United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152 WASHINGTON, WEDNESDAY, MARCH, 29, 2006 No. 37

House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. ISSA).

DESIGNATION OF THE SPEAKER PRO TEMPORE

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

WASHINGTON, DC,
March 29, 2006.

I hereby appoint the Honorable DARRELL E. ISSA to act as Speaker pro tempore on this day.

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

PRAYER

The Reverend Dr. John W. Coker, Jr., Pastor, First Presbyterian Church, Fayetteville, North Carolina, offered the following prayer:

O God, in Your sight nations rise and fall and pass through times of peril. In Your name, our forebears won liberty for us all and lit the torch of freedom for nations then unborn.

Give constant and wise counsel to this Congress, to the President, and to the judiciary of this land. Make these servants equal to our trust, reverent in the use of freedom, just in the exercise of power, generous in the protection of weakness. Be present with our Armed Forces throughout the world and with their families.

Keep us mindful of how small the Earth is, how interrelated our lives have become, and how fragile security and peace can be. Hold us together as one people. Guard us from prejudices against neighbors who, having come from many lands, now pledge allegiance to one flag.

Have mercy upon us, O Lord, and grant us Your peace.

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 gentlewoman from West Virginia (Mrs. CAPITO) come forward and lead the House in the Pledge of Allegiance.

Mrs. CAPITO 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.

INTRODUCTION OF DR. JOHN WRIGHT COKER, JR.

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

Mr. MCINTYRE. Mr. Speaker, I am very honored today to introduce to you the gentleman who just gave our opening prayer, our guest pastor, John Wright Coker, Jr., from Fayetteville, North Carolina.

Jay, as he is known to all of us as his friends, is a native of Leland, North Carolina, in southeastern North Carolina, which I have the great opportunity to represent.

His commitment to spreading the word of God both here in the United States and abroad is unparalleled. Currently serving in his 12th year as pastor of First Presbyterian Church of Fayetteville, Jay has also led churches in South Carolina, Tennessee, and Mississippi.

Active in the Presbyterian Church U.S.A., Dr. Coker serves on the Presbytery Council, the Committee on Budget and Finance, and the Outreach Foundation. In addition, he has traveled the world with passion and purpose to spread God's word. From Mexico to the Middle East to Cuba, he has worked to build brighter and stronger communities while opening hearts and minds to the power and promise of God's unconditional love.

Mr. Speaker, Jay is blessed with a strong family, who are here with him today, including his wife, Sharon, and children John, Joseph, and Margaret Ann, and other friends and his mother.

Our State of North Carolina and Nation are blessed to have him as an ambassador of the Holy Scriptures and an ambassador of the promise we have for tomorrow.

Thank you, Mr. Speaker, and may God's blessings be upon Dr. Coker and his family and, indeed, upon our Nation.

REPUBLICANS WIN HOUSE BASKETBALL TITLE

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

Mr. OXLEY. Mr. Speaker, I am pleased today to announce the results of the basketball game last night between the Republicans and the Democrats at Gallaudet University: 35–26, the Republicans prevailed. Try to curb your enthusiasm.

It was a wonderful game in the tradition. This is the 12th game in the series.

I want to thank our players, particularly SHIMKUS, FERGUSON, LOBIONDO, HULSHOF, WAMP, FOSSELLA, STEARNS, FLAKE, DENT, ENSIGN. Mr. Speaker, we actually had two Senators, ENSIGN and THUNE. The good news was, of course, they are former House Members and they were trained the right way in basketball.

Gallaudet University is a great university, of course, the only school for

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the deaf in the entire country. We want to thank the NBA for helping sponsor this wonderful event.

I want to thank my counterpart, RON KIND, the captain of the Democratic team for their efforts. It was all for a good cause, and we are proud to display the trophy for this day on our side.

Thank you very much.

RUBBER-STAMPING REPUBLICANS

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

Mr. MCDERMOTT. Mr. Speaker, we used to do the people's business in the people's House when the Democrats were in charge.

Now the majority party rubber-stamps every bad policy that the administration serves up. House Republican leaders go even further with a little help from their friends. Indentured servitude to financial institutions is called bankruptcy reform. Rubber stamp.

Increasing drug company profits is sold as a medical benefit. Rubber stamp.

Increasing tax holidays for the super-rich, with poverty increasing among children in this country. Rubber stamp.

We used to have real debate in the people's House when the Democrats were in charge, but now the Republicans schedule 2-minute votes because the outcome is preordained. Rubber stamp.

When I brought this stamp out here, people laughed. Now nobody laughs because it is the order of the day.

NO JUSTICE FOR VICTIMS

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

Mr. POE. Mr. Speaker, justice is lacking in the Ohio criminal court of Judge John Connor. Sexual deviant, Andrew Selva, admitted to approximately 20 assaults against a 5-year-old and a 12-year-old. In most societies, Selva would be looking at a life sentence in the jailhouse. But Judge Connor put the criminal on probation and basically told him, try to do better.

The judge obviously lives in the never-never land of excusable conduct. Child molesters belong behind bars. That is why we build the penitentiaries. That is the only therapy that works for these predators.

And the DA's office is a cohort in this injustice since it reduced the charges and had a case of trial sickness, a term applied to inferior and unprepared prosecutors who will not go to trial and advocate on behalf of victims for fear of losing the case.

The real losers are the two victims. The criminal abused them and then the judge and the DA abused them and victimized them again. The judge and the DA should both resign and become defense attorneys, since they both obviously are more concerned about criminals than they are victims.

Mr. Speaker, in this particular case, the judge and the DA would both be found guilty of inexcusable conduct if they were judged by the community. And that's just the way it is.

THE FLAWED POLICIES OF THE PRESENT ADMINISTRATION

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

Mr. BLUMENAUER. Mr. Speaker, last week President Bush said that we were going to bring our troops home, but it is going to be a problem for the next President.

This is not a strategy to win the peace; it is just running out the clock and letting the next coach play sudden death. His flawed premise got us into this war ill prepared. He was wrong when he famously declared 1,061 days ago, ''Mission accomplished,'' but his worst calculation is just holding on.

It is time to start bringing the troops home according to a plan. As we phase down, it is important to increase Iraq's role in its own future. It is immoral to just pass this on to the next President, and shame on us if we let President Bush do that.

IN MEMORY OF STAFF SERGEANT MARCO SILVA

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

Ms. ROS-LEHTINEN. Mr. Speaker, I rise today with a heavy heart. On the 13th of this month, the family of Staff Sergeant Marco Silva experienced the tragic loss of a loving father, devoted husband, and courageous soldier. I would like to offer to the Silvas my deepest condolences on their terrible loss.

Staff Sergeant Silva served two tours of duty in Iraq as an Army air assault sniper for the 101st Airborne Division and had been bravely serving and defending our country since 2002.

Staff Sergeant Silva is a true hero, not only to the people of his hometown in Homestead, Florida, but to all who value the sacrifices that are made every day to keep our country safe and to spread democracy.

Staff Sergeant Silva selflessly fought to defend the liberties that we cherish here in the United States. I ask that your thoughts and prayers be with the Silva family during this most difficult time.

KEEP AMERICA COMPETITIVE GLOBAL WARMING POLICY ACT OF 2006

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

Mr. UDALL of New Mexico. Mr. Speaker, there is solid, scientific consensus that global warming is real. Many believe that the erratic and record-breaking weather events we are seeing across the country, such as the prolonged droughts in my home State of New Mexico, are the result of global warming.

To combat this problem, I will introduce the Keep America Competitive Global Warming Policy Act of 2006 with my colleague from Wisconsin, the Honorable TOM PETRI. We believe it is time for America to take steps to address global warming. We have structured a policy that will not put America's jobs at risk.

This bill is modest and certain as well as efficient. Our policy internalizes the cost of global warming through a cap and trade system on all greenhouse gas emissions with a fixed price safety valve.

This monumental step of putting a price on greenhouse gases will stabilize and eventually reduce emissions, finally putting the United States of America on the road towards curbing the effects of global warming. I urge my colleagues to support this legislation.

SUPPORT THE KEEP AMERICA COMPETITIVE GLOBAL WARMING ACT

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

Mr. PETRI. Mr. Speaker, for the past 30 years there has been a great debate over the true impact of greenhouse gases on global warming. There is now general consensus that they are having a significant impact on our planet, and it is time for us to act. That is why I am cosponsoring Congressman TOM UDALL's Keep America Competitive Global Warming Act.

His bill is a commonsense approach to reducing emissions. Unlike past legislative efforts that would drive industries out of our country and increase home energy bills exponentially, this bill takes into account the true costs of emission reductions.

The legislation sets a reasonable standard for emissions and allows companies to buy the time they need to meet our reduction requirements without incurring irreparable financial harm. What makes this bill unique and effective is that it is flexible enough to give industry the opportunity to adapt without forcing business to drastically hike prices, lay off workers or move abroad.

Greenhouse gas reduction needs to be a higher priority for this Nation. As the biggest producer of emissions, we must be a leader, a leader in demonstrating that we can reduce emissions in a meaningful way while maintaining our global competitiveness.

REPUBLICAN OVERSIGHT FAILURES

(Mrs. CHRISTENSEN asked and was given permission to address the House for 1 minute.)

Mrs. CHRISTENSEN. Mr. Speaker, since the beginning of the Iraq war, House Republicans have rubber-stamped every war supplemental the President has sent to Congress with very few questions about how the money is being spent.

House Democrats have repeatedly tried to get Republicans to join us in supporting the creation of a select committee to investigate government contracting.

The committee would be similar to the Truman Committee during World War II, which, under Democratic Senator Harry Truman's leadership, held hundreds of hearings and fact-finding missions into contracts approved by the Democratic Roosevelt administration.

Truman did not see this as a partisan issue, and said, unlike Republicans today, he took his oversight responsibilities seriously.

The Truman investigation saved the American taxpayer an estimated $15 billion. Just think how much money we could save the American taxpayer today. Under Halliburton's two largest Iraq contracts, Pentagon auditors found $1 billion in questioned costs and $400 million in unsupported costs, and these discoveries are from Pentagon auditors.

Just think what we could discover from a real congressional investigation. It is time for the Republican rubber-stamping to end.

□ 1015

DEMOCRATS HAVE A WEAK RECORD ON NATIONAL SECURITY

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

Ms. FOXX. Mr. Speaker, today Democrats are scheduled to host a media stunt to unveil their so-called strategy on national security issues. While I am sure that the Democrats will talk the talk, actions speak far louder than words. The American people need to look beyond the Democrats' spin and study their record on these issues. When they do, they will see the Democrats have no credibility, because they voted against many measures to keep our country safe.

Cases in point: Republicans voted to pass the major border security bill in December, but Democrats, led by their minority leader, opposed the bill. Republicans voted to pass the PATRIOT Act to keep Americans safe, but Democrats, led by their minority leader, opposed the bill. Republicans voted to pass the REAL ID Act to make sure that people who received driver's licenses are here legally. The Democrats, led by their minority leader, again opposed the bill.

If this was not bad enough, Democrats are trying to cut $60 billion from military weapons systems that keep our brave men and women in uniform safe. If Democrats want to talk the talk like they are for strong national security, then they need to start walking the walk.

GRACE PESHKUR

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

Mr. BISHOP of New York. Mr. Speaker, I rise to recognize Grace Peshkur and her family on the occasion of her fourth birthday today. Grace is an extraordinary child who has endured a life of struggle, and yet she has persevered against a rare skin disease and genetic disorder called epidermolysis bullosa, or EB for short.

Grace is an inspiration to many Long Island families who have rallied around her. She has helped raise awareness about EB, which I had never heard of before meeting Grace.

Over 12,000 Americans like Grace are afflicted with EB. The symptoms are fragile skin, recurrent blisters and painful sores caused by minor rubbing and that can be aggravated by routine activities we take for granted, like eating, walking and even changing clothes.

For Grace and her family, every day that goes by is another battle won. I admire the Peshkur family and over 12,000 other Americans afflicted with EB who fight this disease and are working to raise awareness, find better treatments and, ultimately, discover a cure.

In lieu of a fourth birthday present for Grace, I encourage my colleagues to cosponsor H. Res. 335, which would raise awareness by creating an EB awareness week.

Mr. Speaker, we can only imagine the difficulty that Grace and her family face on a daily basis, but we can do something about it. We can provide the hope and promise of a cure.

DEMOCRAT ''NATIONAL SECURITY AGENDA''

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

Mr. PITTS. Mr. Speaker, Democrat leaders are planning to make big news at a press conference later today. What is the news? That they are tough on national security. This kind of claim coming from congressional Democratic leaders leaves the American people scratching their heads. It is one thing to hold an election-year conference full of tough talk on national security issues; it is quite another thing to back that talk up with your voting record.

Unfortunately, their rhetoric doesn't match their record. Where were the Democrat leaders when it came time to vote for the PATRIOT Act or for border security legislation or armed services recruiting or the REAL ID Act? Given the chance, they often line up against our Nation's national security initiatives, again and again and again.

It is Democrats who would like to censure President Bush for authorizing the NSA terrorist surveillance program. It is Democrats who want to unilaterally withdraw from the Iraqi front in the war on terror. A news conference to announce Democrat leaders are tough on national security, that certainly is big news.

ENERGY PRICES

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

Mr. BUTTERFIELD. Mr. Speaker, gasoline prices are once again on the rise. Over the last 2 weeks, prices are up by 14 cents, 40 cents higher than at this same time last year. Americans are looking to Washington for relief, but no relief has occurred. That is because House Republicans rubber-stamped an energy plan that was written in secret by a Cheney energy task force, whose participants are still not known to the American people.

Based on the final law, one can only assume that the American consumer was not represented at those closed-door meetings. The Bush administration, Mr. Speaker, has admitted that this energy law will do absolutely nothing to reduce the pain Americans feel when they fill up at the pump.

In fact, according to the President's own administration, the final energy law will actually lead to higher gasoline prices. As gas prices increase in the coming weeks, the American people should blame House Republicans who rubber-stamped an energy policy written by and for Big Oil at the White House.

AMERICAN SOLDIERS REMAIN COMMITTED TO SUCCESS IN IRAQ

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

Mr. WILSON of South Carolina. Mr. Speaker, Ralph Waldo Emerson once said that an ounce of action is worth a pound of theory. As I listen to theories of doom and gloom about our military operations in Iraq, I am proud that American soldiers remain focused to successfully accomplish their mission to protect American families. Last week, the U.S. director of the Iraq Reconstruction Management Office reminded us of the tremendous progress that has been made in Iraq over the last 3 years.

Ambassador Daniel Speckhard reported that Iraq's per capita annual income increased from $500 per person in March 2003 to $1,200 today. More than 30,000 Iraqi businesses have been registered in the past year. Iraq now has a free press, more than 2,000 Internet cafes, and more than 5 million cell phone users.

While naysayers focus on a civil war in Iraq, our troops are committed to creating a civil society in Iraq which protects American families.

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

REMEMBER THE TRIANGLE FIRE

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

Mr. PASCRELL. Mr. Speaker, this past Saturday, March 25, came and went, and not enough of us took notice of its significance. March 25, 1911, was the anniversary of the tragic Triangle Fire, an event that truly encapsulated the lengths to which industrial greed was allowed to operate at the expense of the American worker.

When the fire had subsided, 146 of the 600 Triangle factory workers were dead in New York City. Many workers jumped to their deaths from eighth, ninth and tenth floors rather than face the searing flames.

But the harsh reality of working in a sweatshop was their lives. The Triangle factory had never conducted a fire drill, had locked doors, poor sanitation, crowding, all symptoms that contributed to the high death toll.

It would be easy to believe that the Triangle Fire was a tragedy of the past, but the horrifying truth is that tragedies like Triangle are occurring throughout the world: 188 workers were killed on May 10, 1993, in Thailand when the factory of a toy company went up in flames; 52 workers were killed on November 25 of 2000 in a fire at a garment factory near Dhaka, Bangladesh. This is what happens when we try to Wal-Mart America. Think of it the next time you buy something off their shelves.

ACTION ON IMMIGRATION

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

Mrs. CAPITO. Mr. Speaker, today our colleagues in the Senate begin hearings on immigration legislation. I rise to urge our colleagues in the other Chamber to follow the House's lead by passing legislation that focuses first and foremost on securing our broken border enforcement system.

Porous borders and the illegal immigration caused by them are a threat not only to our national security but to our national economic security. The Federal Government, more specifically Congress, has a duty to do everything we can to secure our borders.

Enforcement first legislation passed by the House last year was the right approach. Once we have effectively secured our border, then and only then should we focus on the other consequences of illegal immigration.

Mr. Speaker, we are a Nation of immigrants. Our Nation's greatness is built on the hopes and dreams of those who have come here from another country. I understand that.

But above all, we are a Nation built on the rule of law. As a Nation and as a Congress, our duty is to enforce these laws and secure our borders.

REQUESTING A REFUND FOR THE AMERICAN PEOPLE

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

Mr. EMANUEL. Mr. Speaker, it is time we give the American people a refund, because this Congress is not giving them what they paid for. Day after day, we see headlines detailing the incompetence, mismanagement and sometimes outright corruption of our government, and yet this Congress sits idly by rubber-stamping the administration's policies.

Three years after the invasion, we are mired in an endless occupation of Iraq. Yet this Congress has approved $480 billion without a single question of where the $10 billion that is missing has gone and how did Halliburton continue to get its no-bid contracts.

A few days ago we learned that government investigators were able to smuggle enough radioactive material in the U.S. to make two dirty bombs. Not a single question by the administration or this Congress, because they have not provided the money for border and port security.

Since 2000, the Congress has added $3 trillion to the national debt. Yet we didn't hear so much as a peep out of this Congress when the debt limit was raised for the fourth time in 5 years. The taxpayers bought thousands of trailers in Louisiana, and they sit empty.

Mr. Speaker, the people's House is here to serve the people, not the special interests. It is time the American people either got their money's worth or a refund. It is time for new priorities. It is time to end this rubber-stamp Congress.

PRESCRIPTION DRUG PROGRAM WORKING

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

Mrs. MILLER of Michigan. Mr. Speaker, it appears that the more the Democrats talk down the new Medicare prescription drug program, the more the enrollments seem to go up. Democrats have been doing nothing but demagoguing and criticizing this program, yet the U.S. Department of Health and Human Services announced just last week that more than 27 million Medicare beneficiaries are now getting coverage and saving money on their prescription drugs.

In fact, they just announced that another 1.9 million additional beneficiaries have signed up just since February. This is wonderful news. Even the New York Times is reporting success stories from seniors who signed up for the program and are now saving hundreds, if not thousands, of dollars on their prescriptions.

Mr. Speaker, this prescription drug benefit is doing something that most Democrats probably didn't even think would happen, maybe they didn't want to have happen: it is helping seniors; it is reducing their costs.

As nice as it would be to hear Democrats stop for a moment and actually admit that this program is a success, perhaps they should just keep up their futile demagoguery, because at this rate, we will be at 100 percent enrollment in no time at all.

REPUBLICAN RUBBER-STAMP CONGRESS REFUSES TO HOLD BUSH ACCOUNTABLE FOR KATRINA

(Ms. WATSON asked and was given permission to address the House for 1 minute.)

Ms. WATSON. Mr. Speaker, gulf coast residents continue to pay the price for the Bush administration's incompetence, cronyism and failed leadership. Yet, House Republicans refuse to ask the tough questions of an administration that showed no competence during Hurricane Katrina.

The House Republican Davis report on the Katrina response is woefully incomplete. The White House was allowed to ignore congressional subpoenas, and Michael Brown's e-mails were excluded. How is that a proper investigation? Worse yet, Republicans hold no one in the Bush administration accountable.

Americans cannot afford to gamble their security on the same Bush administration team that mismanaged Katrina. The American people deserve a bipartisan independent Katrina commission, like the 9/11 Commission, to get all the answers we need to better prepare for future natural and terrorist disasters.

Hurricane Katrina should have served as a wake-up call to House Republicans about the critical need for congressional oversight. Unfortunately, they refuse to ask the tough questions.

NATIONAL MOM AND POP BUSINESS OWNERS DAY

(Ms. BEAN asked and was given permission to address the House for 1 minute.)

Ms. BEAN. Mr. Speaker, I am excited to rise today to support National Mom and Pop Business Owners Day. This celebration honors the husband and wife business owner teams whose work helps drive the economy and fuel job growth.

Married couples who work together to build and maintain a business assume broad responsibilities. Not only is their work important to our local and national economies, but their success is central to the well-being of their families.

My Eighth District, like others, counts on these family businesses and their teams working hard to support their families and aid their communities. As retailers, these teams often bring different or unique products to the marketplace. In manufacturing, they create innovative concepts and ideas. They manage to do all of this while at the same time providing stellar and personal customer service.

As a member of the House Committee on Small Business and because of my own experience as a small business owner, I am appreciative of the impact these small businesses have on our local economies. In fact, 80 percent of our domestic job growth comes from the small- and medium-sized business community.

I am proud of the contributions of these mom and pop business owners across America and hope that my colleagues will join with me in celebrating this important day.

□ 1030

CLOSE THE LOOPHOLE ON 527 GROUPS

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

Mr. McHENRY. Mr. Speaker, what we have today is more liberal lunacy. Billionaires like the Daddy Warbucks of the Democratic Party, George Soros, are pushing their left-wing agenda by funneling hundreds of millions of dollars through shady organizations called 527 groups.

Section 527 groups operate outside of campaign finance laws by spending hundreds of millions of dollars on ads and partisan voter recruitment efforts with no oversight and no accountability.

Mr. Speaker, $370 million flowed through 527 groups in the last campaign election cycle, and this is outside of campaign disclosure. So much for taking big money out of politics.

Over one-fifth of the $370 million channeled through 527s came from four individuals. This is money laundering on a scale that would make even Tony Soprano blush.

Mr. Speaker, it is time that we close this loophole on 527s and open transparent and accountable campaigns to the American people.

REPUBLICAN REFUSAL TO EXTEND PRESCRIPTION DRUG SIGN-UP PERIOD

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

Mrs. JONES of Ohio. Mr. Speaker, it is time the House Republicans stand up to the Bush White House and say they are not going to allow America's seniors to be penalized for a complicated and confusing drug proposal they helped create.

It was bad enough that the Republicans allowed the big drug companies to write their own prescription drug plan for them, but now that a deadline looms 47 days away that would inflict a tax on seniors who have not yet chosen a plan, Republicans seem willing to, once again, blindly follow the President.

Earlier someone made the comment that Democrats are not doing enough to have seniors sign up for the plan. I beg to differ. I work very hard to have my seniors sign up and save money, but they will never save as much, the billions of dollars that went to the drug companies, as the drug companies will receive in that process.

House Republicans seem willing to once again rubber-stamp a plan that would inflict a Bush prescription drug tax on seniors for the rest of their lives. They have yet to show any support for Democratic efforts to extend the sign-up deadline to the end of the year.

While America's seniors continue to pay outrageously high prices for their prescription drugs, House Republicans can no longer just rubber-stamp.

IMMIGRATION REFORM

(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 support of securing our borders and getting legislation to the President's desk that will stop the flow of illegal immigrants into our country.

This week, the Senate is debating immigration reform, and it is crucial that they pass legislation that puts enforcement first and says ''no'' to blanket amnesty.

As a physician, I know you have to stop a patient's bleeding before you can heal the wound. Likewise, we must stop the bleeding of our borders before we can address other areas of reform.

Our southern border is not just bleeding; it is hemorrhaging. Thousands of illegal immigrants cross it each month, and our incomplete border fence does little to tame the flow. Our border enforcement is woefully understaffed, and local law enforcement officials lack the jurisdiction to apprehend illegal immigrants within their own communities.

Mr. Speaker, the House passed legislation in December to address each of these concerns. Reforming our immigration system requires a commitment to security and lawfulness, and our Senate colleagues must pledge their resolve to these core principles as they move forward in this debate.

REPUBLICANS REFUSE TO TAKE 9/11 COMMISSION SERIOUSLY

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

Mr. PALLONE. Mr. Speaker, more than 4 years have passed since 9/11, and Washington Republicans have failed to make the American people as safe as they should be.

House Republicans continue to ignore the real security risks that we face. They allow President Bush to disregard the recommendations from the independent 9/11 Commission. After all, House Republicans stood by the Bush administration in its attempts to keep the 9/11 Commission from ever being created.

A report from the commission in December gave the Bush administration failing grades in securing our Nation. From chemical plants to subways, ports and the border, the commission report showed how Washington has failed to take the proper steps needed to close security gaps.

House Republicans could make homeland security a priority if they joined us this month in rejecting President Bush's 2007 budget that dramatically underfunds key homeland security programs. Unfortunately, I am concerned Republicans will once again pay lip service to these critical security needs and will, instead, once again, rubber-stamp a Bush budget that leaves us vulnerable to those who wish us harm.

HONORING FIRST SERGEANT MICHAEL MATTHEWS

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

Mr. PRICE of Georgia. Mr. Speaker, today, I recognize an American who has given so much to our community and our country.

In January of this year, Michael Matthews of the Roswell, Georgia, Police Department was named the 2005 Officer of the Year for his work as a patrol officer and SWAT team member. When Officer Matthews is not serving the Roswell Police Department, he dedicates his time to protect America as a member of the Army National Guard.

On August 30 of last year, First Sergeant Matthews was on patrol in Iraq when his convoy was struck by an IED. Suffering injuries requiring surgery, First Sergeant Matthews received the Purple Heart for being wounded in combat. The deepest gratitude of the American people go to First Sergeant Matthews and his fellow soldiers.

True patriots are protecting and serving their local communities, as well as our country at large. As these brave men and women stand on the front lines of the war on terrorism, there should be no limit to the time and opportunities we take here at home to remind the American people of their courageous and selfless acts.

REAUTHORIZATION OF HIGHER EDUCATION ACT

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

Mr. KELLER. Mr. Speaker, I rise today in support of the Higher Education Act, which will be reauthorized

today and tomorrow in Congress. As the chairman of the Higher Education Subcommittee, I am intimately familiar with this legislation.

This legislation expands college access for millions of American students by strengthening the Pell Grant program and by strengthening Perkins student loans.

We strengthen the Pell Grant program by allowing Pell Grants to be used year round for the first time in history and by increasing the maximum award to $6,000, the largest amount in history.

We strengthen Perkins student loans by reauthorizing them and providing a way for low-income students, up to 10 million of them, to get fixed, low-interest rates at 5 percent.

Perkins loans and Pell Grants are the passport out of poverty for millions of worthy young students. So do not believe the hype from the critics of this legislation. Here is some straight talk: not a single student in America will receive less financial aid under this bill, not one.

I urge my colleagues to vote ''yes'' on the higher education reauthorization bill today.

WHATEVER HAPPENED TO FISCAL RESPONSIBILITY?

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

Ms. SLAUGHTER. Mr. Speaker, whatever happened to the Republicans who were fiscally responsible? I think they must have left town after President Bush came to Washington in 2001.

In January of that year, thanks to the fiscal policies of the Clinton administration, we were expecting a $5.6 trillion budget surplus over 10 years. Instead, thanks to the fiscal policies of President Bush and the Republican ''Rubber Stamp'' Congress, that $5.6 trillion surplus has been turned into a $3.3 trillion deficit.

President Bush has yet to propose a balanced budget, and yet the Republicans do not seem to mind. They keep signing off on the budget proposals, ignoring fiscal discipline.

Because of their reckless borrow-and-spend policy, Republicans were forced to increase the debt limit earlier this year for the fourth time in 5 years, raising it to nearly $9 trillion. We are currently borrowing more than $600,000 a minute, much of it from foreign countries such as China and Saudi Arabia.

Mr. Speaker, if House Republicans are serious about fiscal discipline, they will stop rubber-stamping President Bush's failed fiscal policies.

PROVIDING FOR CONSIDERATION OF H.R. 609, COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

Mr. BISHOP of Utah. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 741 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 741

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 609) to amend and extend the Higher Education Act of 1965. The first reading of the bill shall be dispensed with. All points of order against consideration of the bill are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule. In lieu of the amendment recommended by the Committee on Education and the Workforce now printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the five-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee Print dated March 22, 2006. That amendment in the nature of a substitute shall be considered as read. All points of order against that amendment in the nature of a substitute are waived. Notwithstanding clause 11 of rule XVIII, no amendment to that amendment in the nature of a substitute shall be in order except those printed in the report of the Committee on Rules accompanying this resolution. Each such amendment 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. All points of order against such amendments are waived. After disposition of the amendments printed in the report of the Committee on Rules, the Committee of the Whole shall rise without motion. No further consideration of the bill shall be in order except pursuant to a subsequent order of the House.

The SPEAKER pro tempore (Mr. ISSA). The gentleman from Utah (Mr. BISHOP) is recognized for 1 hour.

Mr. BISHOP of Utah. Mr. Speaker, for the purpose of debate only, I yield the customary 30 minutes to the gentlewoman from California (Ms. MATSUI), pending which I yield myself such time as I may consume. During consideration of this resolution, all time yielded is for the purpose of debate only.

H. Res. 741 provides a structured rule of 1 hour of general debate on H.R. 609, the College Access and Opportunity Act of 2005, and makes in order 15 separate amendments to that legislation.

I would like to point out that this bill has been significantly discussed in committee markups. Seventy-nine amendments were discussed; half as many, as well, were discussed in the subcommittee markup. Nonetheless, 117 amendments were also filed with the Rules Committee, many of them by members of the committee, some retreads, but some allegedly were rewritten after the committee markup took place.

Because so many amendments have been introduced and many of them are those first impression-type amendments, the Rules Committee will be issuing a separate, second rule at a later date that will allow for consideration of additional amendments to H.R. 609.

Providing for two separate rules in this manner will allow the Rules Committee some additional time it needs to adequately review the large number of amendments that were submitted, guard against potential duplicative amendments, violation of House rules, ensure germaneness and also eliminate those that would violate budgetary rules.

I hope that in this process we will ensure an orderly debate on the key issues of this particular bill with the proposed two structured rules coming to us.

This two-step process will also allow many of the sponsors of those amendments some additional time to perhaps redraft their language, with closer consultation with the Parliamentarian and the relevant committees of jurisdiction.

The Rules Committee did work hard to listen to the Member testimony and consider the amendments that were proposed. What is filed in this particular rule are 15 amendments, seven of which are Democrat or bipartisan amendments which provide for a wide range of debate on many key aspects of the higher education program and policy. I think it is indeed a fair rule.

In 1965, the original Higher Education Act was proposed in order to provide assistance to a high number of students to fulfill a dream of a college education. Since that time, this bill and reauthorizations of this bill have been used for some other purposes.

One of the things that is positive about the bill before us is an effort to refocus on the primary purpose and the primary goal of this bill as it was originally applied, and that is public assistance to more students, period.

