–430.

Committee on Homeland Security and Governmental Affairs: to resume hearings to examine Hurricane Katrina, focusing on recommendations for reform, 9:30 a.m., SD–342.


Committee on 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, 9:30 a.m., SR–485.

Committee on the Judiciary: business meeting to consider Steven G. Bradburry, of Maryland, to be an Assistant Attorney General, John F. Clark, of Virginia, 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, Anmul 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. 829, to allow media coverage of court proceedings, S. 489, to amend chapter 111 of title 28, United States Code, to limit the duration of Federal consent decrees to which State and local governments are a party, S. 2039, to provide for loan repayment for prosecutors and public defenders, S. 2292, 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, 9:30 a.m., SD–226.

Select Committee on Intelligence: to receive a closed briefing regarding intelligence matters, 2:30 p.m., SH–219.

House

Committee on Appropriations, to mark up Supplemental Appropriations for Fiscal Year 2006, 4 p.m., 2359 Rayburn.

Subcommittee on Agriculture, Rural Development, Food and Drug Administration, Related Agencies, on Food and Safety Inspection Service, 9:30 a.m., 2362A Rayburn.

Subcommittee on Defense, executive, on Air Force Budget and Acquisition Overview, 10 a.m., H–140 Capitol.

Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies, on Department of Health and Human Services, 10:15 a.m., 2358 Rayburn.

Subcommittee on Energy and Water Development and Related Agencies, on DOE, 10 a.m., 2362B Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, on Indian Health Services, 10 a.m., B–308 Rayburn.

Subcommittee on Military Quality of Life, and Veterans Affairs, and Related Agencies, on Navy/Marine Corps Budget, 10 a.m., and on Pacific Command, 1:30 p.m., H–143 Capitol.

Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies, on NOAA, 1 p.m., H–309 Capitol.

Committee on Armed Services, hearing on the Fiscal Year 2007 National Defense Authorization Budget Request for the European Command, 10 a.m., 2118 Rayburn.

Subcommittee on Projection Forces, hearing on the Evolving Missions of the U.S. Navy and the Role of Surface and Subsurface Combatants, 5 p.m., 2212 Rayburn.

Subcommittee on Readiness, hearing on Department of Defense management of historic and historic-eligible facilities, 2 p.m., 2118 Rayburn.

Subcommittee on Terrorism, Unconventional Threats and Capabilities, hearing on the Special Operations Command: Transforming for the Long War, 3 p.m., 2212 Rayburn.

Committee on Energy and Commerce, to consider a motion to authorize issuance of a service contract with Mr. Robert Douglas to support the ongoing investigation by the Subcommittee on Oversight and Investigations of “data brokers” who acquire and sell consumers’ cell phone records and other confidential information; followed by a markup of the Prevention of Fraudulent Access to Phone Records Act, 10 a.m., 2123 Rayburn.
Subcommittee on Oversight and Investigations, hearing entitled “The Silicosis Story: Mass Tort Screening and the Public Health,” 2 p.m., 2123 Rayburn.

Committee on Government Reform, Subcommittee on Regulatory Affairs, hearing entitled “The Paperwork Reduction Act at 25: Opportunities To Strengthen and Improve the Law,” 2 p.m., 2154 Rayburn.


Committee on International Relations, to mark up H.R. 3127, Darfur Peace and Accountability Act of 2005; followed by a hearing on United States Policy Toward Iran—Next Steps, 10 a.m., 2172 Rayburn.

Subcommittee on Asia and the Pacific, hearing on East Asia in Transition: Opportunities and Challenges for the United States, 2 p.m., 2172 Rayburn.

Subcommittee on Europe and Emerging Threats, hearing on The U.S.-European Relationship: Opportunities and Challenges, 1 p.m., 2255 Rayburn.

Subcommittee on the Middle East and Central Asia, hearing on Palestinian Authority Elections: Implications for Peace, Regional Security, and U.S. Assistance, 2:30 p.m., 2200 Rayburn.


Subcommittee on Courts, the Internet, and Intellectual Property, oversight hearing entitled “The Report on Orphan Works by the Copyright Office,” 2 p.m., 2141 Rayburn.

Committee on Resources, Subcommittee on Water and Power, hearing on the following bills: H.R. 4545, To amend the Reclamation Wastewater and Groundwater Study and Facilities Act to authorize the Secretary of the Interior to participate in the Los Angeles County Water Supply Augmentation Demonstration project; and S. 1358 Alaska Water Resources Act of 2005, 10 a.m., 1324 Longworth.


Committee on Transportation and Infrastructure, Subcommittee on Aviation, oversight hearing on Reauthorization of the National Transportation Safety Board, 10 a.m., 2167 Rayburn.

Subcommittee on Water Resources and Environment, to continue oversight hearings on Agency Budgets and Priorities for FY 2007 for the following Agencies: EPA, NOAA and TVA, 2 p.m., 2167 Rayburn.

Committee on Veterans’ Affairs, oversight hearing on improving access to quality care for our nation’s veterans through collaboration with affiliated medical institutions and the Department of Defense and the operation of integrated medical facilities, 2 p.m., 334 Cannon.

Permanent Select Committee on Intelligence, executive, hearing on Director of National Intelligence Fiscal Year 2007 Budget, 10 a.m., H–405 Capitol.
Next Meeting of the SENATE
9:30 a.m., Wednesday, March 8

Senate Chamber
Program for Wednesday: After the transaction of any morning business (not to extend beyond 30 minutes), Senate will continue consideration of S. 2349, Legislative Transparency and Accountability Act.

Next Meeting of the HOUSE OF REPRESENTATIVES
10 a.m., Wednesday, March 8

House Chamber
Program for Wednesday: Consideration of Suspensions:
(1) H.R. 2383—To redesignate the facility of the Bureau of Reclamation located at 19550 Kelso Road in Byron, California, as the "C.W. 'Bill' Jones Pumping Plant"; (2) H.R. 1190—San Diego Water Storage and Efficiency Act of 2005; (3) H.R. 4192—To authorize the Secretary of the Interior to designate the President William Jefferson Clinton Birthplace Home in Hope, Arkansas, as a National Historic Site and unit of the National Park System; (4) H.R. 4472—Children's Safety and Violent Crime Reduction Act of 2005; (5) H.R. 3505—Financial Services Regulatory Relief Act of 2005; (6) H.R. 1053—To authorize the extension of nondiscriminatory treatment; (normal trade relations treatment) to the products of Ukraine; (7) H. Res. 673—Expressing support for the efforts of the people of the Republic of Belarus to establish a full democracy, the rule of law, and respect for human rights and urging the Government of Belarus to conduct a free and fair presidential election on March 19, 2006. Begin consideration of H.R. 4167—National Uniformity for Food Act of 2005.

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March 7, 2006

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