It is an effort on the part of the committee to try and make sure that people have this opportunity to go to college. As such, they reauthorize programs like TRIO and its associate programs like Upward Bound and GEAR UP to take kids who, by virtue of their socioeconomic status or perhaps their cultural background, are given an opportunity to advance to a college degree maybe for the first time to fulfill that particular dream.

□ 1045

I realize that my brothers and I are the first ones in my family to have actually graduated from college, and to allow that for many of these kids who will sometimes be the first of their families to have that experience in college and to graduate from college is significant.

The committee reauthorized the student Perkins loan grants, which also

recognizes the need of a different strain of students to be able to make it through college with the different niche that they provide. It has recognized the role of proprietary schools without automatic recognition but understanding the niche that it plays now as well as in the future.

Most significantly, it reauthorizes the Pell Grants. It does so in a way that expands the cap, simplifies the rules, changes the eligibility so a greater number of individuals will be eligible and participate in this particular program. It adds new emphasis on the highest-achieving first- and second-year students, which in the past have had the greatest need but maybe have not had the proportional advantage of this particular program. It accelerates the opportunity for course work to be done in a way that helps the students to actually get through their college careers. In essence, it is one of those programs that does well.

I hope as we proceed on the discussion of this rule as well as the underlying bill that we do not lose sight of the purpose of this particular bill, which is to provide assistance for more students. And I also hope that we do not lose sight that we are dealing with the bill at hand, not other extraneous issues.

The original act, the original act never intended that the Federal Government pay for all of college education but rather was an assistance, a helping hand to those wishing to go to school and allowing those students themselves to earn their own way in the higher education world.

I feel I have a personal stake in this particular concept. I have five kids, four of whom have been in college, unfortunately, at the same time. Since 1998, I have had the wonderful opportunity of funding multiple students in college simultaneously. And if my third kid goes to graduate school, I will have a chance of adding the fifth kid in college at the same time in both law schools, undergraduate work, as well as perhaps graduate work, and I did it all on a schoolteacher's salary.

Both I and my credit cards understand the significance of this particular piece of legislation, and I am also convinced that it is a remarkably good balance by reauthorizing existing programs while at the same time increasing accountability for Federal dollars spent, increasing consumer choices, creating incentives for institutions to control tuition costs, and actually increasing the overall number of low- and middle-income students who will be receiving that particular assistance.

We will probably hear, as the discussion unfolds, both in this rule and the next rule, of many programs trying to institute social engineering projects into this particular bill; perhaps to expand the role in the Federal Government at the State and local education prerogatives; perhaps those amendments to micromanage institutions; perhaps those that will change the authorization levels in an unrealistic fashion. It will be an interesting debate. But what I hope we do not lose track of, again, is that this bill makes progress in helping kids receive a college education, and progress is always paid at some particular price.

It also does not diminish the other role besides assistance in the cost of education and college, which is tuition increases. By providing specific incentives to schools to hold the line on tuition increases, by simplifying the process and by studying this issue and reporting back, it does make a significant stand in this particular area without forgetting that the Federal Government is a partner in this situation. The institutions of higher learning belong to the States and the private and religious organizations. We are simply exercising a partnership with them.

I have to commend the former chairman of the Education Workforce Services Committee, our current majority leader, Mr. BOEHNER, for his efforts in trying to work across the aisle to come up with a good bill. I also congratulate the new chairman, Mr. MCKEON, for his hard work in seeing this bill through to this point. I also congratulate many Members of the minority. Many of their ideas and provisions are incorporated in the base bill, 609, that we have before us.

Forty-eight hours ago, this was a good bipartisan bill, and I am under the assumption that, when we finish our work and go home Saturday, we will also recognize that we have passed a good bipartisan bill.

In conclusion, I ask the Members to support this first rule and vote in favor of this resolution. We will have as a body two chances at the plate in this particular bill. And as Satchel Page used to say: ''Pitch strikes. Home plate don't move.''

This is a good bill, and it ain't going to move either. With that, I hope we continue to make progress in moving this important piece of legislation forward at an orderly pace.

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

Ms. MATSUI. Mr. Speaker, I thank the gentleman from Utah for yielding me this time, and I yield myself such time as I may consume.

(Ms. MATSUI asked and was given permission to revise and extend her remarks.)

Ms. MATSUI. Mr. Speaker, in our country, education has long been viewed as the doorway to opportunity. Unfortunately, if we pass this rule and the underlying legislation, we will be closing this door for many.

Over the past year, I have sat down with students at Sacramento State University in my hometown of Sacramento. These young people are so talented and so filled with the possibility of tomorrow, but they are all concerned about the cuts to financial aid and their ability to finish college. This legislation will not address their concerns and, actually, will probably increase them.

The inability to afford college was less of an issue for my generation. When I was growing up in California, there was never a concern that I couldn't go to college. But this is not the case today. In all likelihood, my parents would have a very difficult time putting together a package that would allow me to go to college because, across the Nation, the average tuition and fees at 4-year public colleges have risen 40 percent since 2001 when adjusted for inflation. Yet when also adjusted for inflation, the maximum Pell Grant last year was worth $800 less than it was in 1975, and this bill only raises the authorizing level by a mere $200 over 6 years.

The spending cuts this Congress passed earlier this year represented the single largest cut to the Nation's Federal student aid programs ever. Sadly, this bill fails to reverse that trend, and it puts college even further out of reach for many. For the students at Sac State, UC Davis, and across the Nation, this legislation will impact their ability to earn a degree as well as their future, and ultimately it will impact this Nation's future.

Today, this country is a world leader by nearly every economic indicator, and our standard of living is without equal. But that didn't happen by accident. Our predecessors made a decision to make the critical investment in education and ensure access to an affordable education. While we seem to be increasing the barriers to a college education, we should not doubt for a moment that our international competitors are making that mistake. China, India, South Korea and others are making the investment to produce the intellectual capital they will need to boost their economic growth and catch up to the United States.

College financial aid is an investment in America's economic strength and its workforce. If the barriers to a college education continue to increase, America's preeminence in the world economy will be at risk. If we want to ensure we retain our international preeminence, we must make the investment in our most important engine of economic growth: the American people. They are our Nation's most valuable resource.

We must make college truly affordable for every student who has the ability and the will to work hard, study and continue to make America the world's economic leader. But we will not be doing that with this legislation. And as we bring this bill to the House floor, we are sending a very loud signal that partisanship has a higher priority in this Congress than working together to address the needs of the Nation.

In previous Congresses, the higher education reauthorization has come to the floor with a rule simply requiring the preprinting of amendments, certainly a far more open process than today. Those rules passed each time by

voice vote. It allowed healthy debate on one of the most important bills this Congress considers, because we must get it right. But we don't see the same rule in this Congress. Instead, the Rules Committee chose to shut out Members' ideas by issuing this first restrictive rule late last night, which is likely to be followed by a second rule that also shuts Members out of the process.

Once again, we see the majority limiting the ideas that can be debated on the House floor. It will only add to this bill's flawed consideration, and ultimately, it will block efforts to correct its misguided priorities.

So I urge my colleagues to vote down this rule and the underlying legislation so we can return to the floor with a higher education bill that does make the investment in our young people and our Nation.

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

Mr. BISHOP of Utah. Mr. Speaker, I am pleased to yield 5 minutes to the gentleman from Florida (Mr. KELLER), the chairman of the subcommittee of jurisdiction dealing with higher education issues.

Mr. KELLER. Mr. Speaker, I thank the gentleman for yielding. I rise today in support of the rule and in support of H.R. 609, the College Access and Opportunity Act, which will reauthorize the Higher Education Act.

Don't believe the hype from the critics of this legislation. Here is some straight talk: not a single student in America will receive less financial aid under this bill. Not one. This legislation actually expands college access for millions of American students by strengthening the Pell Grant program and by reauthorizing the Perkins student loan program.

I will focus my comments this morning on the heart of this legislation, which is Perkins loans and Pell Grants. Both of these are worthy programs which enjoy broad bipartisan support.

As someone from humble beginnings, who would not have been able to go to college without Pell Grants and student loans, and as chairman of the subcommittee with jurisdiction over higher education, I am a strong supporter of both Perkins loans and Pell Grants.

Let me first discuss Perkins loans. This legislation reauthorizes the Perkins student loan program, a critical program that offers financial assistance to over 10 million low-income students. The Perkins program helps our neediest students borrow extra money for college at a fixed, low 5 percent interest rate. In this bill, we increase the loan limits in the Perkins program from $4,000 up to $5,500 for undergraduates and from $6,000 to $8,000 for graduate students, thereby increasing access to college.

I will next discuss Pell Grants. This legislation strengthens the Pell Grant program by authorizing a maximum Pell Grant for $6,000, the largest amount in the history of our country, and by providing year-round Pell Grant aid for students attending school throughout the year, the first time we have done that in the history of this country.

Mr. Speaker, programs like Perkins student loans and Pell Grants are the passports out of poverty for millions of American students each year. I urge my colleagues to vote ''yes'' on the rule and vote ''yes'' on the College Access and Opportunity Act in order to help millions of college students be able to afford to go to college.

Ms. MATSUI. Mr. Speaker, I yield 4 minutes to the gentleman from Massachusetts (Mr. MCGOVERN).

Mr. MCGOVERN. Mr. Speaker, I thank the gentlewoman from California, my colleague, for yielding me this time, and I appreciate the opportunity to speak on this rule and on this bill.

Mr. Speaker, scarcely 2 months ago, the Republican majority voted to cut $12 billion from Federal student aid programs. That is what they did. And not a single member of the Democratic minority voted for those cuts. This raid on student aid represents the single largest cut in the history of these critical Federal programs.

Mr. Speaker, it is wrong to force America's college students and their families to pay the price for the majority's irresponsible management of our Nation's budget. It is wrong to make students and families who are already struggling to pay for college foot the bill for tax cuts for the super-rich.

□ 1100

In February, President Bush submitted his budget for fiscal year 2007, which this House is likely to take up next week and which continues to cut America's Federal investment in higher education.

For the sixth year in a row, President Bush has broken his promise to raise the maximum Pell Grant to $5,100. Instead, his budget freezes the maximum level at $4,050, well below what is needed for low-income students to pay for college. Once again, the President's budget eliminates Federal funding for Perkins loans and sharply cuts back funding for campus-based grants like the SEOG and work study.

Financially needy students are further denied opportunities to achieve a college education by a budget that eliminates programs that directly help them prepare for college, including GEAR UP and Upward Bound.

So here we are today, preparing to bring H.R. 609 to the House floor. Does this bill restore the purchasing power of the Pell Grant? No, it does not. Instead, it increases the maximum Pell Grant by just a measly $200 over 6 years.

When Pell Grant first began, it covered 84 percent of the cost at a 4-year public college. Today, because of inadequate funding, the Pell Grant covers only 42 percent of the cost, forcing millions of students to go deep into debt, work long hours, or forget college altogether. Does this bill guarantee that only the minor authorized increase for the Pell Grant in H.R. 609 will actually be funded at this level? No, it does not. Assuming Republican priorities remain the same, we will continue to see budgets and appropriations that fall far short of what is needed to make college affordable for all of America's qualified students.

Mr. Speaker, there is still time for the Republican leadership to do the right thing. We can strengthen and improve this bill, but only if the Rules Committee makes in order amendments like the Miller-Kildee alternative.

Mr. Speaker, this bill, as written, misses the mark. We must help more of our students get to college and afford to stay there. If we fail to truly make this our number one priority, then we fail our students, our families, our communities and the Nation, and we inflict long-term damage on America's ability to compete, our economy and America's future prosperity.

What a rotten legacy this Republican Congress is leaving future generations: enormous Federal debt and the slashing of important vital programs to give all Americans the opportunity to pursue higher education.

I would say to my colleagues on the other side of the aisle, your priorities are wrong. Your priorities will do damage to our students and will undercut our Nation's ability to remain an economic superpower. You have already slashed away at Federal funding for elementary and secondary education despite all the new Federal mandates that have been imposed on our schools by No Child Left Behind. Now here we are shortchanging higher education. When is enough enough?

Don't tell us you do not have the money. You have money for tax breaks for Donald Trump and the super-rich, but you don't have money when it comes to helping working families.

Mr. Speaker, I would say to my colleagues that if education is your priority, then you need to vote against this bill, send this bill back and force this Republican majority to do what is right. Do not listen to the rhetoric about somehow we are improving Pell Grants and we are providing more assistance to our younger people. The fact of the matter is the purchasing power of Pell Grants is at an all-time low. We could do better.

Without significant changes in this bill, I regret that I cannot support H.R. 609. I urge my colleagues to vote against the rule. This should be an open rule. If anything should be debated on this House floor, it should be education.

Last night, we had many Members offer amendments, and here we are with a restrictive rule. We should spend a week on education. We should not be rushing this in a day or two. Let's spend a week. It is that important. I urge my colleagues to vote

against the rule and vote against the bill.

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

Mr. Speaker, I appreciate the gentleman from Massachusetts and his discussion of the budget issues we will be debating next week. It is a good primer for that particular issue.

Mr. Speaker, I yield such time as he may consume to the gentleman from California (Mr. DREIER), the chairman of the Rules Committee, to speak about this bill at hand.

Mr. DREIER. Mr. Speaker, I want to congratulate my friend, the great history professor, who understands the importance of education and for his stellar service on the Rules Committee and his commitment to ensuring that we have a good piece of legislation.

At the outset, let me say that we obviously have seen Chairman MCKEON work in a bipartisan way reaching out to my fellow Californian, Mr. MILLER, from Martinez, California, who has also a passionate commitment to dealing with the issue of education.

I have to say when I sat in the Rules Committee yesterday, listening to this debate, I was struck by the fact that my friend, Mr. MILLER, was regularly nodding his head in agreement with Mr. MCKEON when he talked about issue after issue that had been addressed by the majority on the committee. I hope very much, as we proceed with this process, that we are able to once again enjoy the bipartisan support and commitment we had on this issue about 36 hours ago.

I also want to say to my friend from Massachusetts who raised the issue of the rule, this is the first of two rules. We have begun with this rule, and we will be providing an opportunity for more of our colleagues to offer amendments as we move on with this debate, which is not going to be a 1-day debate. We understand how important this issue is.

I also want to express my appreciation to Mr. MCKEON for addressing some of the major concerns that have been brought forward by the leaders of private schools, private colleges and universities. One of the things that we need to recognize in our society is we have pluralism in education. We have spectacular public and private schools of learning. I believe, as we look at the education challenge, it is important for us to take the steps to ensure the strength of both of those. A number of concerns that have been raised by many of my friends in the academic world have been effectively addressed.

Mr. Speaker, it was 6 years ago this month that 15 European heads of state met in Lisbon, Portugal, and pledged to make the European Union the most competitive and dynamic knowledge-based economy in the world by 2010. By their own account, the EU has acknowledged that that goal has failed and will not be accomplished.

The German economist, Andreas Schleicher, published a report entitled, ''The Economics of Knowledge: Why Education is Key For Europe's Success.'' As the title indicates, Schleicher concludes in a knowledge-based, innovation-driven economy, education is the linchpin. He also concludes that right now Europe is lagging well behind the United States. He ranks the world's top 20 universities and finds that the EU is home to only two of those.

I am happy to say that the United States is home to 17 of them, including six in California, and one, the California Institute of Technology in Pasadena, of which I am particularly proud.

Schleicher makes it clear that without a substantial investment in education in the high-tech and knowledge-based fields, the European Union will not only fail to reach its goal of having the most competitive economy by 2010, it will continue to fall further and further behind. The report was meant to be a wake-up call for Europeans, but I believe it should be a wake-up call for us as Americans.

We lead the global economy in growth, fueled by the power of our innovation. We are home to the world's best universities where today's students train for tomorrow's workforce, where creative thinkers conduct research and develop new technologies. But as a dynamic, fast-paced, highly competitive economy, we know better than anyone that complacency and stagnation are economic death knells. We cannot assume that today's competitiveness ensures tomorrow's success.

If we want to continue to be the global economic leader, we must expand our investment in education. We must better prepare students for the rigorous work that the high-tech workforce demands. We must better equip teachers to provide the educational foundation that our students need. And, Mr. Speaker, we must ensure that our institutions of higher learning continue to be the hotbeds of research where new ideas are tested, new methods are discovered and new technologies are developed.

I believe that H.R. 609, the College Access and Opportunity Act, which we are going to be considering, helps us to accomplish each of those goals. It is a critical component of our agenda to enhance the competitiveness of the U.S. economy, and it is necessary to ensure that the next generation of American workers does not find itself reading reports on our lack of top universities and our inability to compete in the global marketplace.

I urge my colleagues to support this rule, and as we go through this amendment process, specifically addressing concerns that I raised, that we will take on in the manager's amendment, I urge my colleagues to, in a bipartisan way, support this very, very important legislation.

Ms. MATSUI. Mr. Speaker, I yield 2 minutes to the gentleman from Wisconsin (Mr. KIND).

(Mr. KIND asked and was given permission to revise and extend his remarks.)

Mr. KIND. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, there is very little I can disagree within what the gentleman from California said in his prior statement. But if you really want a bipartisan process to move forward in shaping what is perhaps the most important piece of legislation that is going to be coming out of the Congress this year, the reauthorization of the Higher Education Act, then open up the process, both in committee for those of us serving on the committee with regard to the ideas that we want to share and improve with this bill, but also on the House floor today and tomorrow.

Last night, we had a Rules process where many of us went forward to testify on various amendments that we wanted to offer. Instead, today, we get a very restrictive rule with very limited amendments that will be considered over the next couple of days. We should have a much broader debate in regards to the education bill before us, rather than the restrictive rule that is before us today.

I agree that we need to be innovative and creative as a society, not only to grow the economy, but for national security implications. If the gentleman wants us to remain innovative and creative as a country, then let us do it with this bill. Let us invest in these areas; and this is the vehicle by which to do it.

Today, China is graduating nine times the number of engineers than we do. Last year, China graduated more English-speaking engineers. It is not as if we do not know this is happening. The studies are coming in. The National Academy of Sciences just produced a report ''Rising Above the Gathering Storm.'' The Glenn Commission that met years before submitted a report called ''Before It is Too Late,'' citing the difficulties we will face given the major education investments that countries like China and India are making in their future, in their students. And yet we have just token recognition of that in this important vehicle, the higher education bill. We can do a lot better.

I believe the amendments offered last night were offered in good faith in an attempt to craft a more bipartisan bill. The fact that so many of us are excluded from offering them, even having a discussion about many of these important amendments on the floor, is a disgrace to the process.

My friend from Massachusetts is exactly right. We should be debating this bill for a week. We should open it up and allow everyone on the committee and off the committee to have some input and say on our most important legislation this year. I hope we can go back and address that. I encourage a no vote on this Rule.

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

Ms. MATSUI. Mr. Speaker, I yield 7 minutes to the gentleman from California (Mr. GEORGE MILLER).

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, traditionally, the higher education bill has been an opportunity for this Nation to pause and think about the role of higher education over the coming years in American society, in America's economy, in America's national security. Every 4 or 5 years we reauthorize that act. That is not what happened this time, and that is why you have opposition to this bill across the higher education community, across America from every sector, because we did not do that.

Instead, the higher education bill was hijacked. It was hijacked by those in the Republican Party that wanted to take the savings from the student aid accounts and give them to the oil companies and to the energy companies for their tax breaks. To continue to pay for the tax breaks for the wealthiest people in this country, they hijacked those moneys that America's families and students have been paying over the years, the excessive fees and excessive rates that they have been paying, and rather than reinvest them in America's future, rather than reinvest them in the institutions of higher education, in the families and students who are attending those institutions who are trying to get those advanced degrees to participate, they simply took that money 3 months ago and walked off with it. And now what we have here are the leftovers, the leftovers that state lofty principles and ideals, but fund none of them.

The Budget Committee is slashing education funding. The caps have suggested that they want cuts beyond what the President has suggested in his budget, and that is the status of higher education in America today.

What does it mean? Members recall Mr. DREIER talked about the EU coming to some conclusions. You do not have to go to the EU. Just listen to what Americans, who are thinking about the subject, who have a great stake in the outcome have been telling this Congress for a number of years, and this Congress has turned a deaf ear to those individuals under Republican leadership.

□ 1115

Whether it is the American Academy of Sciences, whether it is the Council of Graduate Schools, whether it is the American Electronics Association, whether it is Tech Net, whether it is the bioscience companies, all of these people have paraded to Washington and said one thing: you must reinvest in the R&D and in fellowships and in graduate school programs for science, engineering and mathematics. It is not being done. It is not being done. We recognized and we have been warned of the need to reinvest in the greatest partnership ever created in the history of the world, the greatest public-private partnership that was the result of President Kennedy's decision to send a person to the Moon and to bring them back safely. It was more than a Moon shot. It was an investment in the best and the brightest in America. Tens of thousands of fellowships were given to individuals. They didn't have to go beg for a loan. They didn't have to think about working during the summer or on Easter vacation or student break. No, they concentrated on the science and the engineering, and America met its goal. And we have been living off that legacy now for 30 years.

But everybody in that field, betting their money, their company's money, their venture capitalist money has told us the time has come to reinvest. That is not what this bill does. That is not what this bill does. This bill just passes on as if nothing has changed in America. And yet, members of this committee, Members of this House have traveled to the Pacific Rim. They see the new institutions being created in India and South Korea and China. They see institutions that are attracting some of the best and brightest minds from America to those institutions. They see the investment being made by the private sector of worldwide companies, American companies, because of that kind of investment that is being made there.

But this bill doesn't address that. This bill is just status quo. This bill doesn't create new fellowships. This bill doesn't create new opportunities for people to pursue those degrees. This bill simply adds to the debt and the cost, because when I say ''this bill,'' understand I talk about both bills. You split them for the convenience of what you wanted to do with your raid on student aid. But this is the higher ed bill. The moneys were skimmed off in the name of the oil companies. The moneys were skimmed off in the name of tax cuts to the wealthy, so we don't have the ability to make that investment that we have been warned about by the leading companies, by the leading people who have been thinking about this, by various institutions about the investment that America needs to make.

So we have a bill now that really doesn't do much of anything. It pretends that it sort of increases Pell Grants, but as we know, the Pell Grant has continued to lose value. Yes, they say, well, we put more money in it every year. That is because more students, tragically, are eligible for the Pell Grant because they don't have the family income. And we now see that the Pell Grant now covers the lowest percentage of costs for those students who have Pell Grants going to school; it has dropped from 41 percent. It covered 41 percent of those costs in 2000. It is now down; it will be down to 25 percent by 2010.

So the trend line is horrible. The trend line is horrible for those students most in need, those families most in need. More and more of them are showing up to get the Pell Grant, but they are not getting enough money to cover the costs of their college education. The trend line is horrible. And the number of students who are pursuing graduate degrees in science, math and engineering, it is working against the American economy and American security. But this bill doesn't address that.

The Higher Education Act has lost its place in the priorities of this Congress and the priorities of this Nation about the future of education, and that is a tragedy. That is a tragedy for those students who will be saddled with higher costs because of the increase in interest rates, with higher fees. Their parents will be saddled with higher costs. Those who will choose to take out direct loans to try to reduce the cost will find out they are paying fees now.

And so that is what the Republicans decided. Their idea, when every indicator suggests that college costs are getting out of the reach of America's families and students and workers, their idea was to increase the cost to those families and to their students. It is just unacceptable. It was unacceptable 3 months ago, and it is unacceptable today. This bill should be returned to committee, and we should initiate the debate that this country demands and that this country needs in terms of the future of these students, our economy and our national security. That is what this higher education bill should be about. It should not be about the leftovers after the largest cut in student aid accounts in history have already been pulled off 2 months ago.

Mr. BISHOP of Utah. Mr. Speaker, I yield 10 minutes to the distinguished gentleman from California (Mr. MCKEON), the former subcommittee chairman who dealt with this issue, and now the chairman of the full committee who has brought this bill to us and done a remarkable job in getting us to this position so far.

Mr. MCKEON. Mr. Speaker, I thank the gentleman for yielding the time, and I appreciate the work he is doing on this rule.

Just a little history, Mr. Speaker. You know, we have been working on this higher education reauthorization bill now for 3 years, and we have been doing it in a bipartisan way. What the other side wants to focus on is something that took place a few months ago. And what we did, we passed a Deficit Reduction Act to try to help the taxpayers of the country against further increasing deficits. And what we did in that bill was we lowered loan fees to students. We set higher loan limits for students in their first 2 years of college, which is when they have the greatest problem in staying in, when we have the greatest dropouts. We wanted to help those that are trying to get on the ladder of success to achieve

the American Dream. We provided grant aid for high-achieving, low-income students, which is the purpose of the Higher Education Act, to help the lower-income students to have greater accessibility to a college education. And we simplified the financial aid process, again, trying to help those who have the most needs to get into the system. We provided taxpayer protections. What we did was we reduced the excess subsidies to lenders. There was a loophole that was put in the law years ago. We reduced that, eliminated that loophole that provided an increased subsidy to lenders. We improved risk sharing. We added accountability to administrative funds, and we provided protection and prevention against loan default, all against the lenders, to help strengthen the program for students.

As I mentioned, we have been working on this in a bipartisan basis, and up until yesterday, that effort was moving forward in committee and subcommittee and full committee. We addressed over a hundred amendments from the other side of the aisle. And since the passage, months ago, in committee, we have continued to work with the other side. We have a lengthy manager's amendment. Everything that is in that manager's amendment has been approved by the other side. I have pages of amendments, things that we have put in the bill to satisfy the other side. And we were, as I said, working together, until yesterday when they said they had decided, and I can only assume it is for political reasons because it didn't come up until then, they decided that they were going to go back and talk about something that happened months ago, rather than what is in this bill, the good things that we have in this bill to make college education more affordable, more accessible, more accountable to parents and students in this Nation.

Our goal is to further the process that was put in place 40 years ago when the Higher Education Act was passed, to give all of the people in this country the opportunity to move forward, to get a college education, to improve themselves so that we can compete on a global basis.

I led a congressional trip last year to China, because we are concerned about worldwide competitiveness, and we do things in this bill to help make us more competitive and to expand access and accessibility for our students. And I feel good about what we have done in this work. I feel badly that we have had this, for whatever reason, change of tone and attitude on the other side. And I hope that we can continue to reach out to the other side, ask them to continue to work with us, and that is why we are going to have another rule later today. Those who want to work with us, that want to have an amendment in the bill that can support the bill to move forward, this is a long process. What we are working on today is not the end. It is a further step in the process. We will get this bill passed on the floor tomorrow. Hopefully, the other body will pass a bill, we will go to conference, we will continue to work to improve the process. That is the democratic process that we are buying into and instead, all we are hearing is no, no, no from the other side. I think it is about time, you know, there are lots of issues we can fight on, but education should be bipartisan. And you know that we have worked together to make this a bipartisan approach, and I feel sad that you have decided to make this partisan, but we are not going to let that stop us. We are going to move forward. We are going to get the bill passed, because the important thing is to reach out and help the students in our country be able to compete as we go forward in our progress. It is not going to have a lot of effect on me, but it is going to affect my children, my 28 grandchildren that are going to be able to, hopefully, get an education and compete on a worldwide basis.

Ms. MATSUI. Mr. Speaker, I yield 2½ minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Speaker, I rise in strong opposition to the rule and to H.R. 609 in its current form. Prior to coming to Congress, for 29 years, I was a college administrator, and I spent 16 of those years as the chief administrator of the college I served. And my views on this bill and on this rule are informed by what I learned over the course of that time in dealing with students and faculty and parents and staff and all constituencies of the higher education community.

Over a hundred amendments have been offered on this bill, and this underscores the importance of this bill and of this issue to this Congress and to our future. And I understand that we are going to have a second rule, but I am troubled that the Rules Committee thus far seems to have excluded a great many amendments that would have taken a bill that many of us take issue with and made it better. We are talking about getting it through this week. What's the rush? Why do we have to take the most important issue to our future and rush through a consideration of a bill that is going to have far reaching consequences for the next several years? I mean, is this not what the American people sent us here to do, to debate the issues of importance to our future?

Some specific issues: There is an amendment with respect to whether or not the Federal Government should have a role in evaluating transfer credit and forming institutional policies on transfer credit. Is that not an issue that this body should debate? Should this body not debate whether or not we ought to extend the tuition tax credit that expired on December 31, a tax credit, by the way, that primarily benefits the middle class? Should we not be debating a reasonable change to the needs analysis system, the fundamental system that determines a family's ability to pay, which determines their eligibility for aid, which, in turn, determines whether or not they will be able to attend college? These are just some of the issues that at least thus far the rule excludes from consideration. And in so doing, I would say that the American people and certainly the students of this country are not being well served.

As Mr. MCKEON, our chairman, just said, education is the last issue we should be politicizing, but it appears that that is precisely what we are doing. Simply put, H.R. 609 fails to achieve its goal. We said the goal would be to make college more affordable and to expand access for Americans who wish to pursue the dream of a college education. H.R. 609, in its present form, falls woefully short of that goal. I say let us vote down this rule. Let us send the bill back to the Education Committee and let us try again.

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

Ms. MATSUI. Mr. Speaker, I yield myself the balance of my time.

Mr. Speaker, we should all be proud that America stands for opportunity, regardless of one's background. Our colleges and universities provide millions of students with the chance to realize their dreams and blaze their own paths. This could not happen without the Higher Education Act. But today we see the support coming under attack. This bill keeps the Federal Pell Grant stuck in the 1970s.

□ 1130

It increases interest rates on loans and forces students to absorb new fees. We should be expanding our students' horizon, not restricting it. And unless the second rule is open or allows every amendment submitted to Rules to be considered on the floor, it is shutting down this process.

Again, I want to point out that the last two times this House reauthorized the Higher Education Act, in 1992 and 1998, it did so under an amendment process that allowed any amendment that complied with House rules to be offered on the floor. We should do the same this time.

I urge all Members to reject this rule and the underlying legislation.

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

The SPEAKER pro tempore (Mr. ISSA). The gentleman from Utah is recognized to close.

Mr. BISHOP of Utah. Mr. Speaker, in our discussion of the rule today, we have heard many things. We have heard discussions of budget issues, which will be addressed when we do the appropriations bill later on. We have heard discussion of rules that were not made into this particular rules order even though we clearly said there will be another rule coming up later to address those other issues, others of those 117 amendments that were made,

many of which were made by members of the committee who had full opportunity to debate and discuss, as they have talked about the 79 amendments in the committee, in a committee process that since the pre-War of 1812 days, when Henry Clay established the committee process to make a full and open hearing of these issues in committee before it came to the floor.

Nonetheless, there will still be two rules. This rule takes 15 of those amendments, opening up the opportunity for those later on to come.

We have also heard rhetoric about a bill that was passed last year. I find it important to remember that even when the Constitution was being debated, the anti-Federalists, who opposed the Constitution, made their case and lost, and then moved on and worked together with the Federalists, who passed the Constitution, to work together for a better country. That is the opportunity we have, to try to emulate that right now. It is time now to work together on this bill, on what this bill does.

You have already heard from the subcommittee chairman that it does no harm to those already in the system. You have heard from the chairman of the full committee how its goal is to increase the number of kids who can have access to these opportunities to enhance and reach their dream of a college education. That is the purpose. That is the goal. That is where we should maintain our focus. This rule provides for the first step in reaching that goal, and we will have another opportunity with a second rule later.

It is a good and fair rule, and I urge adoption of it because it deals with a bill that moves us forward, a bill where we should unite to move forward because it helps kids in America.

Mr. Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER pro tempore (Mr. ISSA). The question is on the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. MATSUI. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently a quorum is not present.

The Sergeant at Arms will notify absent Members.

The vote was taken by electronic device, and there were—yeas 225, nays 198, not voting 9, as follows:

[Roll No. 70]

YEAS—225

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Crenshaw
Cubin
Culberson
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutknecht
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Issa
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Leach
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Moran (KS)
Murphy
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Oxley
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Upton
Walden (OR)
Walsh
Wamp
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NAYS—198

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Bean
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boren
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Cramer
Crowley
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kaptur
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (VA)
Murtha
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Peterson (MN)
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Van Hollen
Velázquez
Visclosky
Wasserman Schultz
Waters
Watson
Watt
Waxman
Weiner
Wexler
Woolsey
Wu
Wynn

NOT VOTING—9

Blunt
Davis (FL)
Davis (KY)
Evans
Istook
McCollum (MN)
Ruppersberger
Rush
Sweeney

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1159

Messrs. CLEAVER, STARK, RANGEL and GEORGE MILLER of California changed their vote from ''yea'' to ''nay.''

Mr. EHLERS changed his vote from ''nay'' to ''yea.''

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore (Mr. ISSA) laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, March 29, 2006.

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

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 29, 2006, at 9:10 am: That the Senate passed without amendment H.R. 4911.

With best wishes, I am,

Sincerely,

KAREN L. HAAS,
Clerk of the House.

PERMISSION TO OFFER AMENDMENTS OUT OF ORDER DURING CONSIDERATION OF H.R. 609, COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

Mr. MCKEON. Mr. Speaker, I ask unanimous consent that during consideration of H.R. 609 pursuant to House Resolution 741, the following amendments be permitted to be offered out of the specified order:

Amendment No. 9 by Mr. FOSSELLA;

Amendment No. 12 by Mr. PORTER;

Amendment No. 14 by Mrs. WILSON of New Mexico;

Amendment No. 15 by Miss MCMORRIS.

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

There was no objection.

GENERAL LEAVE

Mr. MCKEON. 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 H.R. 609.

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

There was no objection.

COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 741 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the consideration of the bill, H.R. 609.

□ 1202

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 609) to amend and extend the Higher Education Act of 1965, with Mr. BISHOP of Utah in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. Pursuant to the rule, the bill is considered read the first time.

The gentleman from California (Mr. MCKEON) and the gentleman from California (Mr. GEORGE MILLER) each will control 30 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of this bill to reform, reauthorize and strengthen programs under the Higher Education Act. I want to thank my former chairman and our current majority leader, Mr. BOEHNER, for working with me to craft this legislation.

It has been a long process, but the bill that we are bringing to the floor today is a good one, one worthy of healthy debate and bipartisan support. I would like to thank the new chairman of the 21st Century Subcommittee, Representative RIC KELLER from Florida, for his work on key elements of this legislation, notably the improvements we make on the Pell Grant program.

I would also like to take a moment to recognize Representatives KILDEE and MILLER for their continued work on college access issues.

In addition to the strong underlying bill we have before us today, the legislation also incorporates a manager's amendment which is the product of substantial bipartisan negotiations. Through our work together over the past several weeks and months, we have drafted a manager's amendment that addresses many concerns.

Those concerns include some of those of my friends across the aisle. For example, the manager's amendment eliminates an Inspector General's rule as part of the college affordability index provisions.

It clarifies that a State cannot require an institution to be accredited by that same State and also makes clear that schools can continue to choose their own accreditor. It adds a new post-secondary institution to the list of historically black graduate institutions. It increases the minimum grant for tribally controlled colleges and universities. It enhances coordination within the TRIO and GEAR UP programs to better serve foster care students, and it allows the U.S. Department of Education to reserve funds within the high school equivalency program, college assistance, migrant program for technical assistance activities.

Often this type of bipartisan work does not come easily, and I am pleased that we were able to find common ground on issues important to Members on both sides of the aisle. At the outset of this debate today, I am hopeful that the spirit of bipartisanship can carry on. If we disagree, we should not be disagreeable, and above all, our consideration of this important bill should not turn into an election-year fight led by those who may seek to play fast and loose with the facts about what the bill does and does not do.

Mr. Chairman, we cannot lose sight of the fact that each year American taxpayers invest tens of billions of dollars in aid to college students and funding for U.S. institutions of higher education, as you can see on the chart here.

Our Federal commitment to student aid is great, and gets greater with each passing year. More than four decades ago, when the Higher Education Act was enacted, the purpose of this hefty investment was clear, to expand college access to all people.

However, today, faced with an increasingly competitive global economy, in which post-secondary education is more necessary than ever, ensuring that Federal dollars are spent effectively and efficiently is a bottom-line issue for students, parents and taxpayers alike, again, as you can see from this chart.

Mr. Chairman, costs at both private and public colleges are spiraling upward and fast. Indeed, consistent increases in college costs have made it clear that colleges and universities must remain accountable to consumers of higher education. At the same time, students, parents and taxpayers have the right to know that Federal dollars are being invested in ways that respond to a changing marketplace, expanding college access and protecting students' interest. The College Access and Opportunity Act does just that. I urge my colleagues to join with me in supporting that.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. KILDEE).

Mr. KILDEE. Mr. Chairman, after a highly contentious debate over a $12 billion raid on student aid, I was hoping to build some bridges and work together with the rest of the higher education reauthorization. Unfortunately, after countless hours of negotiations, we reached an impasse, and we are considering another bill that falls short of my hopes.

We were able to reach agreement on year-round Pell Grants pilot program, student aid application simplification, loan forgiveness in areas of national need and minimum grants for tribal colleges. I am pleased that Chairman MCKEON was willing to work with me on these important improvements, but my concerns in the bill still outweigh these improvements.

Additionally, it is incumbent upon me to both lead and serve the members of my committee, and my Democratic colleagues on the Education and Workforce Committee have spoken loud and clear. They cannot support this bill. They, too, are pleased with the modifications I mentioned, but it just is not enough to call this a bipartisan bill.

In truth, H.R. 609 does little to help make college more affordable for students and families already struggling to pay increasing tuition costs.

H.R. 609 does not increase student aid; does not lower interest rates to make loans more manageable; does not promote greater State investment in higher education. It freezes the authorized level of the maximum Pell Grant scholarship, at just $200 above current levels, through 2013 and it does not include any mandatory increase in Pell.

H.R. 609 establishes a troublesome standard for transfer of credit, creating an unprecedented Federal role in college curriculum standards which discourages schools from setting high academic standards.

At a time when America's workforce is facing fierce global competition, the Federal Government should not be encouraging our colleges to reduce their academic standards.

H.R. 609 many puts forth a drastic plan to allow States to act as accreditors. Colleges currently have to meet three independent standards: one set for eligibility for Federal aid; the second one for State licensing; and another for regional or national accreditation.

A classic example of consolidation of power, H.R. 609 would allow States too much control over accreditation. The current trinity of independent standards is key to maintaining America's high quality higher education. Here, too, undermining such standards will undermine America's global competitiveness.

It is unsettling for me to know that we are missing a real opportunity to make college more affordable and accessible, to boost America's economic competitiveness and to invest in America's continued prosperity. But that is what we have here today, a missed opportunity.

With major national student groups, unions and countless colleges, including my own University of Michigan, opposed to the bill, it has become clear that this is not a bill we should send to the Senate. Fortunately, Mr. Chairman, this debate is not over after today's vote.

I hope we can revisit our attempts at bipartisanship once this bill goes to conference. I wish I was down here on the floor to say great things about this bill, but I have to oppose H.R. 609, and I would ask my colleagues to do the same.

Mr. MCKEON. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. KELLER), the chairman of the Higher Education Subcommittee.

Mr. KELLER. Mr. Chairman, I thank the chairman for yielding me time.

Mr. Chairman, I rise to proudly support H.R. 609, the College Access and Opportunity Act, which reauthorizes the Higher Education Act. Don't believe the hype from the critics of this legislation.

Here is some straight talk. Not one single student in America will receive less financial aid under this bill. Not one.

This legislation expands college access for millions of American students by strengthening the Pell Grant program and reauthorizing the Perkins student loan program. I will focus my comments on the heart of this legislation, which is the Perkins loans and Pell Grants. Both of these worthy programs enjoyed broad bipartisan support.

As one from humble beginnings who would not have been able to go to college without Pell Grants or student loans, and as chairman of the subcommittee with jurisdiction over higher education, I am a strong supporter of both Perkins loans and Pell Grants. Now, it is true the President's budget did call for eliminating the Perkins student loan program but we said no. The leaders on the House Education Committee worked in a bipartisan manner and agreed that we would reauthorize this worthy program.

Let me first discuss the Perkins loans. This legislation reauthorized the Perkins loan program, a critical program that offers financial assistance to more than 10 million students. The Perkins program helps our neediest students borrow extra money for college at a fixed low 5 percent interest rate. In this bill we increase the loan limits to help the Perkins loans students so undergrads can get from $4,000 up to $5,500 and graduate students can get from $6,000 now up to $8,000. These Perkins loans are especially important for teachers, nurses, police officers and other public servants who are eligible for Perkins loans forgiveness.

I will next discuss Pell Grants. This legislation strengthens the Pell Grant program by increasing the authorized maximum Pell Grant to $6,000 and by providing year-round Pell Grant aid for students attending school throughout the year.

Both of these improvements enjoy broad bipartisan support. In fact, when we drafted this legislation during the full House Education Committee markup, 100 percent of Democrats and Republicans voted in favor of my amendment to increase the maximum award to $6,000, the largest level in the history of the program.

Let me show you some charts to indicate our strong support for the Pell Grant program. Pell Grants and student loans should be bipartisan. I think in large part they are but some have made comments that Republicans are not doing enough to support Pell Grants. So let me show you a chart that reflects the reality. This shows the last 20 years of the Pell Grant program. The yellow shows the years when the Democrats were in control of the Congress and you see the Pell Grants at this low amount. The red shows when Republicans took control of Congress, and you see that they spiked dramatically.

If you really want to learn what happened historically, look at the year 1992. At that year, Pell Grants were appropriated at $2,400, even though they were authorized at $3,100. So they were not fully funded by the Democrats. The next year, 1993, you had Bill Clinton in office. That is a Democrat President. You had a Democrat Congress and what happened to Pell Grants? They were slashed. They went from $2,400 to $2,300.

□ 1215

They were cut the next year and the next year, 3 years in a row. Finally, they got to $2,340, still less than the $2,400. So the last 3 years in power they were actually cut. Does that mean President Clinton doesn't care about Pell Grants or our House Democrat leaders don't? I don't think so. I think they care a lot about poor people. I think they wished they had more money.

My point is, don't say the Republicans haven't done enough on Pell Grants, because we have got a pretty good record.

I was elected in 2000, and I made a promise to myself and my constituents, we would do all we can to increase the Pell Grant program, and let's see what happened since 2000.

Since 2000, Pell Grant funding has increased 71 percent from $7.6 billion to $13 billion. Since 2000, the Pell Grant maximum award has gone up $3,300 to $4,050, and this year there will be an extra $1,000 for the high-achieving, low-income students; and the number of Pell Grant recipients has gone up 36 percent from 3.9 million to 5.3 million.

Mr. Chairman, Pell Grants and Perkins student loans are the passport out of poverty for so many worthy young people. They are the heart of this legislation. I urge my colleagues to vote ''yes.''

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself 1 minute.

The gentleman tells an interesting story on Pell Grants, but the problem is the amount of money for Pell Grants has gone up simply because more students are eligible for that. More students are applying for that, but the Pell Grant that they get is worth less now than it was in the year 2000, worth less than it was in 1995.

The fact of the matter is, it is covering only about 30 percent of the cost of the college, and it is getting worse every day.

Mr. Chairman, I yield 3 minutes to the gentleman from Wisconsin (Mr. KIND).

(Mr. KIND asked and was given permission to revise and extend his remarks.)

Mr. KIND. Mr. Chairman, I thank the gentleman for yielding me this time.

Mr. Chairman, I reluctantly rise in opposition of the bill, not because I do not appreciate the hard work that has gone on in committee and the attempt of the chairman and the ranking member, everyone involved, to try to produce a bipartisan bill, but because the bill before us is really a missed opportunity bill, as my friend from Michigan described it.

This bill is one of the most important pieces of legislation that will come out of the Congress this year because it is a bill that will directly affect who we are going to be as a Nation in this century, whether we will retain our leadership in being the most innovative and creative country in the world or whether we will start sounding the retreat and waving countries like China and India good-bye as they make major investment in their education infrastructure, especially in the fields of math, science, engineering and technology, because they want to be on the cutting edge of scientific and technological discovery.

Last year, I was with the chairman on a 2-week tour of some of the higher education institutions in China. China has graduated nine times the number of engineers we did in this country. They graduated more English-speaking

engineers than we did in our own country. This is one of the keys to how creative we will be and what type of economic growth and job creation we will realize and what type of national security we will have.

This bill also speaks to the anxiety that many American families feel throughout the country, and that is a fear that they are not going to be able to afford to give their child postsecondary educational opportunities because they do not have the financial means to do so.

A recent study shows that close to one-half of the low-income students in this country who are qualified and want to go on to school cannot because of financial reasons; and for a country as wealthy and as powerful as ours to be closing the door of educational opportunity because of finance alone is a recipe for economic disaster.

More can be done. There are good features in this bill, but this bill also appears before us in the shadow of the largest raid on student aid in our Nation's history, over $12 billion worth of cuts in the budget reconciliation bill that just passed weeks before in this Congress. The budget resolution that we are marking up in committee today is requiring an additional $1.3 billion in cuts in the Education and Workforce Committee budget, and we are going to have to try to figure out where those are going to come from.

The bottom line is, if we are going to remain innovative, if we are going to retain our economic strength and grow the economy, we have to make crucial investments in the education field.

I am glad that we were able to put a token scholarship program for students entering the math, science, engineering and technology fields; and I commend the chairman for working with some of us to get that accomplished, but it is just that, a token effort because the studies are coming in and they are hitting us between the eyes. The national academy, ''Rising Above the Gathering Storm''; the Glenn Commission, years before, titled ''Before It Is Too Late''; other studies that are telling us that we really do need to ramp up this investment in education before it is too late.

This is a missed opportunity, and hopefully, we will have a chance to correct it.

Mr. KIND. Mr. Chairman, college is an investment that pays off over a lifetime. Median annual earnings for a year-round, full-time worker with a bachelor's degree are about 60 percent higher than earnings for those with a high school diploma. Congress passed the Higher Education Act in 1965 to provide all Americans with greater post-secondary educational opportunities.

This bill is a missed opportunity to make college more affordable, to boost America's economic competitiveness, and to invest in American's continued prosperity. If I supported this bill, I would not be able to look the students in my congressional district in the eye because I would know I had not done all I could to help better their futures. Cost factors already prevent 48 percent of college-qualified high school graduates from attending a four-year institution and 22 percent from attending any college at all. No person in this country should ever be excluded from attending college because they cannot afford it.

During Committee consideration, we offered an alternative that would have saved the typical student more than $6,000 on his or her college loans and provided a $500 boost to the maximum Pell grant—at no additional cost to taxpayers. I am disappointed that our colleagues on the other side of the aisle were unwilling to work with us to include this proposal in the final bill.

There are, however, several provisions in the bill that I support. I am pleased to have worked with Chairman MCKEON, and Representatives EHLERS and HOLT in successfully passing an amendment to the Higher Education Act to provide scholarships and grants for students to study and enter into careers in science, technology, engineering and math, STEM, fields.

America is suffering from a shrinking talent pool of students who are proficient in fields of math, sciences, engineering and technology, and is consequently in danger of losing its unique position of world leadership in innovation and creativity. We must do more to make Americans employable in 21st century jobs by putting greater emphasis on student achievement in these areas and giving our students the tools and skills they need to compete in the today's economy. Our global competitors are doing it—we can't afford to stand idly and watch them pass us by.

In addition, I was pleased to have worked with my good friend, Representative TIERNEY, in preventing changes to the campus-based aid formula that would have cut $7.56 million in campus-based aid for the University of Wisconsin System. This money is critical for students in Wisconsin and the loss of these funds would have further reduced opportunities for students to attend college.

Another provision included in H.R. 609 that I worked on with my colleague from Wisconsin, Representative PETRI, will allow our 13 two-year colleges in the University of Wisconsin System to qualify individually for TRIO grants.

Finally, during debate in Committee, my amendment requesting the Department of Education to study the trends of adult learners was accepted. Older people are heading back to the classroom in large numbers, and we must not ignore their individual needs.

In closing, I would like to remind all my colleagues what President Bush said in his State of the Union speech in January. He said "We must continue to lead the world in human talent and creativity. Our greatest advantage in the world has always been our educated, hardworking, ambitious people—and we are going to keep that edge." Yet, the President and the Congressional majority have already begun to walk away from that promise by supporting the higher education bill before us today.

As you know, Mr. Chairman, America is number one in the global economy, and we can stay number one if we make aggressive investments in education, innovation, and future generations. At a time when education is at a premium and we need to be growing the economy, we should be making it easier, not harder, for students to attend college.

Mr. MCKEON. Mr. Chairman, I am happy to yield 3 minutes to the gentleman from Ohio (Mr. BOEHNER), the majority leader of the House, former chairman of the committee.

Mr. BOEHNER. Mr. Chairman, I want to thank my colleague for yielding and congratulate him on his selection as chairman of the Committee on Education and the Workforce, a committee that I used to chair and worked closely with Mr. MCKEON over the last 5 years on a variety of issues, including the issue that is being debated on the floor today, and that is the reauthorization of the Higher Education Act.

Forty years ago, Congress established the Higher Education Act to ensure all students, regardless of their financial circumstances, would have the opportunity to pursue a postsecondary education.

Today, after 3 years of hard work on the part of the members of the Education and Workforce Committee and its staff, on both sides of the aisle, I believe we have produced a bill that finally lives up to that legacy.

The College Access and Opportunity Act does just what its name suggests. It expands access and provides new opportunities for millions of low- and middle-income students, and by opening the door to a college education, even more Americans will be able to take advantage of the strong economy that has had 30 consecutive months of robust job creation.

Let us take a look at some of the most important provisions in this bill. It provides extra Pell Grant aid for high-achieving first- and second-year students; provides year-round Pell aid for students attending school throughout the year and encourages students to make progress toward completing a degree; reduces redtape for students and graduates; removes barriers for nontraditional students; empowers consumers with more transparency in college costs and accreditation; repeals duplicative and unnecessary programs; establishes an Academic Bill of Rights; and safeguards the privacy of students; promotes merit-based pay for teachers; and demands accountability in Federal college access programs.

Mr. Chairman, a report released last week confirms that Republican pro-growth policies have led us to the best job market in 5 years, and this bill builds on that momentum and helps strengthen American competitiveness to ensure America's students are prepared for the strong challenges of the 21st century.

Mr. Chairman, if I could, there is a member of the committee staff who last month celebrated her 25th anniversary as a member of the committee staff; and Sally Lovejoy has worked on this bill, worked on No Child Left Behind and a variety of education programs throughout her 25 years as a member of our staff. I want to say thank you on behalf of myself, as the former chairman of the committee, and all the Members on both sides of the

aisle who have had the chance to work with you.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. BOEHNER. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, I thank the gentleman for yielding. I hope this will not come out of his time, but I certainly want to associate myself with your remarks in thanking Sally for all of her work in a most cooperative way, but keeping us on our toes a lot of the time over here. So we thank you and wish her well for all of her service to the committee.

I thank the gentleman.

Mr. Chairman, I yield 3 minutes to the gentleman from Virginia (Mr. SCOTT).

Mr. SCOTT of Virginia. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, the bill before us purports to strengthen and improve the Nation's higher education system by expanding college access for low- and middle-income students, but in reality, it fails to provide the urgently needed assistance for millions of low- and middle-income families that are trying to figure out how to pay for their children to go to college.

This past December, the House majority voted to cut the student loan program by $12 billion, and these cuts included many significant changes in the Higher Education Act, none of which expand access to college or make college more affordable for students and their families. This bill, put forward by the majority, does nothing to make up for those draconian cuts.

Mr. Chairman, the Democratic substitute will be offered later this afternoon, which will offer real financial assistance to needy families. For example, it will lower the costs of student loan interest rates for middle- and low-income families, specifically by lowering the direct and Federal Family Education Loans by cutting them in half from 6.8 percent to 3.4 percent.

That substitute will also repeal what is called the Pell tuition sensitivity by making sure that all students receive the full benefit of the Pell Grant program without regard to whether they are attending a 2-year community college or a private 4-year institution.

That substitute will also boost college participation rates for minority students, establishing graduate Hispanic Serving Institution programs. It also establishes a Predominantly Black Institution program that would boost college opportunities for low-income and first-generation African American college students.

Our substitute will also increase the tribal college minimum grant and stabilization of tribal college construction by ensuring that the title III program currently used for construction is guaranteed.

Mr. Chairman, we all know that a college education significantly increases the future earning power for students today, and the cost of tuition should not stand between a qualified student and a college education. The Democratic alternative will offer families a real solution to the problem of rising tuition costs and make good on our promise to put college education within the reach of American students and families. The underlying bill does not.

I urge my colleagues, therefore, to support the Democratic substitute, and if it is not adopted, to oppose the bill.

Mr. MCKEON. Mr. Chairman, I am happy to yield 2 minutes to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I rise today in support of H.R. 609, the College Access Opportunity Act. I would like to thank our majority leader and former chairman, as well as the current chairman, Mr. MCKEON, for their extensive work on this legislation.

I am very pleased that within the underlying legislation is the reauthorization of the TRIO program which reaches out to motivate and support students from disadvantaged backgrounds.

This inclusion is especially important to my constituents in the Fifth District of Florida because the bill ensures that veterans are eligible to participate in TRIO programs and services. The Fifth District is home to approximately 110,000 veterans, and as their representative, it is a top priority of mine to see that they receive the assistance that they need.

The Upward Bound program within TRIO extended its scope in 1972 with the creation of the Veterans Upward Bound program. This is aimed at providing educational and support services to enable veterans to transition to a post-secondary education. It also addresses the fact that most of our veterans have different education and life experiences than do secondary-school-aged Upward Bound participants.

The percentage of the veteran population that has not completed high school has dropped from 33 percent to 12 percent in the last 30 years as a result of a number of Federal initiatives. The bill we have before us today will ensure that this trend continues to help not only veterans, but also so many students from modest backgrounds, obtain a higher education.

I urge my colleagues to join me in voting in favor of this very important piece of legislation.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Chairman, I, too, want to thank the chairman of the committee and the ranking member and the chairman and ranking member of the subcommittee for their work on this important issue.

However, I, too, reluctantly must oppose this bill because I believe it falls short, and I think it would be wrong to give the American people the impression that we are meeting the challenges in higher education when we are not.

It was just 2 months ago that the President of the United States stood before this Chamber at the podium before us and delivered his State of the Union address. In that address, he told the people of this country the United States must do more to maintain our competitive edge in the global economy. He was right about that. Those were fine words, and in fact, the Education and Workforce Committee has been debating and looking into those issues for some time now, but the issue is not identifying the problem.

□ 1230

That is the easy part. The challenge is doing something about the problem. And in that regard, this body and the Bush administration, unfortunately, get failing grades, because we all understand that a key part of maintaining our competitive edge in the global economy is to make sure we invest in the skills and education of our workforce.

We need to make sure our people have the training they need in what is increasingly a knowledge-based economy, and to do that, we need to make the necessary investments. Yet the day after the President stood before this Chamber and delivered his State of the Union address was the day this House passed a reconciliation bill that cut $12 billion out of the Federal student loan program: $12 billion.

Now, we all know that usually when this higher education bill comes before this House, it contains those funding provisions, the provisions for student assistance in this country. But, unfortunately, those were taken out of this bill and dealt with separately and cut by $12 billion. So now this body doesn't have to deal with that issue with the bill before us today. But those are the facts.

We also need to invest more in our K–12 education system. And it was just shortly after the President delivered his State of the Union address that he delivered a budget that cut the No Child Left Behind from its authorized level. It was $15 billion short of what we had promised there.

If we are going to be serious about this issue, we need to make a commitment at the national level to address the competitiveness challenges in our country. We don't do right by the American people when we say one thing on the big day of the State of the Union address and then we bring a bill before the Congress that doesn't contain the necessary investments in funding to make sure that we meet the challenges.

And so, Mr. Chairman, I must reluctantly oppose this bill because it would be wrong to send a message we are doing something about the challenges when in fact we are not.

Mr. MCKEON. Mr. Chairman, I am happy to yield 2 minutes to the chairman of the Education Reform Subcommittee, the gentleman from Delaware (Mr. CASTLE).

Mr. CASTLE. To Chairman McKeon, congratulations on rising to the top of this very significant committee. I would also like to express my accolades to Sally Lovejoy, who has had occasion to straighten me out, even when I didn't want to be straightened out from time to time, and we appreciate that and do wish her the best.

I do rise in support of this legislation and congratulate all those who worked hard on this, because this was a very open process with a huge number of amendments as we got to where we are now. I think it is unfortunate that we are not all together on it, but I understand how those things work.

One concern that continues to rise and has done so since I came to Congress is the continuously rising cost of a college education. Tuition increases are outpacing the rate of inflation, increases in family income, and even increases in State and Federal financial aid, which have grown frequently in recent years, as we have seen. These cost increases are pricing students and families out of the college market in a time when we have reports suggesting that for the first time high school students recognize the importance of obtaining a college education. These students should not shy away because of skyrocketing costs.

It is my belief that one of the best things we can do is to talk about the issue and to force transparency into the process. H.R. 609 does just that. Parents and students, as consumers, deserve the opportunity to understand why tuition is increasing at their universities and colleges. As educated consumers, it is my hope that they will in turn have the power to demand more, to demand answers and, ultimately, drive down costs. Understanding that there are many moving parts to a solution, transparency is a good step in the right direction.

Truly, the Higher Education Act covers a great deal of ground, from student loans to campus-based aid to teacher education to graduate schools to international education. In such a large act, one of the most important jobs of Congress in the reauthorization is to ensure that fraud and abuse protections are in place and are working. During committee, two amendments I offered to meet this goal were accepted. The first would prevent for-profit institutions from competing for Federal funds; the second would retain and clarify what is known as the 90–10 rule. Both of these amendments were intended to recognize the evolution of the for-profit industry in higher education while protecting Federal funds.

Again, I support H.R. 609 and urge my colleagues to do the same.

The CHAIRMAN. The gentleman from Michigan controls the time.

Mr. KILDEE. Mr. Chairman, I yield 2 minutes to the gentlewoman from California (Ms. WATERS).

Ms. WATERS. Mr. Chairman, I rise to oppose this legislation. I have an appreciation for those members on the Education Committee, many of whom have worked hard to try and put a decent product before this body, but this just doesn't make it.

I am disappointed that my amendment that would have helped to increase the teacher capacity and supply in the areas affected by Katrina and Rita and future disasters was not made in order. But I am more disappointed in that section of the bill that deals with the private post-secondary schools.

There is something called the 90–10 rule. The rationale for the 90–10 rule was that if the education provided was worth paying for, a company should be able to attract at least 10 percent of its students on a paying basis. But, no, these private post-secondary lobbyists have come in here, and they have thrown in the nonprofit schools and they have manipulated the rules so that this won't apply, so that basically they can get 100 percent of their money from the taxpayers. They go out and they recruit illiterates, they recruit the most vulnerable people, who should perhaps be trying to get a GED someplace, but they recruit them, and they help them to fill out the Pell Grants. They get the money. Many of them don't have qualified teachers, they do not have computers, and some even close down the schools, take the money, and then they show up under another name.

They are ripping off billions of dollars from the American taxpayers, and why they are able to wield their influence in this subcommittee, I just don't understand. It is a scandal. It has been reviewed and exposed by ''60 Minutes'' and others on television, but we keep allowing the lobbyists to come in here and do what they want to do, to get richer and richer and basically undermine the ability of these vulnerable people who really do want to get an education.

The CHAIRMAN. The gentleman from Florida is in charge of the time.

Mr. KELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Michigan (Mr. EHLERS).

Mr. EHLERS. Thank you, Mr. Chairman, and I thank the chairman for yielding me time. I rise in support of H.R. 609, the College Access and Opportunity Act. I thank Majority Mr. Leader BOEHNER and Chairman MCKEON for their endless hard work on this bill.

I will vote in favor of the bill and wish to highlight provisions I strongly support. I may also comment about a few that I hope will be modified as we go through the process.

I strongly support an independent evaluation of distance education programs, and I would like to thank Chairman MCKEON for including my study in his manager's amendment. Section 931 will require the National Academy of Sciences to conduct a scientifically correct and statistically valid evaluation of the quality of distance education programs as compared to the quality of campus-based education programs. I am not opposed to distance education, but I want to make certain that we do a good job of this and we develop good accreditation standards.

Also, I am very supportive of strengthening U.S. competitiveness through math and science programs and teacher training. During the committee process, I worked with Chairmen BOEHNER and MCKEON, and with Representative WOLF, to craft provisions that provide scholarships and interest payments on loans for students pursuing an undergraduate or graduate degree in science, math and engineering.

I understand that Representative MCMORRIS will be offering an amendment to further strengthen U.S. competitiveness, and I urge Members to support her amendment as well.

I do have some concerns about the college affordability index. My local colleges contacted me, very concerned. They are low-cost institutions but realize tuition increases are inevitable, and the index will handicap them more than it would handicap other higher-tuition schools. We should encourage schools with low tuition and not increase their problems.

I should also mention a concern about State accreditation. Again, the institutions in Michigan are concerned about that, and we have to clarify the bill to make certain that the accreditation language applies only to those States that are already doing it.

I strongly support this bill and urge my colleagues to support it as well.

Mr. KILDEE. Mr. Chairman, I yield 3 minutes to the gentlewoman from California (Ms. WOOLSEY).

Ms. WOOLSEY. Mr. Chairman, the bill before us is mistitled the College Access and Opportunity Act. It ought to be called the Reducing College Access and Missed Opportunity Act.

Last month, the Republican Congress passed and the President signed a $12 billion cut in student aid, the largest student aid cut in history. This raid on student aid made college more expensive for low- and middle-income students at the very time a college education is more critical than ever for young men and young women throughout our entire country. Today, Congress is finishing the raid on student aid. This bill is a missed opportunity to make college more affordable.

Democrats have offered an alternative that would lower interest rates on student loans, increase Pell Grants, help colleges hit by the gulf coast hurricanes to rebuild and recover, and boost college participation rates for minority students. If history is any guide, however, the Republican House will reject this alternative, because like President Bush they value tax cuts

for the wealthiest Americans over assisting low- and middle-income Americans in their quest for a college education.

Mr. Chairman, those are not the values of the American people, and I encourage my colleagues to reject the Republican raid on student aid and to support the Democratic alternative because we have to keep in mind that these students are the very future of the United States of America.

Mr. KELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Georgia (Mr. PRICE).

Mr. PRICE of Georgia. I thank the chairman for yielding and for his hard work on this bill and the importance of this bill.

I am kind of stunned, because virtually every speaker from the other side has come down to the well or talked up there and talked about the ''$12 billion raid on student aid'' in the Deficit Reduction Act. Well, aside from the fact that that is not true, it is not what we are here to talk about. We are talking about bill 609.

We have heard this bill doesn't do much to help students attend college. We have heard if you vote for it, it is a missed opportunity. Well, Mr. Chairman, anyone voting against this bill, anyone voting against this bill is truly missing an opportunity to continue a very positive program.

Now, opponents can say what they want, but if you look at the figures, they don't lie. And what they tell you is that year after year after year we are increasing student aid.

What does this bill do? It strengthens Pell Grants, strengthens student aid, reduces red tape for students and graduates, removes barriers for nontraditional students, empowers consumers through sunshine and transparency in college costs. Also, it safeguards the privacy of students, eases college access for members and veterans of the armed services. It repeals duplicative and expired or unnecessary programs, and it promotes merit-based pay for teachers through the Teacher Incentive Fund, which is something I have a particular interest in.

The Teacher Incentive Fund specifically targets high-poverty schools, and it provides some extra compensation for teachers who achieve. The initiative rewards those who have delivered on student achievement. It was a recommendation of the bipartisan National Governors Association, which called for the creation of the Teacher Incentive Fund, and we responded.

Mr. Chairman, this bill is a positive move in the right direction, and I urge all Members, Republicans and Democrats, to put politics aside and vote for education for our young people. Vote ''yes'' on 609.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from Ohio (Mr. KUCINICH).

Mr. KUCINICH. I thank the gentleman.

In February, this House passed a reconciliation bill that cut $12 billion from the student aid program. That bill raised student loan interest rate caps and raised student loan taxes and fees. It placed billions of dollars in student aid at risk by cutting $2.2 billion in critical funds used to carry out and administer the student aid program.

Just as the reconciliation bill did not help students, H.R. 609 will not improve access to college. The reauthorization bill we are debating today is not about making college affordable, and it is not about helping students pay for college. This bill makes significant changes in the Higher Education Act, but the purpose of many of the changes is not to benefit students.

□ 1245

H.R. 609 certainly helps for-profit colleges. Proprietary schools, which have faced a number of controls and regulations to protect taxpayers and students from abuse, will see markedly less oversight. The new single definition of an institution of higher education will allow for-profit colleges access to additional student aid Federal funding. At the same time, changes to the sanctions of the 90–10 rule will leave students at risk, allowing for-profit colleges to remain out of compliance for 3 consecutive years before losing eligibility to participate in Federal student aid programs.

The purpose of the 90–10 rule was to ensure that schools were not relying on student aid programs for the entirety of their funding. Easing requirements previously placed on for-profit schools places student aid programs at greater risk of misuse. They will be vulnerable to subsidizing short-term for-profit ventures. These changes in the 90–10 rule will benefit for-profit colleges, but they will not help students.

The Higher Education Act was intended to provide help for all Americans, regardless of their income level, with greater educational opportunities. The act recognizes the shared benefits by both society and the individual of a higher education. H.R. 609 will not help students and will not expand access to college.

I urge my colleagues to join me in voting ''no.''

Mr. KELLER. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. BOUSTANY).

Mr. BOUSTANY. Mr. Chairman, I rise in strong support of H.R. 609, and I want to congratulate Majority Leader BOEHNER and Chairman MCKEON for bringing this important legislation to the floor.

H.R. 609 is critical to improving college access and includes a host of reforms to safeguard the interest of students and parents and the pocketbooks of American taxpayers.

I want to highlight three provisions that I believe will have a significant impact. First, it promotes merit-based pay for teachers. The bill establishes a teacher incentive fund to provide funds to States and local school districts to help pay and help develop pay-for-performance systems. These systems would offer teachers and principals recognition pay for demonstrating progress in raising student achievement and closing the achievement gap.

Another provision is increasing public access to information about colleges and universities. This bill would provide parents and students valuable information currently sent to the U.S. Department of Education about college costs, student/faculty ratios, graduation rates, and average amounts of financial aid being received by students. And furthermore, institutions that increase tuition and fees at more than twice the rate of inflation over a 3-year interval will be publicly identified and asked to provide information to the public about the causes of tuition increases as well as strategies to help hold down tuition in the future.

A third provision would ease college access for members and veterans of our armed services. The legislation ensures the eligibility of all veterans to participate in the TRIO college access programs. The bill also classifies members of the armed services as independent students which could increase access to financial aid.

These reforms build on important education benefits for military personnel enacted in February 2006 under the Deficit Reduction Act. That measure provided that active duty members of the military may receive loan deferment, meaning payments are not required and interest will not accrue when serving our Nation.

As a member of the Education and Workforce Committee, I am very proud to support this legislation and urge my colleagues also to support this measure.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. BISHOP).

Mr. BISHOP of New York. Mr. Chairman, I rise in strong opposition to this bill. I spent nearly 30 years working on a college campus, and based on my experience, I have three major concerns with H.R. 609.

First, in my view, this legislation, coupled with the budget cuts authorized by this Congress and further cuts proposed by the President, threatens to return the state of higher education in America to the pre-World War II era. Back then, only 5 percent of Americans had a college degree compared with nearly 30 percent today. This bill does little, if anything, to make college more affordable or expand access to Americans pursuing the dream of a college education. The bill is another step backward in a retreat from affordability and access.

Second, I oppose this bill because the Federal Government should not be in the business of telling colleges and universities that we know better than them when it comes to making decisions concerning the price of tuition, the transfer of credit, and academic freedom and integrity, yet that is what this bill does.

This bill is based on the flawed notion that colleges and universities are not capable of governing themselves and thus need to be directed by Congress. Our solution to this accountability problem is more intrusion into the day-to-day operations of colleges and universities. It is wrong for us to be dictating these decisions, and it is insulting to the colleges.

Worse, this ideology is inconsistent with the reality of what is actually happening on the college campus. It is illogical that Congress imposes government oversight into academia, but does not conduct the same oversight for the oil and pharmaceutical industries, to name just two.

Third, while this bill demonstrates a lack of confidence in the not-for-profit higher education sector, it shows strong confidence in the for-profit sector. As a result, there is less accountability and oversight for that sector.

I want to be clear that there are a great many for-profit schools which are excellent and have been doing a great job for a long, long time; but there is also a long history in the for-profit sector of defrauding students, parents, taxpayers and Congress, and there is skepticism toward the sector of higher education with a stellar record of achievement, that being the not-for-profit sector.

By relaxing safeguards put into place to keep students and taxpayers safe against fraud by proprietary institutions, Congress is essentially giving the for-profit sector their stamp of approval.

For these reasons, I urge my colleagues to vote for the Democratic substitute and vote against final passage of H.R. 609.

Mr. MCKEON. Mr. Chairman, I yield 2½ minutes to the gentlewoman from North Carolina (Ms. FOXX), a former community college president, a university administrator, a former TRIO director, someone with great credibility on this subject, and a member of the committee.

Ms. FOXX. Mr. Chairman, I thank the chairman, Majority Leader BOEHNER and the Education and Workforce Committee staff for their hard work on and dedication to the College Access and Opportunity Act.

For many reasons the United States must have a highly educated workforce. This legislation does just that by strengthening math, science and foreign language instruction. It includes incentives to recruit and better prepare more teachers in these critical areas.

Most importantly, to adhere to the initial purpose of the Higher Education Act of 1965, this bill further offers low-income and middle-income youth the opportunity to better themselves and their socioeconomic status through a variety of important reforms.

This bill repeals duplicative and unnecessary programs and removes barriers for a greater number of potential, not to mention current, students.

Two additional parts of the bill about which I am particularly excited are, one, protecting the privacy of students; and, two, helping TRIO programs better demonstrate their effectiveness and results.

In the committee markup, I was able to work with the chairman and staff to offer an amendment ensuring that a unit record database with students' personal information would not be allowed. Privacy of the individual is one of the main tenets on which our great Nation was founded.

I was also able to offer an amendment in committee that would improve and strengthen TRIO programs. As a former director of Upward Bound Special Services programs at a large State university in North Carolina, I know these programs firsthand and how they have helped many achieve their goals of a higher education. I am a believer in the TRIO programs, and that is why I am committed to making them stronger.

There is nothing in current law that provides a way for these programs to demonstrate their effectiveness. If we want to help these programs prove that they are doing all that we know they are, we must institute accountability measures so their purpose and effectiveness will not continue to be questioned.

As a former community college president, university administrator and instructor, I am deeply committed to our students and to seeing that they get the full value of their education. The bottom line is, this bill is much needed and provides greater access for those of lesser means who need it; and I am simply appalled at my colleagues on the other side of the aisle for the misrepresentation of this bill and the good things that it would do for the students of this country.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 3 minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Mr. Chairman, the prior speaker said she was appalled by some of the characterizations. Funny, that was my emotion when this Congress just 2 months ago cut $12.5 billion from college assistance, the largest cut in the history of the United States for college assistance. So when you want to get appalled, try getting appalled by the biggest cut, $12.5 billion, from college assistance.

We have all read many articles that in the 21st century a college education is as essential to economic success as a high school education was in the 20th century. In a century in which you earn what you learn, what does the Republican Congress do as one of its first acts? The largest cut in history in college assistance, $12.5 billion.

And on the heels of that, they propose this act which, literally on the heels of a $12.5 billion cut, a bill that would freeze Pell Grants 2 years in a row at the level they are at.

The average Illinois graduate today graduates $15,000 in debt. You are supposed to get your diploma on graduation day. You get your diploma and your Visa credit bill. That is what is happening to our kids. Parents in my district are working second jobs, taking second mortgages so their kids get a chance at a future where doors are opening.

And what are we doing in this Congress? We are slamming the door on their future. We can do better than that. We owe it to our children.

College costs in the last 4 years have gone up, on average, 38 percent; and the United States Congress, under Republican stewardship, has had the largest cut in the history of the country, $12.5 billion, frozen Pell Grants, and not made it easier for parents to give their children the most important thing besides love, an education.

So what are we offering them? More of the same at a time when we all know you need an education. We know about the importance of a college education, and we have done nothing to make it easier for parents to afford an education for their kids, except for a second job or a second mortgage. And that is after the largest cut in the history of the country.

I think that we can do better. I know we can do better. We must rethink the way we apply and get assistance to families so they can send their kids to college. A college education is important for the 21st century.

When World War II was over, we had a GI bill for our returning vets that built the middle class. The GI bill, after a high school education, built America and made the 20th century the American century. It is time now that we make a college education as universal in the 21st century as a high school education was in the 20th century.

This is a step backwards, closing doors on families rather than opening doors and giving kids a chance to do better for the next generation, as their parents have done, and build on their shoulders. We must restore the $12.5 billion of cuts through an amendment that I offered that was denied, and make sure that we do not freeze college assistance, but enrich it and make it stronger.

Mr. MCKEON. Mr. Chairman, I yield 3 minutes to the gentleman from Indiana (Mr. SOUDER), a member of the committee.

(Mr. SOUDER asked and was given permission to revise and extend his remarks.)

Mr. SOUDER. Mr. Chairman, the last speaker, I realize he is not on the Education Committee, but stated an appalling misrepresentation of what has happened on two different fronts. First off, as he probably realizes, or should, this is not an appropriations bill, this is an authorizing bill.

Secondly, what cuts? We readjusted the student loan rates, made them more fair. We went through committee, watched the misrepresentations of how this proceeded, and it continues today.

There are fixed rates now that as the interest rates go up, students around

America are actually going to save tremendous amounts of money. Where this cut language comes from is baffling. As a budgeting technique, the exposed risk of the Federal Government, because we are on fixed versus variable, budgets as a cut, but in reality could have saved the government and saved the students in the long run here if you believe interest rates are going to rise, which most people believe they are going to.

It is just an appalling misrepresentation to walk down to Congress and say that we have been cutting education when, if anything, education has been the fastest growing discretionary part of our budget. We have steadily increased funding for education, and now we have an authorizing bill, not a spending bill, an authorizing bill, and any number in there is funny money. What really matters is what you appropriate in education.

The bottom line is this: at two ends we have a problem. One is higher education is changing in America as we go to more online, more lifelong learning; and this bill attempts to accommodate the diversity in the changing nature of higher education.

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But I wanted to particularly talk about one subsection that is important because, as we are moving in international competition, we can't leave people behind. I first came into Congress in 1995 and worked with my friend, Congressman FATTAH on the other side, with the program he had called High Hopes that turned into GEAR UP, which said to kids in the eighth grade who were disadvantaged that we are not going to leave you behind.

In Indiana, it is called the 21st Century Scholars Program. And then Governor Evan Bayh worked with this to say that if you got your Indiana degree from a high school, kept a GPA of 2, stayed clean of drugs and alcohol and didn't commit another crime, went to an Indiana college and applied for Federal aid, we were going to guarantee that you could get some sort of Federal aid or Pell Grant with the State scholarship program.

Here we are continuing GEAR UP. I have been frustrated every year for the past few that the President of the United States has zeroed it out in his budget proposals, but the House has put it back in and gone along with the Senate to keep this program funded. It gives kids an opportunity to say, many kids who thought they would never get a chance to go to college, to say, if you do your part, we will do our part in the government. And part of this GEAR UP High Hopes program is to, just like we do with special needs kids, to say that the State has to have a way to not just make this promise, but to have these field organizations go and work with the individual kids to help them with milestones. Much like the TRIO program has done in college, this now takes it to the high school level to make sure that those who come from disadvantaged backgrounds have some opportunity at least to get a higher education or we are not going to be able to compete in the world. We have to help all Americans and GEAR UP will help give all Americans that chance.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. ENGEL).

Mr. ENGEL. Mr. Chairman, I just want to take this time to highlight a proprietary school in my home county of Bronx, New York. I am delighted that proprietary schools are mentioned in the district and I just want to highlight this degree-granting proprietary school called Monroe College, Bronx, New York, my district, Mr. SERRANO's district. Last June, they graduated 2,000 students, and I have seen firsthand the wonderful job that they do. And these students are particularly minority students, people who want to go back to school and want to have the opportunity to move forward. So with all the other discussions about what is going on with the bill, I just want to say that I am delighted that proprietary schools, particularly degree-granting proprietary schools like Monroe College, are finally getting the recognition that they deserve, and I think that they do deserve recognition because they do good work, again, particularly Monroe College in Bronx, New York.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield myself the remainder of the time.

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Mr. Chairman, Members of the House, there is some suggestion that somehow this bill has become a partisan bill. The fact of the matter is that this bill has continued, as we have done so many bills in the Education Committee, started out on a bipartisan basis, and we worked on that basis over the last couple of years. And then in the last session of Congress, the decision was made in the reconciliation bill to split out the student loan portions of this bill and to make the cut, the now famous $12 billion cut, in the student aid accounts.

We continued to work with the majority, and up until yesterday, when I went in and talked to Mr. MCKEON and told him I just didn't think we were going to be able to arrive at a conclusion, and he was getting ready to go to Rules Committee, and I said that we are just not going to get to that point where the Members on my side of the aisle, significant players in the education community and on our committee would not support the legislation. We look forward to continuing to work with him as we go into conference. But the fact of the matter is, I think what Members see in this legislation, when we talk about a missed opportunity, when we talk about a failure to respond is you can continue to put up charts that we are spending more money. Yes, the entitlement programs of Pell and the entitlement loan program are spending more because more students are becoming eligible for them, some because of a bad economy, some because they have decided to go to college.

But the fact of the matter is you are spending more money and you are purchasing less. And the gap that the maximum Pell Grant covers now, it used to cover 40 percent of that student's education. If that student worked full-time during the summer, part-time during school, they could close that gap. Starting this year, they can no longer close that gap. They are going to be about $2,000 short. They are going to be about $2,000 short if they work over that period of time. So the Pell Grant is purchasing less and less of the college education. In just a couple of years, a couple of years from now, that gap will dramatically increase even more.

So what the problem is, and what the Republicans haven't yet recognized is, the conversations that are taking place in families right now as students are trying to put together their aid package, that the student loans, the Pell Grant are purchasing less and less of the cost of that education. And this bill fails to address that. This bill fails to address that because they chose, when they made that $20 billion in cuts, the $12 billion net, they chose not to reinvest those savings in the education programs on behalf of these families and their students. Families will continue and students will continue to pay excessive fees and excessive charges. They will not let the lenders keep them, and they shouldn't let the lenders keep them. But they take what they admit are excessive payments by these families, and they give it for the tax cut. They don't say, here, take this money back; return this to the borrower, let them keep the money, let them pay for their child's education. They take it off and give it off to the tax cuts for the oil companies and the tax cuts to the wealthy.

That is what we talk about when we say a missed opportunity. The Republicans just aren't hearing huge numbers of American families who are struggling with the decision on how to pay for their kids' college education. In that cut, they raise the interest rates on those parents from 7.9 percent to 8.5 percent. The parents are going to have to borrow more under this program. They charge them a 1 percent insurance fee. They say, well, it is waivable, all that. The fact of the matter is they are raising costs at a time when it is harder and harder for families in America to put together the package to pay for that education. And as we see now, even if the students work full time in the summer, part time through the school year, they cannot close that gap. That is what we mean. That is

why some of the speakers got up here and said they are worried about the affordability. That is what we mean by the inability to address the needs of families and students who want to pursue a higher education.

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

Mr. MCKEON. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, a report released last week by a leading consulting firm confirmed that the pro-growth policies championed by this Congress and this President are working. In fact, they have been so successful that, this spring, we are poised to see the strongest job market for our Nation's 1.4 million college graduates since the dotcom bubble burst in 2001. The firm also cited a recent survey that showed employers plan to hire 14.5 percent more new college graduates this year than they did a year ago.

There is a great deal of doom and gloom here in Washington. Some taking part in this debate today certainly are no exception. But the fact is our economy is growing, and the college graduates are feeling the effect. That is why this bill before us is so important today. The legislation will empower students with more information and more resources than ever before as they seek to achieve the dream of attending college.

The College Access and Opportunity Act that we have before us today strengthens the Pell Grant program by providing year-round Pell Grant aid for students attending school throughout the year, and removes an incentive for colleges to raise tuition by repealing the Pell Grant tuition sensitivity language.

It gives higher education consumers more information about what they are getting for their money by establishing college consumer profiles.

It shines a spotlight on excessive tuition hikes through the college affordability index, and it strengthens U.S. competitiveness by sharpening our focus on improving math, science and critical foreign language programs.

Mr. Chairman, simply put, this bill is comprehensive. It is fiscally responsible, and it is worthy of our support.

Again, I thank my colleagues on the committee for their work in crafting the College Access and Accountability Act, and I urge my colleagues to support it on final passage.

Mr. Chairman, before I finish, I have spent 14 years almost now on this committee. I would like to recognize a member of the Education and the Workforce Committee staff, Sally Lovejoy. I have just become chairman of this committee and I was really offended when she let me know that she was leaving. I thought it was because of me. But then I heard that she has been offered a great job, to work with the first lady, representing us in Paris. And that is where she did some of her college work. I think it is a wonderful opportunity, and I am happy that she has the opportunity. We are going to miss her, and we appreciate all of the years, 25 years' work that she has put in on this committee. On behalf of our entire committee and the rest of the staff, I want to thank her for all of her great work.

Mrs. CAPITO. Mr. Chairman, I rise to highlight the designation of West Virginia State University as an eligible school for the Historically Black Graduate Institutions (HBGI) program in H.R. 609, the College Access and Opportunity Act of 2006. The designation was included today in the McKeon Manager's Amendment.

The HBGI program is an important tool in enhancing innovative math and science education programs at our Nation's Historically Black Colleges and Universities. West Virginia State University was designated as a Title III University under the Higher Education Act of 1965 and has participated as an undergraduate Title III Part B institution since 1989.

In 2003, West Virginia State began offering a unique Master's Degree in Biotechnology that emphasizes the skills a biologist will need in the 21st century. The program also studies new technologies and concepts in the biotechnology field. Graduates will be prepared for careers or further studies in Health Care, Biotechnology, or Environmental Sciences.

It is important that our Nation provide the resources necessary to remain the world's leader in science and technology research. Our Nation's education system and especially our colleges and universities are on the front lines in keeping America competitive in the world economy.

I want to recognize Dr. Hazo Carter, President of West Virginia State University and Dr. Orlando McMeans for their hard work in establishing the University as an eligible HBGI institution. I also want to thank Chairman MCKEON and the Education and Workforce Committee for working with me to include this important designation in H.R. 609.

Mr. BONILLA. Mr. Chairman, I rise today in support of H.R. 609, the College Access and Opportunity Act of 2006. This legislation will take important steps toward strengthening access, accountability, and affordability for students, teachers, and higher education institutions across our country.

I am particularly pleased by provisions in this legislation to provide year-round and increased Pell Grant aid to certain students. In addition, H.R. 609 will strengthen the TRIO programs, which I have strongly supported since my first election to Congress. Specifically, this bill will increase the minimum grant levels for TRIO programs and ensure our country's veterans are eligible to participate in all TRIO programs and services. I am also pleased that this legislation will reduce red tape and improve flexibility for Hispanic Serving Institutions.

Education is one of the foundations of our Nation's prosperity. This legislation will aid our Nation's students, teachers, and higher education institutions to undoubtedly continue this prosperity. While I do support this legislation, I am, however, very concerned with several provisions regarding private higher education institutions within this bill. Private higher education institutions serve as valuable centers of ideas and innovation in our country. I strongly urge my colleagues to find an equitable agreement to address the issues of concern to private higher education institutions within this bill as it moves forward in the legislative process.

Mr. LEWIS of Kentucky. Mr. Chairman, I am pleased that the House today took essential steps to make college tuition more affordable for middle and low-income students. Ensuring quality higher education is one of the most important things we can do for future generations.

H.R. 609, the College Access and Opportunity Act, will expand access to higher education for millions of students by strengthening Pell Grants, improving access for non-traditional students, reducing red tape, and instituting transparency in tuition costs.

As a cosponsor of this legislation, I am especially pleased that the legislation will strengthen college access programs such as TRIO and GEAR UP. These are important programs that have benefited students in my district, aiding in their ability to attend college.

I would like to mention two provisions in the bill that were brought to my attention by small, independent colleges in my district. Their concerns centered around the affordability provision and the ability for States to become accreditors. There was great fear that the publishing of tuition rate increases and other financial information could lead to a price control or other Federal intervention in tuition increases. Also, there was apprehension that States could be granted the ability to intervene in the accreditation process of private institutions or offer incentives for institutions to choose State accreditation over other regional options.

I appreciate the Committee on Education and the Workforce for their willingness to address the concerns of these institutions. Chairman MCKEON's Managers' Amendment made great strides to ease the burdens that both of these provisions could have potentially placed on higher education institutions. The Manager's Amendment makes changes to the penalties for offending institutions and expressly forbids States to offer incentives to encourage schools to choose State accreditation.

I originally filed an amendment with the Rules Committee to address the concern of State intervention in the accreditation process, but the changes by Chairman MCKEON were sufficient to ease my concerns. The bill in its current form will prohibit potential overreaching by State accreditors.

The College Access and Opportunity Act addresses the important need to make higher education more affordable and easier to access for low and middle-income students. I am proud to support this legislation and am hopeful that it will sufficiently boost the competitiveness of American students in the global economy.

Mr. PETRI. Mr. Chairman, I want to express my disappointment that the rule to H.R. 609 does not allow my colleagues the opportunity to consider the Student Aid Reward Amendment that I sought to offer with Representative GEORGE MILLER to H.R. 609, the College Access and Opportunity Act. This amendment was based on H.R. 1425, the Student Aid Reward Act, that we introduced last March. Senator KENNEDY and Senator GORDON SMITH have sponsored a companion bill in the Senate.

The STAR program is rooted in my longstanding belief that we have a fundamental obligation to our constituents to eliminate

waste, fraud, and abuse in government spending wherever it exists. This amendment would have done just that by cutting $13.4 billion in waste over the next 10 years. Furthermore, it would reinvest those savings both into Pell Grant aid and towards reducing the deficit at no additional taxpayer expense.

The STAR program would reward colleges and universities that choose to participate in the Federal student loan program that is most cost-effective for taxpayers and, in turn, return half of those savings to the schools in the form of Pell Grants for low and middle-income students. This would increase student aid as much as an additional $1,000 per recipient, per year.

The real opportunity in this amendment was that it allowed for an increased investment in education while not costing taxpayers a single penny more. In fact, under the STAR program, there would be enough savings not only to return half to schools that switch to the more cost-effective program, but also to provide an additional 25 percent of those savings to schools that were previously enrolled in the cost-effective program and thus already saving taxpayers money. The final 25 percent would be devoted towards deficit reduction.

All these savings are be made possible due to the startling difference in the cost between the two Federal student loan programs. For the current fiscal year, the Federal Family Education Loan (FFEL) program costs taxpayers nearly three times as much as the exact same loan administered under the Direct Loan (DL) program. For example, if the Federal Government loans a student $100 through the FFEL program, taxpayers will subsidize nearly $11 (10.7 percent) of that loan. However, the same loan under the DL program costs taxpayers only one-third, less than $4 (3.6 percent). In fact, the President's budget office projects that taxpayers will spend $3 billion more this year alone to issue identical loans through the FFEL program than it would cost through the DL program.

Beyond the Office of Management and Budget, other budget experts continue to confirm this cost difference. Earlier this week, the Congressional Budget Office released a score that projected savings from this amendment in the amount of $13.4 billion over the next 10 years—and that's if only 15 percent of colleges choose to participate in the Student Aid Reward program by switching from the FFEL to the DL program. Those savings would be even more substantial with increased participation.

It is important to note that the STAR amendment would not mandate that schools select the most cost-effective program, although we hope that they would. Under this amendment, each college retains their ability to choose their student loan program. Those who choose to be more responsible with taxpayers money would be rewarded with a portion of the savings. Those that decide to continue with the more expensive program face no penalties, other than a missed opportunity to use taxpayer savings to boost their students' Pell Grants. Furthermore, each school would have the choice to leave the STAR program at the end of their five year contract if they are not satisfied with the results for their students.

A critical tenant of this program is that it is budget neutral. Any reward payments to schools are contingent upon actual taxpayer savings that year. We are confident that these savings not only exist, but amount to several billion dollars annually. Both the CBO and OMB continue to confirm this year after year.

The overarching reason that the FFEL program is so much more expensive than the DL program is the excessive subsidies paid to lenders each year to issue loans. As all lenders are guaranteed the exact same subsidies, regardless of their costs and efficiency, lenders do not compete for the benefit of taxpayers, only among themselves for market share. This practice is not only unnecessary but it is irresponsible—especially when the DL program has no similar costs.

The taxpayers not only pay interest subsidies to private lenders, they also subsidize the 13 guaranty agencies that purchase loans from the lenders after a certain period of time has passed. This is also a wasteful practice—especially when the DL program has no similar cost.

I would like to reiterate that this amendment would have in no way mandated that schools choose the DL program over the FFEL program, or even that the DL program will always necessarily be the most cost-effective program. Instead, the amendment stipulated that the Secretary of Education shall determine each year which program is most cost-effective to taxpayers and that schools who participate in that program receive some of the savings. The Secretary would do this by making use of the best data available each year.

I believe that as stewards of taxpayers' money, Congress should always seek to make government more efficient and more accountable. This amendment would have been an important step in that direction. Given the current budget environment, it is shameful that we are not taking full advantage of this opportunity to save money while rededicating some of those savings towards much-needed financial aid. This amendment would have invested over $10 billion in Pell Grants while devoting over $3 billion towards reducing the deficit without costing taxpayers a penny more. Given that this program is budget neutral for taxpayers and completely voluntary for schools, there is absolutely no reason why we should not have taken a close look at this tremendous opportunity.

Fiscal responsibility is a solidly Republican value and, in fact, one that every Member of Congress should support. That is why I am disappointed that my colleagues have been denied the opportunity to consider this amendment. I would encourage all House Members, instead, to consider cosponsoring H.R. 1425, the Student Aid Reward Act, to show their support for increased government efficiency and maximizing taxpayer investment in education.

Mr. WOLF. Mr. Chairman, I rise today in support of H.R. 609, the College Access and Opportunity Act. This bill recognizes the unprecedented challenges that America is facing from countries like China and India and targets resources to increase the number of math, science and engineering professionals.

As chairman of the House Science-State-Justice-Commerce Appropriations subcommittee, which controls the budget of NASA, the National Science Foundation, the White House Office of Science and Technology policy and NOAA, I have spoken with groups of leading Americans who represent a cross section of our nation. Over the past few months, groups that advocate for business, education, and research and development have all told me that America is at the very least in a stall, and many believe in a decline, when it comes to global competition in science and technology. Three key measuring sticks are down: patents awarded to American scientists; papers published by American scientists; and Nobel prizes won by American scientists.

There is a critical shortage of math, science and engineering students in the United States. Unfortunately, there has been little public awareness of this downward trend and its implications for jobs, industry or national security in America's future. With the president's American Competitiveness Initiative announced at the State of the Union earlier this year, public awareness is increasing, but we still need to do everything we can to help attract more students to these fields.

Last April, I introduced legislation with Representative VERN EHLERS, MI, and Representative SHERRY BOEHLERT, NY, aimed at attracting more students to math, science, engineering and related fields. H.R. 1547, the Math and Science Incentive Act, would forgive interest on undergraduate student loans for math, science and engineering majors who agree to work 5 years in their field upon graduation.

I appreciate Chairman MCKEON and former Chairman BOEHNER's recognition of the value of using loan forgiveness as an incentive to attract and retain more students, particularly undergraduates, into these critical fields and the inclusion of this provision of this legislation as a provision in H.R. 609.

Authorizing the Secretary of Education to pay up to $5,000 of the interest accrued on student loans for math, science and engineering majors who agree to work for 5 years in their field of study may make all the difference in the world for a student considering whether or not to stick with an engineering degree program. These are certainly challenging subjects.

Recognizing how critical the competitiveness issue is today, the Education and Workforce Committee also included in H.R. 609 a provision for Honors Scholarships for students pursuing a baccalaureate, master's, or doctoral degree in science, math, or engineering as well as a provision for grants to better coordinate and implement reforms that improve math and science education, as well as better teacher recruitment and training.

H.R. 609 augments the recently approved National Science and Mathematics Access to Retain Talent Grants, National SMART Grants. National SMART Grants provide grants of up to $4,000 to Pell Grant-eligible students in their third and fourth academic year of undergraduate education at a 4-year, degree-granting institution of higher education. The student must be pursuing a major in the physical, life, or computer sciences, math, technology, or engineering, or a foreign language. The student must also have a grade-point average of at least 3.0.

America is poised to mobilize again to ensure that our country remains the world leader in innovation. This bill helps our country face the challenge before us all. I believe our future as the solid world leader in innovation is again looking bright, particularly in light of the resources we're targeting at the higher education level.

I urge my colleagues to join me in supporting H.R. 609 and thank the committee for its good work on this legislation.

Mr. GREEN of Wisconsin. Mr. Chairman, we have an important opportunity before us today to protect the rights of all students who attend higher education institutions. H.R. 609, the ''College Access and Opportunity Act,'' includes ''Academic Bill of Rights'' language that would ensure the rights of all students to express their ideological, religious, and political beliefs without fear of retribution. I am pleased that this language has been included in the House's efforts to improve the accessibility of higher education.

No student attending college in America should have to worry that they are being graded on anything other than their knowledge of a subject. This portion of H.R. 609 would simply express the sense of Congress that higher learning institutions are places for diverse approaches and viewpoints, that campus funds should be used for the selection of a variety of speakers and presentations, and that every student should feel confident in their ability to speak freely in the classroom without fear of reprisal from their teachers, classmates, or administrators.

Unfortunately, I have seen first-hand how students' individual liberties can be compromised by their school's officials. Earlier this year, the administration of my alma mater, the University of Wisconsin–Eau Claire, enforced a ban on resident assistants having private, non-mandatory Bible studies in their own room. This was a blatant disregard of student's religious freedom, and thankfully, the university reversed their position on the matter after extensive debate and pressure from myself and members of the community.

Simply put, this is not a conservative or liberal issue—it's just a common sense way for Congress to urge schools to take academic freedom seriously. I'm also pleased that this language would not impose any controls or limits on institutions, but would help to ensure students are afforded some protection in expressing a variety of viewpoints.

Once again, I applaud efforts by the House Education and Workforce community, along with members of the higher education community, to include Academic Bill of Rights language in H.R. 609. It can only serve to strengthen the academic standards of free speech and diversity that universities already work so hard to develop, and I urge my colleagues to join me in supporting academic freedom for all of our nation's higher education students.

Mrs. JONES of Ohio. Mr. Chairman, I rise today to voice my strong opposition to H.R. 609, the Higher Education Reauthorization Act. I believe this is a missed opportunity to make a genuine effort to provide educational opportunities to our children. I am disappointed that this bill does not effectively address the financial needs of low and middle income students.

After passage of the Deficit Reduction Act, the Republicans put another financial hurdle in the way of many students ability to pay for college. They cut funding for student loans while raising the interest rate. I am also bothered that the Academic Competitiveness Grants that were created make part-time students ineligible for them. This effectively exempts 62 percent of community college students. If we are to create grants aimed at assisting students attending college we need to make them available to all students who qualify full and part-time.

H.R. 609 is the vehicle to correct the wrong that has been done to underprivileged students, but sadly it does not address it. H.R. 609 caps Pell Grants at $6000, this amount does not adequately address the needs of low income students. It does not decrease the interest rates on students' loans, and it does not increase the authorization of Perkins Loans. With growing tuition costs we need to be doing everything we can to assist students in seeking a higher education.

H.R. 609 does not adequately address the needs of our Nation's students, and I want to express my oppositions to its passage.

Ms. JACKSON of Texas. Mr. Chairman, the bill before us today is a crucial authorization bill for the future of our Nation, and yet, I am disappointed because an opportunity has been missed.

I am pleased that certain cornerstones of higher education policy remain strong and supported in this bill, such as the overall continuation of Federal assistance for students in need of help to afford higher education, as well as the ongoing recognition of the value of Historically Black Colleges and Universities and institutions serving other minority populations.

This bill represents a wonderful opportunity both to improve access to higher education for America's low- and middle-income students and to improve the quality of teacher education and preparation programs. Every HEA reauthorization since 1965 has focused on the expansion of college opportunity. Unfortunately, H.R. 609 in its current form does not carry forward this legacy because it fails to provide the necessary supports to enable students to enter and succeed in college such as increased need-based aid and lessening the loan burden.

We believe that the future of our youth is the future of our country; an investment in our children is an investment for America. Teachers are responsible for the development of the United States through their impact in our classrooms. It is greatly appreciated when teachers begin the process of intellectual development for our children, but there is an even greater appreciation when teachers continue working with those children throughout the years. Teachers are quite often the role models of the children who eventually go on to serve the United States through avenues of public service.

For our country to move in the direction of progress, we Members, as representatives of the people, must follow the provisions of the Higher Education Act, especially in regards to the activities addressed in Title II of that document. Activities such as the disbursement of teacher quality enhancement grants for our states and grants preparing the teachers of tomorrow with the newest technology of today benefit society as a whole.

Many amendments under consideration will help this bill achieve its goal and I encourage my colleagues to consider each carefully. I, unfortunately, have a difficult time supporting this bill as it is currently written—it could have been so much more. The closed rule inhibits an open process and also contributes to my inability to support this legislation. I know that several amendments attempted to try to increase the Pell Grant maximum, for example—and yet none of them were announced for consideration by the Rules committee.

We are talking about our future here—we are talking about students who are pursuing programs that will help us manage our financial and economic systems, grow diplomatic relations, communicate more effectively, and most of all, teach us how to successfully administer and secure our country. A lot is at stake—and I wish this bill answered this need completely.

Mr. Chairman, I rise to speak on a corner stone of our Nation's future: higher education.

PELL GRANT

The average public institution tuition in 2005–2006 was $5,490 dollars, and tuition increased 7.1 percent from the year before. If tuition continues to increase even 5 percent every year as it has for the last decade, in 2012 the average tuition will rise to an average of $7,350 dollars. The maximum amount of aid available should increase as well to reflect the growing cost of education.

The current bill provides for the maximum of $6,000 that would barely cover the average cost of a public institution for 1 year today. This bill provides the Pell grant maximum in this current version of the bill. If $6,000 isn't enough today it won't be enough in 6 years.

This modest increase to $7,300 in my amendment is not a required minimum, it is the allowable maximum. This is a critical amendment that will help students in need of Federal assistance to access to higher education.

BLIND AND VISION-IMPAIRED STUDENTS

Literacy—the ability to read and write—is vital to a successful education, career, and quality of life in today's world.

Whether in the form of curling up with a good book, jotting down a phone number, making a shopping list, or writing a report, being literate means participating effectively at home and in society.

Currently, nearly 94,000 children in the United States who are blind or visually impaired are being helped by some form of special education. These students are an extremely diverse group ranging from infants to young adults through age 21.

The nature and degree of their visual impairments are equally diverse, as are the ways they adapt to their vision loss. Some students have other disabilities in addition to visual impairment. Their level of academic functioning spans a great range. And in every way they are as disparate as any other group of individuals in terms of ethnic and racial background, religion, geographic location, and income. Given this diversity, it is important to , remember that each child needs to be viewed as an individual with unique needs.

Literacy is a crucial skill for success for the blind and visually-impaired, not only quality of life as individual, but also employment opportunities.

Fewer than one-third of the working-age visually impaired population in the United States is in the labor force. Today, underemployment and unemployment have remained a serious issue for adults with visual impairments. Whether from insufficient attention given to developing appropriate work skills or other causes, these statistics are alarming and unacceptable.

Several research studies found that successful individuals with visual impairments often share the following common characteristics: positive attitudes about work and about themselves, realistic occupational goals, good orientation and mobility skills, good communication skills, expanded social networks, involvement within the community, and good

independent living skills. For students who are blind or visually impaired, it is not enough to merely discuss appropriate attributes related to work and adult responsibilities. These students must also be offered work-related experiences to build their life skills.

Of those employed, 93 percent read Braille. This simple statistic demonstrates just how powerful knowledge accessibility can be. Blind and visually impaired higher education students depend on Braille texts for access to higher education across the board, and this amendment encourages publishers, professors, and universities to help each and every student achieve.

This bill also does not adequately address the needs of blind or vision impaired students. Students in higher education classes regularly face unnecessary barriers to the content of the class.

Although textbooks are updated almost yearly and republished, it is rare that the book will be published in Braille after the initial release. My amendment encourages publishers, professors and universities to pay special attention to this accessibility issue.

I certainly recognize that Braille materials are often costly. I have written the amendment in the form of a Sense of Congress in order to encourage publishers, professors, and institutions of higher education to work together to help students get access to materials.

Purchasing Braille textbooks is often too expensive for individual schools. For example, Webster's Dictionary is 72 volumes in Braille and costs $1,381. I am not advocating that publishers release a Braille version of each textbook—supplements of updated content may suffice. The point is to get these entities with the power to make educational materials available to work together and actually make higher education accessible to blind and vision-impaired students.

There is a growing movement to transcribe and transfer textbooks into electronic formats. This is a wonderful solution, however, the learning curve is prohibitive, and the technology is not mainstreamed quite yet. This amendment encourages a re-examination of existing resources, in order to ensure that students have in front of them the materials.

We must continue to ensure equal access to our education system for all of the children in our Nation—at the very least, we shouldn't let outdated textbooks prevent students from obtaining an education. I hope my colleagues will join me in supporting this amendment.

LEARNING DISABILITIES STUDIES

My last amendment requires the Education department to do a study on students who have achieved higher education even though they have learning abilities, in the hope that indications for success can be discovered that can be applied to younger grades. The overall goal is to encourage and help students with learning disabilities achieve a higher education.

I would add Sec 929, readjusting the subsequent numbers as necessary: Sec. 929: Study of Students with Learning Disabilities in Higher Education. The Secretary of Education shall conduct a study of the occurrence of students attending institutions of higher education seeking assistance for learning disabilities how institutions of higher education are addressing the needs of this specific population in terms of outreach, accessibility, financing, and student support services, including online education. The Secretary shall submit a report on the study to the Committee on Education and the Workforce of the House of Representatives that includes recommendations on measures the Federal Government can take to address the needs in regards to education and job training for students with learning disabilities pursuing higher education, as well as recommendations to encourage and support primary and secondary education students with learning disabilities to pursue and achieve higher education.

These 3 amendments are necessary to increase higher education opportunities to ease the financial burden on students and provide accommodations for students with special needs.

Mr. LEWIS of Georgia. Mr. Chairman, I rise in strong opposition to H.R. 609, the College Access and Opportunity Act of 2006. This legislation misses a critical opportunity to provide students from moderate and low income families, access to the American dream. This legislation further depletes our already underfunded Federal student aid programs, placing post-secondary education even further out of reach for the students who need it the most. To be sure, I share the concerns of my colleagues and my constituents, about the rising costs of college and the difficulties of obtaining student aid. However, I am convinced that H.R. 609 fails to adequately address these issues.

Mr. Chairman, my concerns with H.R. 609 extend beyond the fact that it squanders an opportunity to enhance America's economic competitiveness, by providing a future generation of highly skilled workers. I have serious concerns about additional provisions contained within the bill. I am terribly concerned about the rising costs of college tuitions across the Nation, and I commend the House Education & Workforce Committee for attempting to address this issue. In fact, I believe that some of the provisions addressing the rising costs of college could aid in addressing this issue. However, I believe that we must tread carefully when setting price controls on college tuitions. It is imperative that we do not infringe upon the independence of our Nation's private and religious institutions.

Mr. Chairman, I also am concerned with provisions contained in H.R. 609 that would allow states to function as an accrediting body. If we are going to legislate a deviation from the existing quasi-independent programmatic and institutional accrediting bodies, we must remain cognizant of the potential for major conflicts of interest and the emergence of divisions among public and independent institutions. Politics, demographics, higher education strategies, and economic incentives are among the factors that could contribute to the unintended result of compromising the independence of our nation's private colleges and universities.

Mr. Chairman, last month the Republican majority of the House of Representatives voted to raid Federal student aid programs of $12 billion, in the budget reconciliation bill. As you may recall, all of my Democratic colleagues voted against that misguided legislation. Once again I encourage my colleagues, on both sides of the aisle, to stand up for the children of America's hard working families and support increased access to higher education for all students. I urge my colleagues to vote against final passage of H.R. 609, the College Access and Opportunity Act of 2006.

Mr. MCKEON. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. DENT). All time for general debate has expired.

In lieu of the amendment printed in the bill, it shall be in order to consider as an original bill for the purpose of amendment under the 5-minute rule an amendment in the nature of a substitute consisting of the text of the Rules Committee print dated March 22, 2006. The amendment in the nature of a substitute shall be considered read.

The text of the amendment in the nature of a substitute is as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) SHORT TITLE.—This Act may be cited as the ''College Access and Opportunity Act of 2006''.

(b) TABLE OF CONTENTS.—

Sec. 1. Short title; table of contents.
Sec. 2. References; effective date.
TITLE I—GENERAL PROVISIONS
Sec. 101. Definition of institution of higher education.
''Sec. 101. Definition of institution of higher education.
''Sec. 102. Institutions outside the United States.
''Sec. 123. Restrictions on funds for for-profit schools.
Sec. 102. New borrower definition.
Sec. 103. Student speech and association rights.
Sec. 104. National Advisory Committee on Institutional Quality and Integrity.
Sec. 105. Alcohol and drug abuse prevention.
Sec. 106. Prior rights and obligations.
Sec. 107. Limitation on certain uses of funds.
''Sec. 124. Limitation on certain uses of funds.
Sec. 108. Consumer information and public accountability in higher education.
''Sec. 131. Consumer information and public accountability in higher education.
Sec. 109. Databases of student information.
''Sec. 132. Databases of student information prohibited.
Sec. 110. Performance-based organization.
TITLE II—TEACHER PREPARATION
Sec. 201. Teacher quality enhancement grants.
''PART A—TEACHER QUALITY ENHANCEMENT GRANTS FOR STATES AND PARTNERSHIPS
''Sec. 201. Purposes; definitions.
''Sec. 202. State grants.
''Sec. 203. Partnership grants.
''Sec. 204. Teacher recruitment grants.
''Sec. 205. Administrative provisions.
''Sec. 206. Accountability and evaluation.
''Sec. 207. Accountability for programs that prepare teachers.
''Sec. 208. State functions.
''Sec. 209. General provisions.
''Sec. 210. Authorization of appropriations.
Sec. 202. Preparing tomorrow's teachers to use technology.
Sec. 203. Centers of excellence.
''PART C—CENTERS OF EXCELLENCE
''Sec. 231. Purposes; definitions.
''Sec. 232. Centers of excellence.
''Sec. 233. Authorization of appropriations.
Sec. 204. Teacher incentive fund program.
''PART D—TEACHER INCENTIVE FUND PROGRAM
''Sec. 241. Purpose; definitions.

''Sec. 242. Teacher incentive fund grants.
''Sec. 243. Evaluations.
''Sec. 244. Authorization of appropriations.
Sec. 205. Transition.
TITLE III—INSTITUTIONAL AID
Sec. 301. Title III grants for American Indian Tribally Controlled Colleges and Universities.
Sec. 302. Alaska Native and Native Hawaiian-serving institutions.
Sec. 303. Grants to part B institutions.
Sec. 304. Technical amendments.
Sec. 305. Title III authorizations.
TITLE IV—STUDENT ASSISTANCE
PART A—GRANTS TO STUDENTS
Sec. 401. Pell Grants.
''Sec. 401A. Pell Grants Plus: achievement grants for State scholars.
Sec. 402. TRIO programs.
Sec. 403. TRIO reform.
''Sec. 402G. Staff development activities.
''Sec. 402H. Evaluations.
Sec. 404. GEARUP.
Sec. 405. Federal Supplemental Educational Opportunity Grants.
Sec. 406. LEAP.
Sec. 407. HEP/CAMP program.
Sec. 408. Robert C. Byrd Honors Scholarship Program.
''SUBPART 6—ROBERT C. BYRD HONORS SCHOLARSHIP PROGRAM
''Sec. 419A. Robert C. Byrd mathematics and science honors scholarship program.
''Sec. 419B. Mathematics and science incentive program.
''Sec. 419C. Mathematics and science education coordinating council grants.
''Sec. 419D. Authorization of appropriations.
Sec. 409. Child care access.
Sec. 410. Learning anytime anywhere partnerships.
PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM
Sec. 421. Loan forgiveness for service in areas of national need.
''Sec. 428K. Loan forgiveness for service in areas of national need.
Sec. 422. Additional administrative provisions.
PART C—FEDERAL WORK-STUDY PROGRAMS
Sec. 441. Authorization of appropriations.
Sec. 442. Community service.
Sec. 443. Allocation of funds.
Sec. 444. Books and supplies.
Sec. 445. Job location and development.
Sec. 446. Work colleges.
PART D—FEDERAL DIRECT LOAN PROGRAM
Sec. 451. Income contingent repayment.
PART E—FEDERAL PERKINS LOAN PROGRAM
Sec. 461. Reauthorization of program.
Sec. 462. Loan terms and conditions.
Sec. 463. Loan cancellation.
Sec. 464. Technical amendments.
PART F—NEED ANALYSIS
Sec. 471. Significantly simplifying the student aid application process.
Sec. 472. Discretion of student financial aid administrators.
PART G—GENERAL PROVISIONS RELATING TO STUDENT FINANCIAL ASSISTANCE
Sec. 481. Expanding information dissemination regarding eligibility for Pell Grants.
Sec. 482. Student eligibility.
Sec. 483. Institutional refunds.
Sec. 484. Institutional and financial assistance information for students.
Sec. 485. Distance education demonstration program.
Sec. 486. College affordability demonstration program.
''Sec. 486A. College affordability demonstration program.
Sec. 487. Program participation agreements.
Sec. 488. Additional technical and conforming amendments.
PART H—PROGRAM INTEGRITY
Sec. 495. Accreditation.
Sec. 496. Report to Congress on prevention of fraud and abuse in student financial aid programs.
''Sec. 499. Report to Congress on prevention of fraud and abuse in student financial aid programs.
TITLE V—DEVELOPING INSTITUTIONS
Sec. 501. Definitional changes.
Sec. 502. Assurance of enrollment of needy students.
Sec. 503. Additional amendments.
Sec. 504. Postbaccalaureate opportunities for Hispanic Americans.
''PART B—PROMOTING POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS
''Sec. 511. Purposes.
''Sec. 512. Program authority and eligibility.
''Sec. 513. Authorized activities.
''Sec. 514. Application and duration.
Sec. 505. Authorization of appropriations.
TITLE VI—TITLE VI AMENDMENTS
Sec. 601. International and foreign language studies.
Sec. 602. Business and international education programs.
Sec. 603. Institute for International Public Policy.
''Sec. 621. Program for foreign service professionals.
Sec. 604. Evaluation, outreach, and dissemination.
''Sec. 632. Evaluation, outreach, and dissemination.
Sec. 605. Advisory Board.
''Sec. 633. International Higher Education Advisory Board.
Sec. 606. Recruiter access to students and student recruiting information; safety.
''Sec. 634. Recruiter access to students and student recruiting information.
''Sec. 635. Student safety.
Sec. 607. National study of foreign language heritage communities.
''Sec. 636. National study of foreign language heritage communities.
TITLE VII—TITLE VII AMENDMENTS
Sec. 701. Javits fellowship program.
Sec. 702. Graduate assistance in areas of national need.
Sec. 703. Thurgood Marshall legal educational opportunity program.
Sec. 704. Fund for the improvement of postsecondary education.
Sec. 705. Urban community service.
Sec. 706. Demonstration projects to ensure students with disabilities receive a quality higher education.
TITLE VIII—CLERICAL AMENDMENTS
Sec. 801. Clerical amendments.
TITLE IX—AMENDMENTS TO OTHER EDUCATION LAWS
PART A—EDUCATION OF THE DEAF ACT OF 1986
Sec. 901. Laurent Clerc National Deaf Education Center.
Sec. 902. Authority.
Sec. 903. Agreement for the National Technical Institute for the Deaf.
Sec. 904. Definitions.
Sec. 905. Audit.
Sec. 906. Reports.
Sec. 907. Liaison for educational programs.
Sec. 908. Federal endowment programs for Gallaudet University and the National Technical Institute for the Deaf.
Sec. 909. Oversight and effect of agreements.
Sec. 910. Authorization of appropriations.
''Sec. 1. Short title.
PART B—ADDITIONAL EDUCATION LAWS
Sec. 921. Cancellation of student loan indebtedness for survivors of victims of the September 11, 2001, attacks.
Sec. 922. Amendment to Higher Education Amendments of 1998.
Sec. 923. Tribally Controlled College or University Assistance Act of 1978.
Sec. 924. Navajo Community College Act.
Sec. 925. Education Amendments of 1992.
Sec. 926. Study of student learning outcomes and public accountability.
Sec. 927. Study of minority graduation rates.
Sec. 928. Study of education-related indebtedness of medical school graduates.
Sec. 929. Study of adult learners.
Sec. 930. Increase in college textbook prices.

SEC. 2. REFERENCES; EFFECTIVE DATE.

(a) REFERENCES.—Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.).

(b) EFFECTIVE DATE.—Except as otherwise provided in this Act, the amendments made by this Act shall take effect on the date of enactment of this Act.

TITLE I—GENERAL PROVISIONS

SEC. 101. DEFINITION OF INSTITUTION OF HIGHER EDUCATION.

(a) AMENDMENT.—Title I is amended by striking sections 101 and 102 (20 U.S.C. 1001, 1002) and inserting the following:

"SEC. 101. DEFINITION OF INSTITUTION OF HIGHER EDUCATION.

''(a) INSTITUTION OF HIGHER EDUCATION.—For purposes of this Act, the term 'institution of higher education' means an educational institution in any State that—

''(1) admits as regular students only individuals who—

''(A) meet the requirements of section 484(d)(3), or have a certificate of graduation from a school providing secondary education, or the recognized equivalent of such a certificate;

''(B) are beyond the age of compulsory school attendance in the State in which the institution is located; or

''(C) will be dually enrolled in that institution and a secondary school;

''(2) is legally authorized within such State to provide a program of education beyond secondary education;

''(3)(A) is accredited by a nationally recognized accrediting agency or association; or

''(B) if not so accredited, is a public or nonprofit institution that has been granted preaccreditation status by such an agency or association that has been recognized by the Secretary for the granting of preaccreditation status, and the Secretary has determined that there is satisfactory assurance that the institution will meet the accreditation standards of such an agency or association within a reasonable time; and

''(4) meets either of the following criteria:

''(A) is a nonprofit, for-profit, or public institution that—

''(i) provides an educational program for which the institution awards a bachelor's, graduate, or professional degree;

''(ii) provides not less than a 2-year educational program which is acceptable for full credit towards such a degree;

''(iii) provides not less than a 1-year program of training that prepares students for gainful employment in a recognized occupation; or

''(iv) awards a degree that is acceptable for admission to graduate or professional degree programs, subject to the review and approval of the Secretary; or

''(B) is a nonprofit, for-profit, or public institution that provides an eligible program (as defined in section 481)—

''(i) for which the institution awards a certificate; and

''(ii) that prepares students for gainful employment in a recognized occupation.

''(b) ADDITIONAL LIMITATIONS.—

''(1) FOR-PROFIT POSTSECONDARY INSTITUTIONS.—

''(A) DURATION OF ACCREDITATION.—A for-profit institution shall not be considered to be an institution of higher education unless such institution is accredited by a nationally recognized accrediting agency or association and such institution has been in existence for at least 2 years.

''(B) INSTITUTIONAL ELIGIBILITY ONLY FOR COMPETITIVE GRANTS.—For the purposes of any program providing grants to institutions for use by the institution (and not for distribution among students), a for-profit institution shall not be considered to be an institution of higher education under this section if such grants are awarded on any basis other than competition on the merits of the grant proposal or application.

''(2) POSTSECONDARY VOCATIONAL INSTITUTIONS.—A nonprofit or public institution that meets the criteria of subsection (a)(4)(B) shall not be considered to be an institution of higher education unless such institution has been in existence for at least 2 years.

''(3) LIMITATIONS BASED ON MANAGEMENT.—An institution shall not be considered to meet the definition of an institution of higher education in this section if—

''(A) the institution, or an affiliate of the institution that has the power, by contract or ownership interest, to direct or cause the direction of the management or policies of the institution, has filed for bankruptcy, except that this paragraph shall not apply to a nonprofit institution, the primary function of which is to provide health care educational services (or an affiliate of such an institution that has the power, by contract or ownership interest, to direct or cause the direction of the institution's management or policies) that filed for bankruptcy under chapter 11 of title 11, United States Code, between July 1, 1998, and December 1, 1998; or

''(B) the institution, the institution's owner, or the institution's chief executive officer has been convicted of, or has pled nolo contendere or guilty to, a crime involving the acquisition, use, or expenditure of Federal, State, or local government funds, or has been judicially determined to have committed a crime involving the acquisition, use, or expenditure involving Federal, State, or local government funds.

''(4) LIMITATION ON COURSE OF STUDY OR ENROLLMENT.—An institution shall not be considered to meet the definition of an institution of higher education in subsection (a) if such institution—

''(A) offers more than 50 percent of such institution's courses by correspondence (excluding courses offered by telecommunications as defined in section 484(*l*)(4)), unless the institution is an institution that meets the definition in section 3(3)(C) of the Carl D. Perkins Vocational and Technical Education Act of 1998;

''(B) enrolls 50 percent or more of the institution's students in correspondence courses (excluding courses offered by telecommunications as defined in section 484(*l*)(4)), unless the institution is an institution that meets the definition in section 3(3)(C) of the Carl D. Perkins Vocational and Technical Education Act of 1998, except that the Secretary, at the request of the institution, may waive the applicability of this subparagraph to the institution for good cause, as determined by the Secretary in the case of an institution of higher education that provides a 2- or 4-year program of instruction (or both) for which the institution awards an associate or baccalaureate degree, respectively;

''(C) has a student enrollment in which more than 25 percent of the students are incarcerated, except that the Secretary may waive the limitation contained in this subparagraph for an institution that provides a 2- or 4-year program of instruction (or both) for which the institution awards a bachelor's degree, or an associate's degree or a postsecondary certificate, respectively; or

''(D) has a student enrollment in which more than 50 percent of the students either do not meet the requirements of section 484(d)(3) or do not have a secondary school diploma or its recognized equivalent, and does not provide a 2- or 4-year program of instruction (or both) for which the institution awards an associate's degree or a bachelor's degree, respectively, except that the Secretary may waive the limitation contained in this subparagraph if an institution demonstrates to the satisfaction of the Secretary that the institution exceeds such limitation because the institution serves, through contracts with Federal, State, or local government agencies, significant numbers of students who do not meet the requirements of section 484(d)(3) or do not have a secondary school diploma or its recognized equivalent.

''(c) LIST OF ACCREDITING AGENCIES.—For purposes of this section, the Secretary shall publish a list of nationally recognized accrediting agencies or associations that the Secretary determines, pursuant to subpart 2 of part H of title IV, to be reliable authority as to the quality of the education or training offered.

''(d) CERTIFICATION.—The Secretary shall certify, for the purposes of participation in title IV, an institution's qualification as an institution of higher education in accordance with the requirements of subpart 3 of part H of title IV.

''(e) LOSS OF ELIGIBILITY.—An institution of higher education shall not be considered to meet the definition of an institution of higher education in this section for the purposes of participation in title IV if such institution is removed from eligibility for funds under title IV as a result of an action pursuant to part H of title IV.

''SEC. 102. INSTITUTIONS OUTSIDE THE UNITED STATES.

''(a) INSTITUTIONS OUTSIDE THE UNITED STATES.—

''(1) IN GENERAL.—An institution outside the United States shall be considered to be an institution of higher education only for purposes of part B of title IV if the institution is comparable to an institution of higher education, as defined in section 101, is legally authorized by the education ministry (or comparable agency) of the country in which the school is located, and has been approved by the Secretary for purposes of that part. The Secretary shall establish criteria by regulation for that approval and that determination of comparability. An institution may not be so approved or determined to be comparable unless such institution is a public or nonprofit institution, except that, subject to paragraph (2)(B), a graduate medical school or veterinary school located outside the United States may be a for-profit institution.

''(2) MEDICAL AND VETERINARY SCHOOL CRITERIA.—In the case of a graduate medical or veterinary school outside the United States, such criteria shall include a requirement that a student attending such school outside the United States is ineligible for loans made, insured, or guaranteed under part B of title IV unless—

''(A) in the case of a graduate medical school located outside the United States—

''(i)(I) at least 60 percent of those enrolled in, and at least 60 percent of the graduates of, the graduate medical school outside the United States were not persons described in section 484(a)(5) in the year preceding the year for which a student is seeking a loan under part B of title IV; and

''(II) at least 60 percent of the individuals who were students or graduates of the graduate medical school outside the United States or Canada (both nationals of the United States and others) taking the examinations administered by the Educational Commission for Foreign Medical Graduates received a passing score in the year preceding the year for which a student is seeking a loan under part B of title IV; or

''(ii) the institution has a clinical training program that was approved by a State as of January 1, 1992; or

''(B) in the case of a veterinary school located outside the United States that is not a public or nonprofit institution, the institution's students complete their clinical training at an approved veterinary school located in the United States.

''(b) ADVISORY PANEL.—

''(1) IN GENERAL.—For the purpose of qualifying a foreign medical school as an institution of higher education only for purposes of part B of title IV, the Secretary shall publish qualifying criteria by regulation and establish an advisory panel of medical experts that shall—

''(A) evaluate the standards of accreditation applied to applicant foreign medical schools; and

''(B) determine the comparability of those standards to standards for accreditation applied to United States medical schools.

''(2) FAILURE TO RELEASE INFORMATION.—The failure of an institution outside the United States to provide, release, or authorize release to the Secretary of such information as may be required by subsection (a)(2) shall render such institution ineligible for the purpose of part B of title IV.''.

(b) RESTRICTIONS ON FUNDS FOR FOR-PROFIT SCHOOLS.—Part B of title I is amended by inserting after section 122 (20 U.S.C. 1011k) the following new section:

''SEC. 123. RESTRICTIONS ON FUNDS FOR FOR-PROFIT SCHOOLS.

''(a) IN GENERAL.—Notwithstanding any other provision of this Act authorizing the use of funds by an institution of higher education that receives funds under this Act, none of the funds made available under this Act to a for-profit institution of higher education may be used for—

''(1) construction, maintenance, renovation, repair, or improvement of classrooms, libraries, laboratories, or other facilities;

''(2) establishing, improving, or increasing an endowment fund; or

''(3) establishing or improving an institutional development office to strengthen or improve contributions from alumni and the private sector.

''(b) EXCEPTION.—Subsection (a) shall not apply to funds received by the institution from the grant, loan, or work assistance that is awarded under title IV to the students attending such institution.

''(c) INELIGIBILITY FOR CERTAIN PROGRAMS.—Notwithstanding section 101, a for-

profit institution of higher education shall not be considered an eligible institution for the programs under titles III and V of this Act.''.

(c) CONFORMING AMENDMENTS.—

(1) Section 114(a) (20 U.S.C. 1011c(a)) is amended by striking ''(as defined in section 102)''.

(2) Section 435(a)(1) (20 U.S.C. 1085(a)(1)) is amended by striking ''section 102'' and inserting ''section 101''.

(3) Subsection (d) of section 484 (20 U.S.C. 1091(d)) is amended by striking the designation and heading of such subsection and inserting the following:

''(d) SATISFACTION OF SECONDARY EDUCATION STANDARDS.—''.

(4) Section 486(b)(2) (20 U.S.C. 1093(b)(2)) is amended by striking ''102(a)(3)(A), 102(a)(3)(B)'' and inserting ''101(b)(4)(A), 101(b)(4)(B)''.

(5) Section 487(c)(1)(A)(iii) (20 U.S.C. 1094(c)(1)(A)(iii)) is amended by striking ''section 102(a)(1)(C)'' and inserting ''section 102''.

(6) Section 487(d) (20 U.S.C. 1094(d)) is amended by striking ''section 102'' and inserting ''section 101''.

(7) Subsections (j) and (k) of section 496 (20 U.S.C. 1099b(j), (k)) are each amended by striking ''section 102'' and inserting ''section 101''.

(8) Section 498(g)(3) (20 U.S.C. 1099c(g)(3)) is amended by striking ''section 102(a)(1)(C)'' and inserting ''section 102''.

(9) Section 498(i)(1) (20 U.S.C. 1099c(i)(1)) is amended by striking ''section 102'' and inserting ''section 101''.

(10) Section 498(j)(1) (20 U.S.C. 1099c) is amended by striking ''except that such branch shall not be required to meet the requirements of sections 102(b)(1)(E) and 102(c)(1)(C) prior to seeking such certification'' and inserting ''except that such branch shall not be required to be in existence for at least 2 years prior to seeking such certification''.

(11) Section 498B(b) (20 U.S.C. 1099c–2(b)) is amended by striking ''section 102(a)(1)(C)'' and inserting ''section 102''.

(d) EFFECT ON OTHER LAWS.—

(1) INCLUSION OF FOR-PROFIT INSTITUTIONS IN DEFINITION.—The inclusion of proprietary and for-profit institutions within the definition of the term ''institution of higher education''' in section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001) pursuant to the amendment made by subsection (a) of this section shall not apply to any other provision of law (other than the Higher Education Act of 1965) enacted before the date of enactment of this Act that references section 101 of the Higher Education Act of 1965 (or that term as so defined), except as expressly provided by an amendment to, or other revision of the application of, such law enacted after such date of enactment.

(2) INCLUSION OF FOR-PROFIT INSTITUTIONS AS TITLE III OR V ELIGIBLE INSTITUTION.—Any reference in any provision of law other than the Higher Education Act of 1965 to institutions of higher education that are eligible to participate in programs under title III or V of such Act (20 U.S.C. 1051 et. seq., 1101 et seq.) shall not be treated, as a consequence of the amendment to section 101 of the Higher Education Act of 1965 (20 U.S.C. 1001) by subsection (a) of this section, as including a reference to a for-profit or proprietary institution of higher education, except as expressly provided by an amendment to, or other revision of the application of, such law enacted after such date of enactment.

SEC. 102. NEW BORROWER DEFINITION.

Paragraph (7) of section 103 (20 U.S.C. 1003) is amended to read as follows:

''(7) NEW BORROWER.—The term 'new borrower' when used with respect to any date for any loan under any provision of—

''(A) part B or part D of title IV means an individual who on that date has no outstanding balance of principal or interest owing on any loan made, insured, or guaranteed under either of those parts; and

''(B) part E of title IV means an individual who on that date has no outstanding balance of principal or interest owing on any loan made under that part.''.

SEC. 103. STUDENT SPEECH AND ASSOCIATION RIGHTS.

Section 112 (20 U.S.C. 1011a) is amended—

(1) by amending subsection (a) to read as follows:

''(a) PROTECTION OF RIGHTS.—

''(1) It is the sense of Congress that no student attending an institution of higher education on a full- or part-time basis should, on the basis of participation in protected speech or protected association, be excluded from participation in, be denied the benefits of, or be subjected to discrimination or official sanction under any education program, activity, or division of the institution directly or indirectly receiving financial assistance under this Act, whether or not such program, activity, or division is sponsored or officially sanctioned by the institution; and

''(2) It is the sense of Congress that—

''(A) the diversity of institutions and educational missions is one of the key strengths of American higher education;

''(B) individual colleges and universities have different missions and each institution should design its academic program in accordance with its educational goals;

''(C) within the context of its institutional mission, a college should promote intellectual pluralism and facilitate the free and open exchange of ideas;

''(D) students should not be intimidated, harassed, discouraged from speaking out, discriminated against, or subject to official sanction because of their personal political, ideological, or religious beliefs; and

''(E) students should be treated equally and fairly, including evaluation and grading, without regard to or consideration of their personal political views or ideological beliefs.

''(3) Nothing in paragraph (2) shall be construed to modify, change, or infringe upon any constitutionally protected religious liberty, freedom, expression, or association.''; and

(2) in subsection (b)(1), by inserting after ''higher education'' the following: '', if the imposition of such sanction is done objectively, fairly, and without regard to the student's personal political, ideological, or religious beliefs''.

SEC. 104. NATIONAL ADVISORY COMMITTEE ON INSTITUTIONAL QUALITY AND INTEGRITY.

(a) MEMBERSHIP.—Section 114(b) (20 U.S.C. 1011c(b)) is amended by adding at the end the following new sentence: ''A member of the Committee may continue to serve after the expiration of a term until a successor has been appointed.''.

(b) EXTENSION.—Section 114(g) (20 U.S.C. 1011c(g)) is amended by striking ''2004'' and inserting ''2012''.

SEC. 105. ALCOHOL AND DRUG ABUSE PREVENTION.

Section 120(e)(5) (20 U.S.C. 1011i(e)(5)) is amended—

(1) by striking ''1999'' and inserting ''2006''; and

(2) by striking ''4 succeeding fiscal years'' and inserting ''5 succeeding fiscal years''.

SEC. 106. PRIOR RIGHTS AND OBLIGATIONS.

Section 121(a) (20 U.S.C. 1011j(a)) is amended by striking ''1999 and for each of the 4'' each place it appears and inserting ''2006 and for each of the 5''.

SEC. 107. LIMITATION ON CERTAIN USES OF FUNDS.

Part B of title I is further amended by adding after section 123 (as added by section 101(b) of this Act) the following new section:

''SEC. 124. LIMITATION ON CERTAIN USES OF FUNDS.

''No funds made available to carry out this Act may be used—

''(1) for publicity or propaganda purposes not authorized by the Congress before the date of enactment of the College Access and Opportunity Act of 2006; or

''(2) unless authorized by law in effect on such date of enactment, to produce any prepackaged news story intended for broadcast or distribution unless such story includes a clear a notification contained within the text or audio of such story stating that the prepackaged news story was prepared or funded by the Department of Education.''.

SEC. 108. CONSUMER INFORMATION AND PUBLIC ACCOUNTABILITY IN HIGHER EDUCATION.

Section 131 (20 U.S.C. 1015) is amended to read as follows:

''SEC. 131. CONSUMER INFORMATION AND PUBLIC ACCOUNTABILITY IN HIGHER EDUCATION.

''(a) PURPOSE.—It is the purpose of this section to—

''(1) provide students and families with an easy-to-use, comprehensive web-based tool for researching and comparing institutions of higher education;

''(2) increase the transparency of college cost, price, and financial aid; and

''(3) raise public awareness of information available about postsecondary education, particularly among low-income families, non-traditional student populations, and first-generation college students.

''(b) COLLEGE OPPORTUNITY ON-LINE (COOL) WEBSITE RE-DESIGN PROCESS.—In carrying out this section, the Secretary—

''(1) shall identify the data elements that are of greatest importance to prospective students, enrolled students, and their families, paying particular attention to low-income, non-traditional student populations, and first-generation college students;

''(2) shall convene a group of individuals with expertise in the collection and reporting of data related to institutions of higher education, the measurement of institutional compliance costs, consumer use of data related to institutions of higher education, general consumer marketing, and college intervention services to—

''(A) determine the relevance of particular data elements to prospective students, enrolled students, and families;

''(B) assess the cost-effectiveness of various ways in which institutions of higher education might produce the data desired by consumers;

''(C) determine the general comparability of the data across institutions of higher education;

''(D) make recommendations regarding the inclusion of specific data items and the most effective and least burdensome methods to institutions of higher education of collecting and reporting useful data; and

''(3) shall assure that the redesigned COOL website—

''(A) uses, to the extent practicable, data elements currently provided by institutions of higher education to the Secretary;

''(B) includes clear and uniform information determined to be relevant to prospective students, enrolled students, and families;

''(C) provides comparable information, by assuring that data is based on accepted criteria and common definitions;

''(D) includes a sorting function that permits users to customize their search for and comparison of institutions of higher education based on the information identified through the process as prescribed in paragraph (1) as being of greatest relevance to choosing an institution of higher education.

''(c) DATA COLLECTION.—

''(1) DATA SYSTEM.—The Secretary shall continue to redesign the relevant parts of the Integrated Postsecondary Education Data System to include additional data as required by this section and to continue to improve the usefulness and timeliness of data collected by such systems in order to inform consumers about institutions of higher education.

''(2) COLLEGE CONSUMER PROFILE.—The Secretary shall publish, for each academic year and in accordance with standard definitions developed by the Commissioner of Education Statistics (including definitions developed under section 131(a)(3)(A) as in effect on the day before the date of enactment of the College Access and Opportunity Act of 2006), from at least all institutions of higher education participating in programs under title IV the following information:

''(A) The tuition and fees charged for a first-time, full-time undergraduate student.

''(B) The room and board charges for such a student.

''(C) The cost of attendance for a first-time, full-time undergraduate student, consistent with the provisions of section 472.

''(D) The average amount of financial assistance received by a first-time full-time undergraduate student, including—

''(i) each type of assistance or benefits described in 428(a)(2)(C)(ii);

''(ii) institutional and other assistance; and

''(iii) Federal loans under parts B, D, and E of title IV.

''(E) The number of first-time, full-time students receiving financial assistance described in each clause of subparagraph (D).

''(F) The average net price for first-time, full-time students receiving Federal, State, or institutional grant or loan assistance.

''(G) The institutional instructional expenditure per full-time equivalent student.

''(H) Student enrollment information, including information on the number and percentage of full-time and part-time students, the number and percentage of resident and non-resident students.

''(I) Faculty/student ratios.

''(J) Faculty information, including the total number of faculty and the percentage of faculty who are full-time employees of the institution and the percentage who are part-time.

''(K) Completion and graduation rates, identifying whether the completion or graduation rates are from a 2-year or 4-year program of instruction and, in the case of a 2-year program of instruction, the percentage of students who transfer to 4-year institutions prior or subsequent to completion or graduation.

''(L) A link to the institution of higher education with information of interest to students including mission, accreditation, student services (including services for students with disabilities), transfer of credit policies and, if appropriate, placement rates and other measures of success in preparing students for entry into or advancement in the workforce.

''(M) Any additional information that the Secretary may require.

''(d) DATA DISSEMINATION.—The Secretary shall make available, at a minimum, the data collected pursuant to this section, including an institution's college affordability index as calculated in accordance with subsection (e). Such data shall be made available in a manner that permits the review and comparison of data submissions of individual institutions of higher education. Such data shall be presented in a form that is easily accessible and understandable and allows parents and students to make informed decisions based on the prices for typical full-time undergraduate students and the institution's rate of cost increase. The Secretary shall work with public and private entities to promote broad public awareness, particularly among middle and high school students and their families, of the information made available under this section, including by distribution to students who participate in or receive benefits from Federally funded education programs and other Federal programs determined by the Secretary.

''(e) COLLEGE AFFORDABILITY INDEX.—

''(1) IN GENERAL.—The Secretary shall, on the basis of the data submitted under subsection (a), calculate a college affordability index for each institution of higher education submitting such data and shall make the index available in accordance with subsection (d) as soon as operationally possible on the Department's college opportunity online Web site. Such index shall be presented in a manner so that the index for any institution is stated in a column or cell immediately adjacent to a column or cell containing the total tuition and fees of the institution.

''(2) CALCULATION OF INDEX.—The college affordability index shall be equal to—

''(A) the percentage increase in the tuition and fees charged for a first-time, full-time, full-year undergraduate student between the first of the 3 most recent preceding academic years and the last of those 3 academic years; divided by

''(B) the percentage increase in the Consumer Price Index—All Urban Consumers (Current Series) from July of the first of those 3 academic years to July of the last of those 3 academic years.

''(f) OUTCOMES AND ACTIONS.—

''(1) RESPONSE FROM INSTITUTION.—Effective on June 30, 2009, an institution that has a college affordability index that exceeds 2.0 for any 3-year interval ending on or after that date shall provide a report to the Secretary, in such a form, at such time, and containing such information as the Secretary may require. Such report shall include—

''(A) an explanation of the factors contributing to the increase in the institution's costs and in the tuition and fees charged to students;

''(B) a management plan stating the specific steps the institution is and will be taking to reduce its college affordability index;

''(C) an action plan, including a schedule, by which the institution will reduce increases in or stabilize, such costs and tuition and fees; and

''(D) if determinations of tuition and fee increases are not within the exclusive control of the institution, a description of the agency or instrumentality of State government or other entity that participates in such determinations and the authority exercised by such agency, instrumentality, or entity.

''(2) INFORMATION TO THE PUBLIC.—Upon receipt of the institution's report and management plan under paragraph (1), the Secretary shall make the institution's report required under paragraph (1) available to the public in accordance with subsection (b).

''(3) QUALITY-EFFICIENCY TASK FORCES.—

''(A) REQUIRED.—Each institution subject to paragraph (1) that has a college affordability index that is in the highest 25 percent of such indexes of all institutions subject to paragraph (1) shall establish a quality-efficiency task force to review the operations of such institution.

''(B) MEMBERSHIP.—Such task force shall include administrators and business and civic leaders and may include faculty, students, trustees, parents of students, and alumni of such institution.

''(C) FUNCTIONS.—Such task force shall analyze institutional operating costs in comparison with such costs at other institutions within the class of institutions. Such analysis should identify areas where, in comparison with other institutions in such class, the institution operates more expensively to produce a similar result. Any identified areas should then be targeted for in-depth analysis for cost reduction opportunities.

''(D) REPORT.—The results of the analysis by a quality-efficiency task force under this paragraph shall be included in the report to the Secretary under paragraph (1).

''(4) CONSEQUENCES FOR 2-YEAR CONTINUATION OF FAILURE.—If the Secretary determines that the institution has failed to comply with the management plan and action plan submitted by the institution under this subsection following the next 2 academic years that begin after the submission of such plans, and has failed to reduce the college affordability index below 2.0 for such 2 academic years, the Secretary—

''(A) shall make available to the public a detailed report provided by the institution on all costs and expenditures, and on all tuition and fees charged to students, for such 2 academic years;

''(B) shall place the institution on an affordability alert status and shall make the information regarding the institution's failure available in accordance with subsection (d);

''(C) shall notify the institution's accrediting agency of the institution's failure; and

''(D) may require the institution to submit to a review and audit by the Inspector General of the Department of Education to determine the cause of the institution's failure.

''(5) INFORMATION TO STATE AGENCIES.—Any institution that reports under paragraph (1)(C) that an agency or instrumentality of State government or other entity participates in the determinations of tuition and fee increases shall, prior to submitting any information to the Secretary under this subsection, submit such information to, and request the comments and input of, such agency, instrumentality, or entity. With respect to any such institution, the Secretary shall provide a copy of any communication by the Secretary with that institution to such agency, instrumentality, or entity.

''(6) EXEMPTIONS.—

''(A) RELATIVE PRICE EXEMPTION.—The Secretary shall, for any 3-year interval for which college affordability indexes are computed under paragraph (1), determine and publish the dollar amount that, for each class of institution described in paragraph (7) represents the maximum tuition and fees charged for a full-time undergraduate student in the least costly quartile of institutions within each such class during the last year of such 3-year interval. An institution that has a college affordability index computed under paragraph (1) that exceeds 2.0 for any such 3-year interval, but that, on average during such 3-year interval, charges less than such maximum tuition and fees shall not be subject to the actions required by subparagraph (B) or (C) of paragraph (1), or any action under paragraph (4), unless such institution, for a subsequent 3-year interval, charges more than such maximum tuition and fees.

''(B) DOLLAR INCREASE EXEMPTION.—An institution that has a college affordability index computed under paragraph (1) that exceeds 2.0 for any 3-year interval, but that exceeds such 2.0 by a dollar amount that is less

than $500, shall not be subject to the actions required by subparagraph (B) or (C) of paragraph (1), or any action under paragraph (4), unless such institution has a college affordability index for a subsequent 3-year interval that exceeds 2.0 by more than such dollar amount.

''(7) CLASSES OF INSTITUTIONS.—For purposes of this subsection, the classes of institutions shall be those sectors used by the Integrated Postsecondary Education Data System, based on whether the institution is public, nonprofit private, or for-profit private, and whether the institution has a 4-year, 2-year, or less than 2-year program of instruction.

''(g) FINES.—In addition to actions authorized in section 487(c), the Secretary may impose a fine in an amount not to exceed $25,000 on an institution of higher education for failing to provide the information described in this section in a timely and accurate manner, or for failing to otherwise cooperate with the National Center for Education Statistics regarding efforts to obtain data on the cost and price of higher education under this section and pursuant to the program participation agreement entered into under section 487.

''(h) GAO STUDY AND REPORT.—

''(1) GAO STUDY.—The Comptroller General shall conduct a study of the policies and procedures implemented by institutions in increasing the affordability of postsecondary education. Such study shall include information with respect to—

''(A) a list of those institutions that—

''(i) have reduced their college affordability indexes; or

''(ii) are, as determined under subsection (f)(6)(A), within the least costly quartile of institutions within each class described in subsection (f)(7);

''(B) policies implemented to stem the increase in tuition and fees and institutional costs;

''(C) the extent to which room and board costs and prices changed;

''(D) the extent to which other services were altered to affect tuition and fees;

''(E) the extent to which the institution's policies affected student body demographics and time to completion;

''(F) what, if any, operational factors played a role in reducing tuition and fees;

''(G) the extent to which academic quality was affected, and how;

''(H) the extent to which policies and practices reducing costs and prices may be replicated from one institution to another; and

''(I) other information as necessary to determine best practices in increasing the affordability of postsecondary education.

''(2) INTERIM AND FINAL REPORTS.—The Comptroller General shall submit an interim and a final report regarding the findings of the study required by paragraph (1) to the appropriate authorizing committees of Congress. The interim report shall be submitted not later than July 31, 2011, and the final report shall be submitted not later than July 31, 2013.

''(i) STUDENT AID RECIPIENT SURVEY.—

''(1) SURVEY REQUIRED.—The Secretary shall conduct a survey of student aid recipients under title IV on a regular cycle and State-by-State basis, but not less than once every 4 years—

''(A) to identify the population of students receiving Federal student aid;

''(B) to describe the income distribution and other socioeconomic characteristics of federally aided students;

''(C) to describe the combinations of aid from State, Federal, and private sources received by students from all income groups;

''(D) to describe the debt burden of educational loan recipients and their capacity to repay their education debts, and the impact of such debt burden on career choices;

''(E) to describe the role played by the price of postsecondary education in the determination by students of what institution to attend; and

''(F) to describe how the increased costs of textbooks and other instructional materials affects the costs of postsecondary education to students.

''(2) SURVEY DESIGN.—The survey shall be representative of full-time and part-time, undergraduate, graduate, and professional and current and former students in all types of institutions, and designed and administered in consultation with the Congress and the postsecondary education community.

''(3) DISSEMINATION.—The Secretary shall disseminate the information resulting from the survey in both printed and electronic form.

''(j) REGULATIONS.—The Secretary is authorized to issue such regulations as may be necessary to carry out the provisions of this section.''.

SEC. 109. DATABASES OF STUDENT INFORMATION.

Part C of title I is further amended by adding at the end the following new section:

''SEC. 132. DATABASES OF STUDENT INFORMATION PROHIBITED.

''(a) PROHIBITION.—Except as described in (b), nothing in this Act shall be construed to authorize the design, development, creation, implementation, or maintenance of a nationwide database of personally identifiable information on individuals receiving assistance, attending institutions receiving assistance, or otherwise involved in any studies or other collections of data under this Act, including a student unit record system, an education bar code system, or any other system that tracks individual students over time.

''(b) EXCEPTION.—The provisions of subsection (a) shall not affect the loan obligation enforcement activities described in section 485B of this Act.''.

SEC. 110. PERFORMANCE-BASED ORGANIZATION.

Section 141 (20 U.S.C. 1018) is amended—

(1) in subsection (a)(2)(B)—

(A) by inserting ''unit'' after ''to reduce the''; and

(B) by inserting ''and, to the extent practicable, the total costs of administering those programs'' after ''those programs'';

(2) in subsection (c)—

(A) in paragraph (1)(A), by striking ''Each year'' and inserting ''Each fiscal year'';

(B) in paragraph (1)(B), by inserting ''secondary markets, guaranty agencies,'' after ''lenders,''; and

(C) in paragraph (2)(B), by striking ''Chief Financial Officer Act of 1990 and'' and inserting ''Chief Financial Officers Act of 1990,'' and by inserting before the period at the end the following: '', and other relevant statutes''; and

(3) in subsection (f)(3)(A), by striking ''paragraph (1)(A)'' and inserting ''paragraph (1)''.

TITLE II—TEACHER PREPARATION

SEC. 201. TEACHER QUALITY ENHANCEMENT GRANTS.

Part A of title II (20 U.S.C. 1021 et seq.) is amended to read as follows:

''PART A—TEACHER QUALITY ENHANCEMENT GRANTS FOR STATES AND PARTNERSHIPS

''SEC. 201. PURPOSES; DEFINITIONS.

''(a) PURPOSES.—The purposes of this part are to—

''(1) improve student academic achievement;

''(2) improve the quality of the current and future teaching force by improving the preparation of prospective teachers and enhancing professional development activities;

''(3) hold institutions of higher education accountable for preparing highly qualified teachers; and

''(4) recruit qualified individuals, including minorities and individuals from other occupations, into the teaching force.

''(b) DEFINITIONS.—In this part:

''(1) ARTS AND SCIENCES.—The term 'arts and sciences' means—

''(A) when referring to an organizational unit of an institution of higher education, any academic unit that offers one or more academic majors in disciplines or content areas corresponding to the academic subject matter areas in which teachers provide instruction; and

''(B) when referring to a specific academic subject matter area, the disciplines or content areas in which academic majors are offered by the arts and science organizational unit.

''(2) EXEMPLARY TEACHER.—The term 'exemplary teacher' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

''(3) HIGHLY QUALIFIED.—The term 'highly qualified' when used with respect to an individual means that the individual is highly qualified as determined under section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) or section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401).

''(4) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term 'high-need local educational agency' means a local educational agency—

''(A)(i)(I) that serves not fewer than 10,000 children from families with incomes below the poverty line; or

''(II) for which not less than 25 percent of the children served by the agency are from families with incomes below the poverty line;

''(ii) that is among those serving the highest number or percentage of children from families with incomes below the poverty line in the State, but this clause applies only in a State that has no local educational agency meeting the requirements of clause (i); or

''(iii) with a total of less than 600 students in average daily attendance at the schools that are served by the agency and all of whose schools are designated with a school locale code of 7, as determined by the Secretary; and

''(B)(i) for which there is a high percentage of teachers not teaching in the academic subjects or grade levels that the teachers were trained to teach; or

''(ii) for which there is a high percentage of teachers with emergency, provisional, or temporary certification or licensing.

''(5) POVERTY LINE.—The term 'poverty line' means the poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Community Services Block Grant Act (42 U.S.C. 9902(2))) applicable to a family of the size involved.

''(6) PROFESSIONAL DEVELOPMENT.—The term 'professional development' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

''(7) SCIENTIFICALLY BASED READING RESEARCH.—The term 'scientifically based reading research' has the meaning given such term in section 1208 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368).

''(8) SCIENTIFICALLY BASED RESEARCH.—The term 'scientifically based research' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

''(9) TEACHING SKILLS.—The term 'teaching skills' means skills that—

''(A) are based on scientifically based research;

''(B) enable teachers to effectively convey and explain subject matter content;

''(C) lead to increased student academic achievement; and

''(D) use strategies that—

''(i) are specific to subject matter;

''(ii) include ongoing assessment of student learning;

''(iii) focus on identification and tailoring of academic instruction to students's specific learning needs; and

''(iv) focus on classroom management.

''SEC. 202. STATE GRANTS.

''(a) IN GENERAL.—From amounts made available under section 210(1) for a fiscal year, the Secretary is authorized to award grants under this section, on a competitive basis, to eligible States to enable the eligible States to carry out the activities described in subsection (d).

''(b) ELIGIBLE STATE.—

''(1) DEFINITION.—In this part, the term 'eligible State' means—

''(A) the Governor of a State; or

''(B) in the case of a State for which the constitution or law of such State designates another individual, entity, or agency in the State to be responsible for teacher certification and preparation activity, such individual, entity, or agency.

''(2) CONSULTATION.—The Governor or the individual, entity, or agency designated under paragraph (1)(B) shall consult with the Governor, State board of education, State educational agency, State agency for higher education, or State agency responsible for early childhood education and programs, as appropriate, with respect to the activities assisted under this section.

''(3) CONSTRUCTION.—Nothing in this subsection shall be construed to negate or supersede the legal authority under State law of any State agency, State entity, or State public official over programs that are under the jurisdiction of the agency, entity, or official.

''(c) APPLICATION.—To be eligible to receive a grant under this section, an eligible State shall submit an application to the Secretary that—

''(1) meets the requirement of this section;

''(2) demonstrates that the State is in full compliance with sections 207 and 208;

''(3) includes a description of how the eligible State intends to use funds provided under this section;

''(4) includes measurable objectives for the use of the funds provided under the grant;

''(5) demonstrates the State has submitted and is actively implementing a plan that meets the requirements of sections 1111(h)(1)(C)(viii) and 1119 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(h)(1)(C)(viii) and 6319); and

''(6) contains such other information and assurances as the Secretary may require.

''(d) USES OF FUNDS.—An eligible State that receives a grant under this section shall use the grant funds to reform teacher preparation requirements, to coordinate with State activities under section 2113(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6613(c)), and to ensure that current and future teachers are highly qualified, by carrying out one or more of the following activities:

''(1) REFORMS.—Ensuring that all teacher preparation programs in the State are preparing teachers who are highly qualified, are able to understand scientifically based research and its applicability, and are able to use advanced technology effectively in the classroom, including use for instructional techniques to improve student academic achievement, by assisting such programs—

''(A) to retrain faculty; and

''(B) to design (or redesign) teacher preparation programs so they—

''(i) are based on rigorous academic content, scientifically based research (including scientifically based reading research), and challenging State student academic content standards; and

''(ii) promote strong teaching skills.

''(2) CERTIFICATION OR LICENSURE REQUIREMENTS.—Reforming teacher certification (including recertification) or licensing requirements to ensure that—

''(A) teachers have the subject matter knowledge and teaching skills in the academic subjects that the teachers teach that are necessary to help students meet challenging State student academic achievement standards; and

''(B) such requirements are aligned with challenging State academic content standards.

''(3) ALTERNATIVES TO TRADITIONAL TEACHER PREPARATION AND STATE CERTIFICATION.—Providing prospective teachers with alternative routes to State certification and traditional preparation to become highly qualified teachers through—

''(A) innovative approaches that reduce unnecessary barriers to State certification while producing highly qualified teachers, which may include articulation agreements between institutions of higher education;

''(B) programs that provide support to teachers during their initial years in the profession; and

''(C) alternative routes to State certification of teachers for qualified individuals, including mid-career professionals from other occupations, former military personnel, and recent college graduates with records of academic distinction.

''(4) INNOVATIVE PROGRAMS.—Planning and implementing innovative programs to enhance the ability of institutions of higher education to prepare highly qualified teachers, such as charter colleges of education or university and local educational agency partnership schools, that—

''(A) permit flexibility in meeting State requirements as long as graduates, during their initial years in the profession, increase student academic achievement;

''(B) provide long-term data gathered from teachers' performance over multiple years in the classroom on the ability to increase student academic achievement;

''(C) ensure high-quality preparation of teachers from underrepresented groups; and

''(D) create performance measures that can be used to document the effectiveness of innovative methods for preparing highly qualified teachers.

''(5) MERIT PAY.—Developing, or assisting local educational agencies in developing—

''(A) merit-based performance systems that reward teachers who increase student academic achievement; and

''(B) strategies that provide differential and bonus pay in high-need local educational agencies to retain—

''(i) principals;

''(ii) highly qualified teachers who teach in high-need academic subjects, such as reading, mathematics, and science;

''(iii) highly qualified teachers who teach in schools identified for school improvement under section 1116(b) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6316(b));

''(iv) special education teachers;

''(v) teachers specializing in teaching limited English proficient children; and

''(vi) highly qualified teachers in urban and rural schools or districts.

''(6) TEACHER ADVANCEMENT.—Developing, or assisting local educational agencies in developing, teacher advancement and retention initiatives that promote professional growth and emphasize multiple career paths (such as paths to becoming a highly qualified mentor teacher or exemplary teacher) and pay differentiation.

''(7) TEACHER REMOVAL.—Developing and implementing effective mechanisms to ensure that local educational agencies and schools are able to remove expeditiously incompetent or unqualified teachers consistent with procedures to ensure due process for the teachers.

''(8) TECHNICAL ASSISTANCE.—Providing technical assistance to low-performing teacher preparation programs within institutions of higher education identified under section 208(a).

''(9) TEACHER EFFECTIVENESS.—Developing—

''(A) systems to measure the effectiveness of teacher preparation programs and professional development programs; and

''(B) strategies to document gains in student academic achievement or increases in teacher mastery of the academic subjects the teachers teach as a result of such programs.

''(10) TEACHER RECRUITMENT AND RETENTION.—Undertaking activities that—

''(A) develop and implement effective mechanisms to ensure that local educational agencies and schools are able effectively to recruit and retain highly qualified teachers; or

''(B) are described in section 204(d).

''(11) EARLY CHILDHOOD EDUCATOR.—Developing strategies—

''(A) to improve the qualifications of preschool teachers, which may include State certification for such teachers;

''(B) to improve and expand preschool teacher preparation programs; and

''(C) to reduce unnecessary burdens to the attainment of a bachelor's degree in early childhood education and increase the number of bilingual early childhood educators, which may include developing articulation agreements between institutions of higher education.

''(12) GIFTED AND TALENTED STUDENTS.—Incorporating the learning needs of gifted and talented students into the activities described in paragraph (1), (2), or (3) in order to ensure that new teachers possess the basic knowledge and skills necessary to meet the educational needs of gifted and talented students.

''(13) NEW-TEACHER MENTORING ON THE NEEDS OF GIFTED AND TALENTED STUDENTS.—Establishing or expanding new-teacher mentoring and assessment programs (including induction and evaluation programs) that are a part of a licensure process which is designed to demonstrate that new teachers possess basic knowledge of the classroom indicators of giftedness, are able to identify student learning differences among gifted students, and are able to provide instruction to accommodate such differences.

''(14) SPECIAL EDUCATION, MATH, AND SCIENCE FACULTY.—Supporting the development of new special education, math, and science faculty positions in institutions of higher education dedicated to the preparation of highly qualified special education, math, and science teachers (as defined by section 9101 of the Elementary and Secondary Education Act or section 602 of the Individuals with Disabilities Education Act), with matching funds from institutions of higher education and a commitment to continue new faculty positions when Federal funding ends.

''(15) SUBJECT AREA EVALUATION.—Assessing the performance of teacher preparation

programs within institutions of higher education in the State using an assessment which provides comparisons across such schools in the State based upon indicators including teacher candidate knowledge in subject areas in which such candidate has been prepared to teach. Such information shall be made publicly available and widely disseminated.

''(e) EVALUATION.—

''(1) EVALUATION SYSTEM.—An eligible State that receives a grant under this section shall develop and utilize a system to evaluate annually the effectiveness of teacher preparation programs and professional development activities within the State in producing gains in—

''(A) the teacher's annual contribution to improving student academic achievement, as measured by State academic assessments required under section 1111(b)(3) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6311(b)(3)); and

''(B) teacher mastery of the academic subjects they teach, as measured by pre- and post-participation tests of teacher knowledge, as appropriate.

''(2) USE OF EVALUATION SYSTEM.—Such evaluation system shall be used by the State to evaluate—

''(A) activities carried out using funds provided under this section; and

''(B) the quality of its teacher education programs.

''(3) PUBLIC REPORTING.—The State shall make the information described in paragraph (1) widely available through public means, such as posting on the Internet, distribution to the media, and distribution through public agencies.

''SEC. 203. PARTNERSHIP GRANTS.

''(a) GRANTS.—From amounts made available under section 210(2) for a fiscal year, the Secretary is authorized to award grants under this section, on a competitive basis, to eligible partnerships to enable the eligible partnerships to carry out the activities described in subsections (d) and (e).

''(b) DEFINITIONS.—

''(1) ELIGIBLE PARTNERSHIPS.—In this part, the term 'eligible partnership' means an entity that—

''(A) shall include—

''(i) a partner institution;

''(ii) a school of arts and sciences;

''(iii) a high-need local educational agency; and

''(iv) a public or private educational organization; and

''(B) may include a Governor, State educational agency, the State board of education, the State agency for higher education, an institution of higher education not described in subparagraph (A), a public charter school, a public or private elementary school or secondary school, a public or private educational organization, a business, a science-, mathematics-, or technology-oriented entity, a faith-based or community organization, a prekindergarten program, a teacher organization, an education service agency, a consortia of local educational agencies, or a nonprofit telecommunications entity.

''(2) PARTNER INSTITUTION.—In this section, the term 'partner institution' means an institution of higher education, the teacher training program of which demonstrates that—

''(A) graduates from the teacher training program exhibit strong performance on State-determined qualifying assessments for new teachers through—

''(i) demonstrating that the graduates of the program who intend to enter the field of teaching have passed all of the applicable State qualification assessments for new teachers, which shall include an assessment of each prospective teacher's subject matter knowledge in the content area or areas in which the teacher intends to teach; or

''(ii) being ranked among the highest-performing teacher preparation programs in the State as determined by the State—

''(I) using criteria consistent with the requirements for the State report card under section 207(a); and

''(II) using the State report card on teacher preparation required under section 207(a); or

''(B) the teacher training program requires all the students of the program to participate in intensive clinical experience, to meet high academic standards, and—

''(i) in the case of secondary school candidates, to successfully complete an academic major in the subject area in which the candidate intends to teach or to demonstrate competence through a high level of performance in relevant content areas; and

''(ii) in the case of elementary school candidates, to successfully complete an academic major in the arts and sciences or to demonstrate competence through a high level of performance in core academic subject areas.

''(c) APPLICATION.—Each eligible partnership desiring a grant under this section shall submit an application to the Secretary at such time, in such manner, and accompanied by such information as the Secretary may require. Each such application shall—

''(1) contain a needs assessment of all the partners with respect to teaching and learning and a description of how the partnership will coordinate with other teacher training or professional development programs, and how the activities of the partnership will be consistent with State, local, and other education reform activities that promote student academic achievement;

''(2) contain a resource assessment that describes the resources available to the partnership, the intended use of the grant funds, including a description of how the grant funds will be used in accordance with subsection (f), and the commitment of the resources of the partnership to the activities assisted under this part, including financial support, faculty participation, time commitments, and continuation of the activities when the grant ends;

''(3) contain a description of—

''(A) how the partnership will meet the purposes of this part;

''(B) how the partnership will carry out the activities required under subsection (d) and any permissible activities under subsection (e);

''(C) the partnership's evaluation plan pursuant to section 206(b);

''(D) how faculty of the teacher preparation program at the partner institution will serve, over the term of the grant, with highly qualified teachers in the classrooms of the high-need local educational agency included in the partnership;

''(E) how the partnership will ensure that teachers, principals, and superintendents in private elementary and secondary schools located in the geographic areas served by an eligible partnership under this section will participate equitably in accordance with section 9501 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7881);

''(F) how the partnership will design and implement a clinical program component that includes close supervision of student teachers by faculty of the teacher preparation program at the partner institution and mentor teachers;

''(G) how the partnership will design and implement an induction program to support all new teachers through the first 3 years of teaching that includes mentors who are trained and compensated by the partnership for their work with new teachers; and

''(H) how the partnership will collect, analyze, and use data on the retention of all teachers in schools located in the geographic areas served by the partnership to evaluate the effectiveness of its teacher support system; and

''(4) contain a certification from the high-need local educational agency included in the partnership that it has reviewed the application and determined that the grant proposed will comply with subsection (f).

''(d) REQUIRED USES OF FUNDS.—An eligible partnership that receives a grant under this section shall use the grant funds to reform teacher preparation requirements, to coordinate with State activities under section 2113(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6613(c)), and to ensure that current and future teachers are highly qualified, by carrying out one or more of the following activities:

''(1) REFORMS.—Implementing reforms within teacher preparation programs to ensure that such programs are preparing teachers who are highly qualified, are able to understand scientifically based research and its applicability, and are able to use advanced technology effectively in the classroom, including use for instructional techniques to improve student academic achievement, by—

''(A) retraining faculty; and

''(B) designing (or redesigning) teacher preparation programs so they—

''(i) are based on rigorous academic content, scientifically based research (including scientifically based reading research), and challenging State student academic content standards; and

''(ii) promote strong teaching skills.

''(2) CLINICAL EXPERIENCE AND INTERACTION.—Providing sustained and high-quality preservice and in-service clinical experience, including the mentoring of prospective teachers by exemplary teachers, substantially increasing interaction between faculty at institutions of higher education and new and experienced teachers, principals, and other administrators at elementary schools or secondary schools, and providing support for teachers, including preparation time and release time, for such interaction.

''(3) PROFESSIONAL DEVELOPMENT.—Creating opportunities for enhanced and ongoing professional development that improves the academic content knowledge of teachers in the subject areas in which the teachers are certified to teach or in which the teachers are working toward certification to teach, and that promotes strong teaching skills.

''(4) TEACHER PREPARATION.—Developing, or assisting local educational agencies in developing, professional development activities that—

''(A) provide training in how to teach and address the needs of students with different learning styles, particularly students with disabilities, limited English proficient students, gifted and talented students, and students with special learning needs; and

''(B) provide training in methods of—

''(i) improving student behavior in the classroom; and

''(ii) identifying early and appropriate interventions to help students described in subparagraph (A) learn.

''(e) ALLOWABLE USES OF FUNDS.—An eligible partnership that receives a grant under this section may use such funds to carry out the following activities:

''(1) ALTERNATIVES TO TRADITIONAL TEACHER PREPARATION AND STATE CERTIFICATION.—Providing prospective teachers with alternative routes to State certification and traditional preparation to become highly qualified teachers through—

''(A) innovative approaches that reduce unnecessary barriers to teacher preparation producing highly qualified teachers, which may include articulation agreements between institutions of higher education;

''(B) programs that provide support during a teacher's initial years in the profession; and

''(C) alternative routes to State certification of teachers for qualified individuals, including mid-career professionals from other occupations, former military personnel, and recent college graduates with records of academic distinction.

''(2) DISSEMINATION AND COORDINATION.—Broadly disseminating information on effective practices used by the partnership, and coordinating with the activities of the Governor, State board of education, State higher education agency, and State educational agency, as appropriate.

''(3) MANAGERIAL AND LEADERSHIP SKILLS.—Developing and implementing professional development programs for principals and superintendents that enable them to be effective school leaders and prepare all students to meet challenging State academic content and student academic achievement standards.

''(4) TEACHER RECRUITMENT.—Activities—

''(A) to encourage students to become highly qualified teachers, such as extracurricular enrichment activities; and

''(B) activities described in section 204(d).

''(5) CLINICAL EXPERIENCE IN SCIENCE, MATHEMATICS, AND TECHNOLOGY.—Creating opportunities for clinical experience and training, by participation in the business, research, and work environments with professionals, in areas relating to science, mathematics, and technology for teachers and prospective teachers, including opportunities for use of laboratory equipment, in order for the teacher to return to the classroom for at least 2 years and provide instruction that will raise student academic achievement.

''(6) COORDINATION WITH COMMUNITY COLLEGES.—Coordinating with community colleges to implement teacher preparation programs, including through distance learning or articulation agreements, for the purposes of allowing prospective teachers—

''(A) to attain a bachelor's degree and State certification or licensure; and

''(B) to become highly qualified teachers.

''(7) TEACHER MENTORING.—Establishing or implementing a teacher mentoring program that—

''(A) includes minimum qualifications for mentors;

''(B) provides training and stipends for mentors;

''(C) provides mentoring programs for teachers in their first 3 years of teaching;

''(D) provides regular and ongoing opportunities for mentors and mentees to observe each other's teaching methods in classroom settings during the school day;

''(E) establishes an evaluation and accountability plan for activities conducted under this paragraph that includes rigorous objectives to measure the impact of such activities; and

''(F) provides for a report to the Secretary on an annual basis regarding the partnership's progress in meeting the objectives described in subparagraph (E).

''(8) COMPUTER SOFTWARE FOR MULTILINGUAL EDUCATION.—Training teachers to use computer software for multilingual education to address the needs of limited English proficient students.

''(9) GIFTED AND TALENTED STUDENTS.—Increasing the knowledge and skills of preservice teachers participating in activities under subsection (d) in the educational and related needs of gifted and talented students by, among other strategies, infusing teacher coursework with units on the characteristics of high-ability learners, using assessments to identify preexisting knowledge and skills among students, and developing teaching strategies that are driven by the learner's progress.

''(10) REDUCING THE SHORTAGE OF HIGHLY QUALIFIED SPECIAL EDUCATION, MATH, AND SCIENCE TEACHERS.—Increasing the number of highly qualified special education, math, and science teachers (as defined by section 9101 of the Elementary and Secondary Education Act or section 602 of the Individuals with Disabilities Education Act) through such activities as recruitment, scholarships for tuition, and new teacher mentoring.

''(f) SPECIAL RULE.—At least 50 percent of the funds made available to an eligible partnership under this section shall be used directly to benefit the high-need local educational agency included in the partnership. Any entity described in subsection (b)(1)(A) may be the fiscal agent under this section.

''(g) CONSTRUCTION.—Nothing in this section shall be construed to prohibit an eligible partnership from using grant funds to coordinate with the activities of more than one Governor, State board of education, State educational agency, local educational agency, or State agency for higher education.

''(h) SUPPLEMENT, NOT SUPPLANT.—Funds made available under this section shall be used to supplement, and not supplant, other Federal, State, and local funds that would otherwise be expended to carry out the purposes of this section.

''SEC. 204. TEACHER RECRUITMENT GRANTS.

''(a) PROGRAM AUTHORIZED.—From amounts made available under section 210(3) for a fiscal year, the Secretary is authorized to award grants, on a competitive basis, to eligible applicants to enable the eligible applicants to carry out activities described in subsection (d).

''(b) ELIGIBLE APPLICANT DEFINED.—In this part, the term 'eligible applicant' means—

''(1) an eligible State described in section 202(b); or

''(2) an eligible partnership described in section 203(b).

''(c) APPLICATION.—Any eligible applicant desiring to receive a grant under this section shall submit an application to the Secretary at such time, in such form, and containing such information as the Secretary may require, including—

''(1) a description of the assessment that the eligible applicant, and the other entities with whom the eligible applicant will carry out the grant activities, have undertaken to determine the most critical needs of the participating high-need local educational agencies;

''(2) a description of the activities the eligible applicant will carry out with the grant, including the extent to which the applicant will use funds to recruit minority students to become highly qualified teachers; and

''(3) a description of the eligible applicant's plan for continuing the activities carried out with the grant, once Federal funding ceases.

''(d) USES OF FUNDS.—Each eligible applicant receiving a grant under this section shall use the grant funds—

''(1)(A) to award scholarships to help students, such as individuals who have been accepted for their first year, or who are enrolled in their first or second year, of a program of undergraduate education at an institution of higher education, pay the costs of tuition, room, board, and other expenses of completing a teacher preparation program;

''(B) to provide support services, if needed to enable scholarship recipients—

''(i) to complete postsecondary education programs; or

''(ii) to transition from a career outside of the field of education into a teaching career; and

''(C) for followup services provided to former scholarship recipients during the recipients first 3 years of teaching; or

''(2) to develop and implement effective mechanisms to ensure that high-need local educational agencies and schools are able effectively to recruit highly qualified teachers.

''(e) ADDITIONAL DISCRETIONARY USES OF FUNDS.—In addition to the uses described in subsection (d), each eligible applicant receiving a grant under this section may use the grant funds—

''(1) to develop and implement effective mechanisms to recruit into the teaching profession employees from—

''(A) high-demand industries, including technology industries; and

''(B) the fields of science, mathematics, and engineering;

''(2) to conduct outreach and coordinate with inner city and rural secondary schools to encourage students to pursue teaching as a career;

''(3) to develop and implement dual degree programs that enable students at institutions of higher education to earn two undergraduate degrees concurrently, one of such degrees being in education and the other in the subject matter of the student's choosing; and

''(4) to recruit high achieving students, bilingual students, and other qualified candidates into early childhood education programs.

''(f) SERVICE REQUIREMENTS.—

''(1) IN GENERAL.—The Secretary shall establish such requirements as the Secretary determines necessary to ensure that recipients of scholarships under this section who complete teacher education programs—

''(A) subsequently teach in a high-need local educational agency for a period of time equivalent to—

''(i) one year; increased by

''(ii) the period for which the recipient received scholarship assistance; or

''(B) repay the amount of the scholarship.

''(2) USE OF REPAYMENTS.—The Secretary shall use any such repayments to carry out additional activities under this section.

''(g) PRIORITY.—The Secretary shall give priority under this section to eligible applicants who provide an assurance that they will recruit a high percentage of minority students to become highly qualified teachers.

''SEC. 205. ADMINISTRATIVE PROVISIONS.

''(a) DURATION; ONE-TIME AWARDS; PAYMENTS.—

''(1) DURATION.—

''(A) ELIGIBLE STATES AND ELIGIBLE APPLICANTS.—Grants awarded to eligible States and eligible applicants under this part shall be awarded for a period not to exceed 3 years.

''(B) ELIGIBLE PARTNERSHIPS.—Grants awarded to eligible partnerships under this part shall be awarded for a period of 5 years.

''(2) ONE-TIME AWARD.—An eligible partnership may receive a grant under each of sections 203 and 204, as amended by the College Access and Opportunity Act of 2006, only once.

''(3) PAYMENTS.—The Secretary shall make annual payments of grant funds awarded under this part.

''(b) PEER REVIEW.—

''(1) PANEL.—The Secretary shall provide the applications submitted under this part to a peer review panel for evaluation. With respect to each application, the peer review panel shall initially recommend the application for funding or for disapproval.

''(2) PRIORITY.—In recommending applications to the Secretary for funding under this part, the panel shall—

''(A) with respect to grants under section 202, give priority to eligible States that—

''(i) have initiatives to reform State teacher certification requirements that are based on rigorous academic content, scientifically based research, including scientifically based reading research, and challenging State student academic content standards;

''(ii) have innovative reforms to hold institutions of higher education with teacher preparation programs accountable for preparing teachers who are highly qualified and have strong teaching skills; or

''(iii) have innovative efforts aimed at reducing the shortage of highly qualified teachers in high poverty urban and rural areas; and

''(B) with respect to grants under section 203—

''(i) give priority to applications from broad-based eligible partnerships that involve businesses and community organizations; and

''(ii) take into consideration—

''(I) providing an equitable geographic distribution of the grants throughout the United States; and

''(II) the potential of the proposed activities for creating improvement and positive change.

''(3) SECRETARIAL SELECTION.—The Secretary shall determine, based on the peer review process, which application shall receive funding and the amounts of the grants. In determining grant amounts, the Secretary shall take into account the total amount of funds available for all grants under this part and the types of activities proposed to be carried out.

''(c) MATCHING REQUIREMENTS.—

''(1) STATE GRANTS.—Each eligible State receiving a grant under section 202 or 204 shall provide, from non-Federal sources, an amount equal to 50 percent of the amount of the grant (in cash or in kind) to carry out the activities supported by the grant.

''(2) PARTNERSHIP GRANTS.—Each eligible partnership receiving a grant under section 203 or 204 shall provide, from non-Federal sources (in cash or in kind), an amount equal to 25 percent of the grant for the first year of the grant, 35 percent of the grant for the second year of the grant, and 50 percent of the grant for each succeeding year of the grant.

''(d) LIMITATION ON ADMINISTRATIVE EXPENSES.—An eligible State or eligible partnership that receives a grant under this part may not use more than 2 percent of the grant funds for purposes of administering the grant.

''SEC. 206. ACCOUNTABILITY AND EVALUATION.

''(a) STATE GRANT ACCOUNTABILITY REPORT.—An eligible State that receives a grant under section 202 shall submit an annual accountability report to the Secretary and the authorizing committees. Such report shall include a description of the degree to which the eligible State, in using funds provided under such section, has made substantial progress in meeting the following goals:

''(1) PERCENTAGE OF HIGHLY QUALIFIED TEACHERS.—Increasing the percentage of highly qualified teachers in the State as required by section 1119 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6319) and section 602 of the Individuals with Disabilities Act (20 U.S.C. 1401).

''(2) STUDENT ACADEMIC ACHIEVEMENT.—Increasing student academic achievement for all students, which may be measured through the use of value-added assessments, as defined by the eligible State.

''(3) RAISING STANDARDS.—Raising the State academic standards required to enter the teaching profession as a highly qualified teacher.

''(4) INITIAL CERTIFICATION OR LICENSURE.—Increasing success in the pass rate for initial State teacher certification or licensure, or increasing the numbers of qualified individuals being certified or licensed as teachers through alternative routes to certification and licensure.

''(5) DECREASING TEACHER SHORTAGES.—Decreasing shortages of highly qualified teachers in poor urban and rural areas.

''(6) INCREASING OPPORTUNITIES FOR RESEARCH-BASED PROFESSIONAL DEVELOPMENT.—Increasing opportunities for enhanced and ongoing professional development that—

''(A) improves the academic content knowledge of teachers in the subject areas in which the teachers are certified or licensed to teach or in which the teachers are working toward certification or licensure to teach; and

''(B) promotes strong teaching skills.

''(7) TECHNOLOGY INTEGRATION.—Increasing the number of teachers prepared effectively to integrate technology into curricula and instruction and who use technology to collect, manage, and analyze data to improve teaching, learning, decisionmaking, and parental involvement for the purpose of increasing student academic achievement.

''(b) ELIGIBLE PARTNERSHIP EVALUATION.—Each eligible partnership applying for a grant under section 203 shall establish, and include in the application submitted under section 203(c), an evaluation plan that includes strong performance objectives. The plan shall include objectives and measures for—

''(1) increased student achievement for all students, as measured by the partnership;

''(2) increased teacher retention in the first 3 years of a teacher's career;

''(3) increased success in the pass rate for initial State certification or licensure of teachers;

''(4) increased percentage of highly qualified teachers; and

''(5) increasing the number of teachers trained effectively to integrate technology into curricula and instruction and who use technology to collect, manage, and analyze data to improve teaching, learning, and decisionmaking for the purpose of improving student academic achievement.

''(c) REVOCATION OF GRANT.—

''(1) REPORT.—Each eligible State or eligible partnership receiving a grant under section 202 or 203 shall report annually on the progress of the eligible State or eligible partnership toward meeting the purposes of this part and the goals, objectives, and measures described in subsections (a) and (b).

''(2) REVOCATION.—

''(A) ELIGIBLE STATES AND ELIGIBLE APPLICANTS.—If the Secretary determines that an eligible State or eligible applicant is not making substantial progress in meeting the purposes, goals, objectives, and measures, as appropriate, by the end of the second year of a grant under this part, then the grant payment shall not be made for the third year of the grant.

''(B) ELIGIBLE PARTNERSHIPS.—If the Secretary determines that an eligible partnership is not making substantial progress in meeting the purposes, goals, objectives, and measures, as appropriate, by the end of the third year of a grant under this part, then the grant payments shall not be made for any succeeding year of the grant.

''(d) EVALUATION AND DISSEMINATION.—The Secretary shall evaluate the activities funded under this part and report annually the Secretary's findings regarding the activities to the authorizing committees. The Secretary shall broadly disseminate successful practices developed by eligible States and eligible partnerships under this part, and shall broadly disseminate information regarding such practices that were found to be ineffective.

''SEC. 207. ACCOUNTABILITY FOR PROGRAMS THAT PREPARE TEACHERS.

''(a) STATE REPORT CARD ON THE QUALITY OF TEACHER PREPARATION.—Each State that receives funds under this Act shall provide to the Secretary annually, in a uniform and comprehensible manner that conforms with the definitions and methods established by the Secretary, a State report card on the quality of teacher preparation in the State, both for traditional certification or licensure programs and for alternative certification or licensure programs, which shall include at least the following:

''(1) A description of the teacher certification and licensure assessments, and any other certification and licensure requirements, used by the State.

''(2) The standards and criteria that prospective teachers must meet in order to attain initial teacher certification or licensure and to be certified or licensed to teach particular subjects or in particular grades within the State.

''(3) A description of the extent to which the assessments and requirements described in paragraph (1) are aligned with the State's standards and assessments for students.

''(4) The percentage of students who have completed at least 50 percent of the requirements for a teacher preparation program at an institution of higher education or alternative certification program and who have taken and passed each of the assessments used by the State for teacher certification and licensure, and the passing score on each assessment that determines whether a candidate has passed that assessment.

''(5) For students who have completed at least 50 percent of the requirements for a teacher preparation program at an institution of higher education or alternative certification program, and who have taken and passed each of the assessments used by the State for teacher certification and licensure, each such institution's and each such program's average raw score, ranked by teacher preparation program, which shall be made available widely and publicly.

''(6) A description of each State's alternative routes to teacher certification, if any, and the number and percentage of teachers certified through each alternative certification route who pass State teacher certification or licensure assessments.

''(7) For each State, a description of proposed criteria for assessing the performance of teacher preparation programs in the State, including indicators of teacher candidate skills, academic content knowledge, and evidence of gains in student academic achievement.

''(8) For each teacher preparation program in the State, the number of students in the program, the number of minority students in the program, the average number of hours of supervised practice teaching required for those in the program, and the number of full-time equivalent faculty and students in supervised practice teaching.

''(b) REPORT OF THE SECRETARY ON THE QUALITY OF TEACHER PREPARATION.—

''(1) REPORT CARD.—The Secretary shall provide to Congress, and publish and make widely available, a report card on teacher qualifications and preparation in the United States, including all the information reported in paragraphs (1) through (8) of subsection (a). Such report shall identify which eligible States received a grant under this part, and the States in which eligible partnerships receiving grants are located. Such report shall be published and made available annually.

''(2) REPORT TO CONGRESS.—The Secretary shall report to Congress—

''(A) a comparison of States' efforts to improve teaching quality; and

''(B) regarding the national mean and median scores on any standardized test that is used in more than one State for teacher certification or licensure.

''(3) SPECIAL RULE.—In the case of programs with fewer than 10 students who have completed at least 50 percent of the requirements for a teacher preparation program taking any single initial teacher certification or licensure assessment during an academic year, the Secretary shall collect and publish information with respect to an average pass rate on State certification or licensure assessments taken over a 3-year period.

''(c) COORDINATION.—The Secretary, to the extent practicable, shall coordinate the information collected and published under this part among States for individuals who took State teacher certification or licensure assessments in a State other than the State in which the individual received the individual's most recent degree.

''(d) INSTITUTION AND PROGRAM REPORT CARDS ON QUALITY OF TEACHER PREPARATION.—

''(1) REPORT CARD.—Each institution of higher education or alternative certification program that conducts a teacher preparation program that enrolls students receiving Federal assistance under this Act shall report annually to the State and the general public, in a uniform and comprehensible manner that conforms with the definitions and methods established by the Secretary, both for traditional certification or licensure programs and for alternative certification or licensure programs, the following information:

''(A) PASS RATE.—(i) For the most recent year for which the information is available, the pass rate of each student who has completed at least 50 percent of the requirements for the teacher preparation program on the teacher certification or licensure assessments of the State in which the institution is located, but only for those students who took those assessments within 3 years of receiving a degree from the institution or completing the program.

''(ii) A comparison of the institution or program's pass rate for students who have completed at least 50 percent of the requirements for the teacher preparation program with the average pass rate for institutions and programs in the State.

''(iii) A comparison of the institution or program's average raw score for students who have completed at least 50 percent of the requirements for the teacher preparation program with the average raw scores for institutions and programs in the State.

''(iv) In the case of programs with fewer than 10 students who have completed at least 50 percent of the requirements for a teacher preparation program taking any single initial teacher certification or licensure assessment during an academic year, the institution shall collect and publish information with respect to an average pass rate on State certification or licensure assessments taken over a 3-year period.

''(B) PROGRAM INFORMATION.—The number of students in the program, the average number of hours of supervised practice teaching required for those in the program, and the number of full-time equivalent faculty and students in supervised practice teaching.

''(C) STATEMENT.—In States that require approval or accreditation of teacher education programs, a statement of whether the institution's program is so approved or accredited, and by whom.

''(D) DESIGNATION AS LOW-PERFORMING.—Whether the program has been designated as low-performing by the State under section 208(a).

''(2) REQUIREMENT.—The information described in paragraph (1) shall be reported through publications such as school catalogs and promotional materials sent to potential applicants, secondary school guidance counselors, and prospective employers of the institution's program graduates, including materials sent by electronic means.

''(3) FINES.—In addition to the actions authorized in section 487(c), the Secretary may impose a fine not to exceed $25,000 on an institution of higher education for failure to provide the information described in this subsection in a timely or accurate manner.

''(e) DATA QUALITY.—Either—

''(1) the Governor of the State; or

''(2) in the case of a State for which the constitution or law of such State designates another individual, entity, or agency in the State to be responsible for teacher certification and preparation activity, such individual, entity, or agency;

shall attest annually, in writing, as to the reliability, validity, integrity, and accuracy of the data submitted pursuant to this section.

''SEC. 208. STATE FUNCTIONS.

''(a) STATE ASSESSMENT.—In order to receive funds under this Act, a State shall have in place a procedure to identify and assist, through the provision of technical assistance, low-performing programs of teacher preparation within institutions of higher education. Such State shall provide the Secretary an annual list of such low-performing institutions that includes an identification of those institutions at risk of being placed on such list. Such levels of performance shall be determined solely by the State and may include criteria based upon information collected pursuant to this part. Such assessment shall be described in the report under section 207(a). A State receiving Federal funds under this title shall develop plans to close or reconstitute underperforming programs of teacher preparation within institutions of higher education.

''(b) TERMINATION OF ELIGIBILITY.—Any institution of higher education that offers a program of teacher preparation in which the State has withdrawn the State's approval or terminated the State's financial support due to the low performance of the institution's teacher preparation program based upon the State assessment described in subsection (a)—

''(1) shall be ineligible for any funding for professional development activities awarded by the Department of Education; and

''(2) shall not be permitted to accept or enroll any student who receives aid under title IV of this Act in the institution's teacher preparation program.

''SEC. 209. GENERAL PROVISIONS.

''(a) METHODS.—In complying with sections 207 and 208, the Secretary shall ensure that States and institutions of higher education use fair and equitable methods in reporting and that the reporting methods do not allow identification of individuals.

''(b) SPECIAL RULE.—For each State in which there are no State certification or licensure assessments, or for States that do not set minimum performance levels on those assessments—

''(1) the Secretary shall, to the extent practicable, collect data comparable to the data required under this part from States, local educational agencies, institutions of higher education, or other entities that administer such assessments to teachers or prospective teachers; and

''(2) notwithstanding any other provision of this part, the Secretary shall use such data to carry out requirements of this part related to assessments or pass rates.

''(c) LIMITATIONS.—

''(1) FEDERAL CONTROL PROHIBITED.—Nothing in this part shall be construed to permit, allow, encourage, or authorize any Federal control over any aspect of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law. This section shall not be construed to prohibit private, religious, or home schools from participation in programs or services under this part.

''(2) NO CHANGE IN STATE CONTROL ENCOURAGED OR REQUIRED.—Nothing in this part shall be construed to encourage or require any change in a State's treatment of any private, religious, or home school, whether or not a home school is treated as a private school or home school under State law.

''(3) NATIONAL SYSTEM OF TEACHER CERTIFICATION PROHIBITED.—Nothing in this part shall be construed to permit, allow, encourage, or authorize the Secretary to establish or support any national system of teacher certification.

''SEC. 210. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part $300,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years, of which—

''(1) 45 percent shall be available for each fiscal year to award grants under section 202;

''(2) 45 percent shall be available for each fiscal year to award grants under section 203; and

''(3) 10 percent shall be available for each fiscal year to award grants under section 204.''.

SEC. 202. PREPARING TOMORROW'S TEACHERS TO USE TECHNOLOGY.

(a) ELIGIBILITY.—Section 222(a)(3)(D) (20 U.S.C. 1042(a)(3)(D)) is amended by inserting ''nonprofit telecommunications entity,'' after ''community-based organization,''.

(b) PERMISSIBLE USES OF FUNDS.—Section 223(b)(1)(E) of the Higher Education Act of 1965 (20 U.S.C. 1043(b)(1)(E)) is amended to read as follows:

''(E) to use technology to collect, manage, and analyze data to improve teaching, learning, and decisionmaking for the purpose of increasing student academic achievement.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 224 (20 U.S.C. 1044) is amended by striking ''each of fiscal years 2002 and 2003.'' and inserting ''fiscal year 2006 and each of the 5 succeeding fiscal years.''.

SEC. 203. CENTERS OF EXCELLENCE.

Title II (20 U.S.C. 1021 et seq.) is amended by adding at the end the following:

''PART C—CENTERS OF EXCELLENCE

''SEC. 231. PURPOSES; DEFINITIONS.

''(a) PURPOSES.—The purposes of this part are—

''(1) to help recruit and prepare teachers, including minority teachers, to meet the national demand for a highly qualified teacher in every classroom; and

''(2) to increase opportunities for Americans of all educational, ethnic, class, and geographic backgrounds to become highly qualified teachers.

''(b) DEFINITIONS.—As used in this part:

''(1) ELIGIBLE INSTITUTION.—The term 'eligible institution' means—

''(A) an institution of higher education that has a teacher preparation program that meets the requirements of section 203(b)(2) and that is—

''(i) a part B institution (as defined in section 322);

''(ii) a Hispanic-serving institution (as defined in section 502);

''(iii) a Tribal College or University (as defined in section 316);

''(iv) an Alaska Native-serving institution (as defined in section 317(b)); or

''(v) a Native Hawaiian-serving institution (as defined in section 317(b));

''(B) a consortium of institutions described in subparagraph (A); or

''(C) an institution described in subparagraph (A), or a consortium described in subparagraph (B), in partnership with any other institution of higher education, but only if the center of excellence established under section 232 is located at an institution described in subparagraph (A).

''(2) HIGHLY QUALIFIED.—The term 'highly qualified' when used with respect to an individual means that the individual is highly qualified as determined under section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801) or section 602 of the Individuals with Disabilities Education Act (20 U.S.C. 1401).

''(3) SCIENTIFICALLY BASED READING RESEARCH.—The term 'scientifically based reading research' has the meaning given such term in section 1208 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6368).

''(4) SCIENTIFICALLY BASED RESEARCH.—The term 'scientifically based research' has the meaning given such term in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

"SEC. 232. CENTERS OF EXCELLENCE.

''(a) PROGRAM AUTHORIZED.—From the amounts appropriated to carry out this part, the Secretary is authorized to award competitive grants to eligible institutions to establish centers of excellence.

''(b) USE OF FUNDS.—Grants provided by the Secretary under this part shall be used to ensure that current and future teachers are highly qualified, by carrying out one or more of the following activities:

''(1) Implementing reforms within teacher preparation programs to ensure that such programs are preparing teachers who are highly qualified, are able to understand scientifically based research, and are able to use advanced technology effectively in the classroom, including use for instructional techniques to improve student academic achievement, by—

''(A) retraining faculty; and

''(B) designing (or redesigning) teacher preparation programs that—

''(i) prepare teachers to close student achievement gaps, are based on rigorous academic content, scientifically based research (including scientifically based reading research), and challenging State student academic content standards; and

''(ii) promote strong teaching skills.

''(2) Providing sustained and high-quality preservice clinical experience, including the mentoring of prospective teachers by exemplary teachers, substantially increasing interaction between faculty at institutions of higher education and new and experienced teachers, principals, and other administrators at elementary schools or secondary schools, and providing support, including preparation time, for such interaction.

''(3) Developing and implementing initiatives to promote retention of highly qualified teachers and principals, including minority teachers and principals, including programs that provide—

''(A) teacher or principal mentoring from exemplary teachers or principals; or

''(B) induction and support for teachers and principals during their first 3 years of employment as teachers or principals, respectively.

''(4) Awarding scholarships based on financial need to help students pay the costs of tuition, room, board, and other expenses of completing a teacher preparation program.

''(5) Disseminating information on effective practices for teacher preparation and successful teacher certification and licensure assessment preparation strategies.

''(6) Activities authorized under sections 202, 203, and 204.

''(c) APPLICATION.—Any eligible institution desiring a grant under this section shall submit an application to the Secretary at such a time, in such a manner, and accompanied by such information the Secretary may require.

''(d) MINIMUM GRANT AMOUNT.—The minimum amount of each grant under this part shall be $500,000.

''(e) LIMITATION ON ADMINISTRATIVE EXPENSES.—An eligible institution that receives a grant under this part may not use more than 2 percent of the grant funds for purposes of administering the grant.

''(f) REGULATIONS.—The Secretary shall prescribe such regulations as may be necessary to carry out this part.

"SEC. 233. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part $10,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.''.

SEC. 204. TEACHER INCENTIVE FUND PROGRAM.

Title II (20 U.S.C. 1021 et seq.), as amended by section 203 of this Act, is further amended by adding at the end the following:

"PART D—TEACHER INCENTIVE FUND PROGRAM

"SEC. 241. PURPOSE; DEFINITIONS.

''(a) PURPOSE.—The purpose of this part is to assist States, local educational agencies, and non-profit or for-profit organizations to develop and implement, or expand, innovative compensation systems to provide financial rewards for teachers and principals who raise student academic achievement and close the achievement gap, especially in the highest-need local educational agencies.

''(b) DEFINITIONS.—For purposes of this part:

''(1) ELIGIBLE ENTITY.—The term 'eligible entity' means—

''(A) a local educational agency, including a charter school that is a local educational agency;

''(B) a State educational agency, or other State agency designated by the chief executive of the State; or

''(C) a partnership of—

''(i) one or more agencies described in subparagraph (A) or (B), or both; and

''(ii) at least one non-profit or for-profit organization.

''(2) HIGH-NEED LOCAL EDUCATIONAL AGENCY.—The term 'high-need local educational agency' has the meaning given that term in section 201.

"SEC. 242. TEACHER INCENTIVE FUND GRANTS.

''(a) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—From the amounts appropriated to carry out this part, the Secretary is authorized to award competitive grants of up to 5 years in length to eligible entities to develop and implement, or expand, a comprehensive performance-based compensation system for teachers and principals for one or more local educational agencies.

''(2) COMPREHENSIVE PERFORMANCE-BASED COMPENSATION SYSTEMS.—A comprehensive performance-based compensation system developed and implemented, or expanded with funds under this part—

''(A) shall differentiate levels of compensation primarily on the basis of increases in student academic achievement; and

''(B) may—

''(i) differentiate levels of compensation on the basis of high-quality teachers' and principals' employment and success in hard-to-staff schools or high-need subject areas; and

''(ii) recognize teachers' and principals' skills and knowledge as demonstrated through—

''(I) successful fulfillment of additional responsibilities or job functions; and

''(II) evidence of high achievement and mastery of content knowledge and teaching skills.

''(b) USE OF FUNDS.—A grantee shall use grant funds provided under this part only to design and implement, or expand, in collaboration with teachers, principals, other school administrators, and members of the public, a compensation system consistent with the requirements of this part. Authorized activities under this part may include the following:

''(1) Developing appraisal systems that reflect clear and fair measures of student academic achievement.

''(2) Conducting outreach within the local educational agency (or agencies) or the State to gain input on how to construct the appraisal system and to develop support for it.

''(3) Paying, as part of a comprehensive performance-based compensation system, bonuses and increased salaries to teachers and principals who raise student academic achievement, so long as the grantee uses an increasing share of non-Federal funds to pay these monetary rewards each year of the grant.

''(4) Paying, as part of a comprehensive performance-based compensation system, additional bonuses to teachers who both raise student academic achievement and either teach in high-poverty schools or teach subjects that are difficult to staff, or both, so long as the grantee uses an increasing share of non-Federal funds to pay these monetary rewards each year of the grant.

''(5) Paying, as part of a comprehensive performance-based compensation system, additional bonuses to principals who both raise student academic achievement and serve in high-poverty schools, so long as the grantee uses an increasing share of non-Federal funds to pay these monetary rewards each year of the grant.

''(c) APPLICATIONS.—To be eligible to receive a grant under this part, an eligible entity shall submit an application that includes—

''(1) a description of the local educational agency or local educational agencies to be served by the project, including such demographic information as the Secretary may request;

''(2) information on student academic achievement and the quality of the teachers and principals in the local educational agency or agencies to be served by the project;

''(3) a description of the performance-based teacher and principal compensation system that the applicant proposes to develop and implement or expand;

''(4) a description of how the applicant will use grant funds under this part in each year of the grant;

''(5) an explanation of how the applicant will meet the requirement in subsection (b)(3) and how the grantee will continue its performance-based compensation system after the grant ends;

''(6) a description of the support and commitment from teachers, the community or local educational agency or agencies for the development and implementation, or expansion, of a performance-based teacher and principal compensation system;

''(7) a description of how teacher, principal and student performance will be measured and the baseline measurement units; and

''(8) a description, if applicable, of how the applicant will define the term 'high-quality' for the purposes of subsection (a)(2)(B)(i), through the use of measurable indicators, such as effectiveness in raising student academic achievement, or demonstrated mastery of subject matter knowledge.

''(d) PRIORITY.—The Secretary shall give priority to applications for projects that would establish comprehensive performance-based compensation systems in high-need local educational agencies.

''SEC. 243. EVALUATIONS.

''The Secretary shall conduct an independent evaluation of the program under this part and may use up to 1 percent of the funds made available under this part or $1,000,000, whichever is less, for any fiscal year for the cost of the evaluation.

''SEC. 244. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part $100,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.''.

SEC. 205. TRANSITION.

The Secretary of Education shall take such actions as the Secretary determines to be appropriate to provide for the orderly implementation of this title.

TITLE III—INSTITUTIONAL AID

SEC. 301. TITLE III GRANTS FOR AMERICAN INDIAN TRIBALLY CONTROLLED COLLEGES AND UNIVERSITIES.

(a) ELIGIBLE INSTITUTIONS.—Subsection (b) of section 316 (20 U.S.C. 1059c(b)) is amended to read as follows:

''(b) DEFINITIONS.—

''(1) ELIGIBLE INSTITUTIONS.—For purposes of this section, Tribal Colleges and Universities are the following:

''(A) any of the following institutions that qualify for funding under the Tribally Controlled College or University Assistance Act of 1978 or is listed in Equity in Educational Land Grant Status Act of 1994 (7 U.S.C. 301 note): Bay Mills Community College; Blackfeet Community College; Cankdeska Cikana Community College; Chief Dull Knife College; College of Menominee Nation; Crownpoint Institute of Technology; Diné College; D–Q University; Fond du Lac Tribal and Community College; Fort Belknap College; Fort Berthold Community College; Fort Peck Community College; Haskell Indian Nations University; Institute of American Indian and Alaska Native Culture and Arts Development; Lac Courte Oreilles Ojibwa Community College; Leech Lake Tribal College; Little Big Horn College; Little Priest Tribal College; Nebraska Indian Community College; Northwest Indian College; Oglala Lakota College; Saginaw Chippewa Tribal College; Salish Kootenai College; Si Tanka University—Eagle Butte Campus; Sinte Gleska University; Sisseton Wahpeton Community College; Sitting Bull College; Southwestern Indian Polytechnic Institute; Stone Child College; Tohono O'Odham Community College; Turtle Mountain Community College; United Tribes Technical College; and White Earth Tribal and Community College; and

''(B) any other institution that meets the definition of tribally controlled college or university in section 2 of the Tribally Controlled College or University Assistance Act of 1978, and meets all other requirements of this section.

''(2) INDIAN.—The term 'Indian' has the meaning given the term in section 2 of the Tribally Controlled College or University Assistance Act of 1978.''.

(b) DISTANCE LEARNING.—Subsection (c)(2) of such section is amended—

(1) by amending subparagraph (B) to read as follows:

''(B) construction, maintenance, renovation, and improvement in classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services, and the acquisition of real property adjacent to the campus of the institution on which to construct such facilities;'';

(2) in subparagraph (C), by inserting before the semicolon at the end the following: '', or advanced degrees in tribal governance or tribal public policy'';

(3) in subparagraph (D), by inserting before the semicolon at the end the following: '', in tribal governance, or tribal public policy'';

(4) by striking ''and'' at the end of subparagraph (K);

(5) by redesignating subparagraph (L) as subparagraph (M); and

(6) by inserting after subparagraph (K) the following new subparagraph:

''(L) developing or improving facilities for Internet use or other distance learning academic instruction capabilities; and''.

(c) APPLICATION AND ALLOTMENT.—Subsection (d) of such section is amended to read as follows:

''(d) APPLICATION AND ALLOTMENT.—

''(1) INSTITUTIONAL ELIGIBILITY.—To be eligible to receive assistance under this section, a Tribal College or University shall be an eligible institution under section 312(b).

''(2) APPLICATION.—Any Tribal College or University desiring to receive assistance under this section shall submit an application to the Secretary at such time, and in such manner, as the Secretary may reasonably require.

''(3) ALLOTMENTS TO INSTITUTIONS.—

''(A) ALLOTMENT: PELL GRANT BASIS.—From the amount appropriated to carry out this section for any fiscal year, the Secretary shall allot to each eligible institution a sum which bears the same ratio to one-half that amount as the number of Pell Grant recipients in attendance at such institution at the end of the award year preceding the beginning of that fiscal year bears to the total number of Pell Grant recipients at all eligible institutions.

''(B) ALLOTMENT: DEGREE AND CERTIFICATE BASIS.—From the amount appropriated to carry out this section for any fiscal year, the Secretary shall allot to each eligible institution a sum which bears the same ratio to one-half that amount as the number of degrees or certificates awarded by such institution during the preceding academic year bears to the total number of degrees or certificates at all eligible institutions.

''(C) MINIMUM GRANT.—Notwithstanding subparagraphs (A) and (B), the amount allotted to each institution under this section shall not be less than $400,000.

''(4) SPECIAL RULES.—

''(A) CONCURRENT FUNDING.—For the purposes of this part, no Tribal College or University that is eligible for and receives funds under this section shall concurrently receive funds under other provisions of this part or part B.

''(B) EXEMPTION.—Section 313(d) shall not apply to institutions that are eligible to receive funds under this section.''.

SEC. 302. ALASKA NATIVE AND NATIVE HAWAIIAN-SERVING INSTITUTIONS.

(a) DISTANCE LEARNING.—Section 317(c)(2) (20 U.S.C. 1059d(c)(2)) is amended—

(1) by amending subparagraph (B) to read as follows:

''(B) construction, maintenance, renovation, and improvement in classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services, and the acquisition of real property adjacent to the campus of the institution on which to construct such facilities;'';

(2) in subparagraph (C), by inserting before the semicolon at the end the following: '', or advanced degrees in tribal governance or tribal public policy'';

(3) in subparagraph (D), by inserting before the semicolon at the end the following: '', in tribal governance, or tribal public policy'';

(4) by striking ''and'' at the end of subparagraph (G);

(5) by striking the period at the end of subparagraph (H) and inserting a semicolon; and

(6) by inserting after subparagraph (H) the following new subparagraph:

''(I) development or improvement of facilities for Internet use or other distance learning academic instruction capabilities; and''.

(b) ENDOWMENT FUNDS.—Section 317(c) is further amended by adding at the end the following new paragraph:

''(3) ENDOWMENT FUNDS.—

''(A) IN GENERAL.—An Alaska Native or Native Hawaiian-serving institution may use not more than 20 percent of the grant funds provided under this section to establish or increase an endowment fund at the institution.

''(B) MATCHING REQUIREMENT.—In order to be eligible to use grant funds in accordance with subparagraph (A), the institution shall provide to the endowment fund from non-Federal funds an amount equal to the Federal funds used in accordance with subparagraph (A), for the establishment or increase of the endowment fund.

''(C) APPLICABILITY OF OTHER PROVISIONS.—The provisions of part C regarding the establishment or increase of an endowment fund, that the Secretary determines are not inconsistent with this paragraph, shall apply to funds used under subparagraph (A).''.

(c) APPLICATION PROCESS.—Section 317(d)(2) is amended by striking ''Such application shall include—'' and all that follows through ''may require.''.

SEC. 303. GRANTS TO PART B INSTITUTIONS.

(a) USE OF FUNDS.—

(1) FACILITIES AND EQUIPMENT.—

(A) UNDERGRADUATE INSTITUTIONS.—Paragraph (2) of section 323(a) (20 U.S.C. 1062(a)) is amended to read as follows:

''(2) Construction, maintenance, renovation, and improvement in classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services, and the acquisition of real property adjacent to the campus of the institution on which to construct such facilities.''.

(B) GRADUATE AND PROFESSIONAL SCHOOLS.—Paragraph (2) of section 326(c) is amended to read as follows:

''(2) construction, maintenance, renovation, and improvement in classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services, and the acquisition of real property adjacent to the campus of the institution on which to construct such facilities;''.

(2) OUTREACH AND COLLABORATION.—Paragraph (11) of section 323(a) is amended to read as follows:

''(11) Establishing community outreach programs and collaborative partnerships between part B institutions and local elementary or secondary schools. Such partnerships may include mentoring, tutoring, or other instructional opportunities that will boost student academic achievement and assist elementary and secondary school students in developing the academic skills and the interest to pursue postsecondary education.''.

(b) TECHNICAL ASSISTANCE.—Section 323 (20 U.S.C. 1062) is amended—

(1) by redesignating subsection (c) as subsection (d); and

(2) by inserting after subsection (b) the following new subsection:

''(c) TECHNICAL ASSISTANCE.—

''(1) IN GENERAL.—An institution may not use more than 2 percent of the grant funds provided under this part to secure technical assistance services.

''(2) TECHNICAL ASSISTANCE SERVICES.—Technical assistance services may include

assistance with enrollment management, financial management, and strategic planning.

''(3) REPORT.—The institution shall report to the Secretary on an annual basis, in such form as the Secretary requires, on the use of funds under this subsection.''.

(c) DISTANCE LEARNING.—Section 323(a)(2) (20 U.S.C. 1062(a)(2)) (as amended by subsection (a)(1)(A)) is further amended by inserting ''development or improvement of facilities for Internet use or other distance learning academic instruction capabilities and'' after ''including''.

(d) MINIMUM GRANTS.—Section 324(d)(1) (20 U.S.C. 1063(d)(1)) is amended by inserting before the period at the end the following: '', except that, if the amount appropriated to carry out this part for any fiscal year exceeds the amount required to provide to each institution an amount equal to the total amount received by such institution under subsections (a), (b), and (c) for the preceding fiscal year, then the amount of such excess appropriation shall first be applied to increase the minimum allotment under this subsection to $750,000''.

(e) ELIGIBLE GRADUATE OR PROFESSIONAL SCHOOLS.—

(1) GENERAL AUTHORITY.—Section 326(a)(1) (20 U.S.C. 1063b(a)(1)) is amended—

(A) by inserting ''(A)'' after ''subsection (e) that'';

(B) by inserting before the period at the end the following: '', (B) is accredited by a nationally recognized accrediting agency or association determined by the Secretary to be a reliable authority as to the quality of training offered, and (C) according to such an agency or association, is in good standing''.

(2) ELIGIBLE INSTITUTIONS.—Section 326(e)(1) (20 U.S.C. 1063b(e)(1)) is amended—

(A) by striking ''and'' at the end of subparagraph (Q);

(B) by striking the period at the end of subparagraph (R) and inserting a semicolon; and

(C) by adding at the end the following new subparagraphs:

''(S) Alabama State University qualified graduate program;

''(T) Prairie View A & M University qualified graduate program;

''(U) Coppin State University qualified graduate program; and

''(V) Delaware State University qualified graduate program.''.

(3) CONFORMING AMENDMENT.—Section 326(e)(3) (20 U.S.C. 1063b(e)(3)) is amended—

(A) by striking ''1998'' and inserting ''2005''; and

(B) by striking ''(Q) and (R)'' and inserting ''(S), (T), (U), and (V)''.

(f) PROFESSIONAL OR GRADUATE INSTITUTIONS.—Section 326(f) (20 U.S.C. 1063b(f)) is amended—

(1) in paragraph (1)—

(A) by striking ''$26,600,000'' and inserting ''$54,500,000''; and

(B) by striking ''(P)'' and inserting ''(R)'';

(2) in paragraph (2)—

(A) by striking ''$26,600,000, but not in excess of $28,600,000'' and inserting ''$54,500,000, but not in excess of $58,500,000''; and

(B) by striking ''subparagraphs (Q) and (R)'' and inserting ''subparagraphs (S), (T), (U), and (V)''; and

(3) in paragraph (3)—

(A) by striking ''$28,600,000'' and inserting ''$58,500,000''; and

(B) by striking ''(R)'' and inserting ''(V)''.

(g) HOLD HARMLESS.—Section 326(g) (20 U.S.C. 1063b(g)) is amended by striking ''1998'' each place it appears and inserting ''2005''.

SEC. 304. TECHNICAL AMENDMENTS.

(a) AMENDMENTS.—Title III is further amended—

(1) in section 311(c) (20 U.S.C. 1057(c))—

(A) by redesignating paragraphs (7) through (12) as paragraphs (8) through (13), respectively; and

(B) by inserting after paragraph (6) the following:

''(7) Education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents.'';

(2) in section 312(b)(1)(A) (20 U.S.C. 1058(b)(1)(A)), by striking ''subsection (c)'' and inserting ''subsection (d)'';

(3) in section 312(b)(1)(F) (20 U.S.C. 1058(b)(1)(F)), by inserting ''which is'' before ''located'';

(4) in section 312(b)(1) (20 U.S.C. 1058(b)(1)), by redesignating subparagraphs (E) and (F) as subparagraphs (F) and (G), respectively, and by inserting after subparagraph (D) the following new subparagraph:

''(E) which provides a program that is not less than a 2-year educational program that is acceptable for full credit toward a bachelor's degree;'';

(5) in section 316(c)(2) (20 U.S.C. 1059c(c)(2))—

(A) by redesignating subparagraphs (G) through (M) (as redesignated by section 301(b)(2) of this Act) as subparagraphs (H) through (N), respectively;

(B) by inserting after subparagraph (F) the following:

''(G) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents;''; and

(C) in subparagraph (N), as redesignated by subparagraph (A), by striking ''subparagraphs (A) through (K)'' and inserting ''subparagraphs (A) through (M)'';

(6) in section 317(c)(2) (20 U.S.C. 1059d(c)(2)), by inserting after subparagraph (I) (as added by section 302(a)(6) of this Act) the following:

''(J) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents.'';

(7) in section 323(a) (20 U.S.C. 1062(a))—

(A) by striking ''section 360(a)(2)'' and inserting ''section 399(a)(2)'';

(B) by redesignating paragraphs (7) through (12) as paragraphs (8) through (13), respectively; and

(C) by inserting after paragraph (6) the following:

''(7) Education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents.'';

(8) in section 324(d)(2) (20 U.S.C. 1063(d)(2)), by striking ''section 360(a)(2)(A)'' and inserting ''section 399(a)(2)(A)'';

(9) in section 326(e)(1) (20 U.S.C. 1063b(e)(1)), in the matter preceding subparagraph (A), by inserting a colon after ''the following'';

(10) in section 327(b) (20 U.S.C. 1063c(b)), by striking ''initial'';

(11) in section 342(5)(C) (20 U.S.C. 1066a(5)(C))—

(A) by inserting a comma after ''equipment'' the first place it appears; and

(B) by striking ''technology,,'' and inserting ''technology,'';

(12) in section 343(e) (20 U.S.C. 1066b(e)), by inserting after the subsection designation the following: ''SALE OF QUALIFIED BONDS.—'';

(13) in section 351(a) (20 U.S.C. 1067a(a)), by striking ''of 1979'';

(14) in section 391(b)(7)(E) (20 U.S.C. 1068(b)(7)(E)), by striking ''subparagraph (E)'' and inserting ''subparagraph (D)''; and

(15) in section 396 (20 U.S.C. 1068e), by striking ''section 360'' and inserting ''section 399''.

(b) REPEAL.—Section 1024 (20 U.S.C. 1135b–3), as transferred by section 301(a)(5) of the Higher Education Amendments of 1998 (Public Law 105–244; 112 Stat. 1636), is repealed.

SEC. 305. TITLE III AUTHORIZATIONS.

Section 399(a) (20 U.S.C. 1068h(a)) is amended—

(1) by striking ''1999'' each place it appears and inserting ''2006'';

(2) by striking ''4 succeeding fiscal years'' each place it appears and inserting ''5 succeeding fiscal years'';

(3) in paragraph (1)—

(A) by striking ''$10,000,000'' in subparagraph (B) and inserting ''$23,800,000''; and

(B) by striking ''$5,000,000'' in subparagraph (C) and inserting ''$11,900,000'';

(4) in paragraph (2)—

(A) by striking ''$135,000,000'' in subparagraph (A) and inserting ''$241,000,000''; and

(B) by striking ''$35,000,000'' in subparagraph (B) and inserting ''$59,000,000''; and

(5) in paragraph (4), by striking ''$110,000'' and inserting ''$212,000''.

TITLE IV—STUDENT ASSISTANCE

PART A—GRANTS TO STUDENTS

SEC. 401. PELL GRANTS.

(a) EXTENSION OF AUTHORITY.—Section 401(a) (20 U.S.C. 1070a(a)) is amended by striking ''2004'' and inserting ''2012''.

(b) DIRECT PAYMENT.—Section 401(a) (20 U.S.C. 1070a(a)) is further amended—

(1) by striking paragraph (2); and

(2) by redesignating paragraph (3) as paragraph (2).

(c) MAXIMUM PELL GRANT INCREASE.—Paragraph (2)(A) of section 401(b) 20 U.S.C. 1070a(b)(2)(A)) is amended to read as follows:

''(2)(A) The amount of the Federal Pell Grant for a student eligible under this part shall be $6,000 for academic years 2006–2007 through 2012–2013, less an amount equal to the amount determined to be the expected family contribution with respect to that student for that year.''.

(d) TUITION SENSITIVITY.—Section 401(b) is further amended—

(1) by striking paragraph (3); and

(2) by redesignating paragraphs (4) through (8) as paragraphs (3) through (7), respectively.

(e) MULTIPLE GRANTS.—Paragraph (5) of section 401(b) (as redesignated by subsection (d)(2)) is amended to read as follows:

''(5) YEAR-ROUND PELL GRANTS.—

''(A) IN GENERAL.—The Secretary shall, for students enrolled full time in a baccalaureate or associate's degree program of study at an eligible institution, award such students two Pell grants during a single award year to permit such students to accelerate progress toward their degree objectives by enrolling in academic programs for 12 months rather than 9 months.

''(B) LIMITATION.—The Secretary shall limit the awarding of additional Pell grants under this paragraph in a single award year to students attending—

''(i) baccalaureate degree granting institutions that have a graduation rate as reported by the Integrated Postsecondary Education Data System for the 4 preceding academic years of at least 30 percent; or

''(ii) two-year institutions that have a graduation rate as reported by the Integrated Postsecondary Education Data Systems, in at least one of the last 3 years for which data is available, that is above the average for the applicable year for the institution's type and control.

''(C) EVALUATION.—The Secretary shall conduct an evaluation of the program under this paragraph and submit to the Congress an evaluation report no later than October 1, 2011.

''(D) REGULATIONS REQUIRED.—The Secretary shall promulgate regulations implementing this paragraph.''.

(f) INELIGIBILITY BASED ON INVOLUNTARY CIVIL COMMITMENT FOR SEXUAL OFFENSES.—

Paragraph (7) of section 401(b) (as redesignated by subsection (d)(2)) is amended by inserting before the period the following: ''or who is subject to an involuntary civil commitment upon completion of a period of incarceration for a sexual offense (as determined under regulations of the Secretary)''.

(g) PELL GRANT ELIGIBILITY DURATION.—Section 401(c) (20 U.S.C. 1070a(c)) is amended—

(1) in paragraph (1)—

(A) by striking ''The period'' and inserting in lieu thereof ''Subject to paragraph (5), the period''; and

(B) by striking the period at the end thereof and inserting ''but shall be subject to the limitation described in paragraph (5).''; and

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

''(5) The period during which a student may receive Federal Pell Grants shall not exceed the equivalent of 18 semesters or 27 quarters in duration (as determined by the Secretary by regulation), without regard to whether the student is enrolled on a full-time basis during any portion of that period, and including any period of time for which the student received Federal Pell Grants prior to the date of enactment of the College Access and Opportunity Act of 2006.''.

(h) ELIGIBILITY PERIOD.—Section 401(c)(2) (20 U.S.C. 1070a(c)(2)) is amended by inserting '', for not more than one academic year,'' after ''which are determined by the institution'' in the first sentence.

(i) PELL GRANTS PLUS: ACHIEVEMENT GRANTS FOR STATE SCHOLARS PROGRAM.—

(1) AMENDMENT.—Subpart 1 of part A of title IV is amended by inserting after section 401 (20 U.S.C. 1070a) the following new section:

''SEC. 401A. PELL GRANTS PLUS: ACHIEVEMENT GRANTS FOR STATE SCHOLARS.

''(a) GRANTS AUTHORIZED.—From sums appropriated to carry out section 401, the Secretary shall establish a program to award Pell Grants Plus to students who—

''(1) have successfully completed a rigorous high school program of study established by a State or local educational agency in consultation with a State coalition assisted by the Center for State Scholars;

''(2) are enrolled full-time in the first academic year of undergraduate education, and have not been previously enrolled in a program of undergraduate education; and

''(3) are eligible to receive Federal Pell Grants for the year in which the grant is awarded.

''(b) AMOUNT OF GRANTS.—

''(1) IN GENERAL.—Except as provided in paragraph (2), the amount of the grant awarded under this section shall be $1,000.

''(2) ASSISTANCE NOT TO EXCEED COST OF ATTENDANCE.—A grant awarded under this section to any student, in combination with the Federal Pell Grant assistance and other student financial assistance available to such student, may not exceed the student's cost of attendance.

''(c) SELECTION OF RECIPIENTS.—

''(1) PROCEDURES ESTABLISHED BY REGULATION.—The Secretary shall establish by regulation procedures for the determination of eligibility of students for the grants awarded under this section. Such procedures shall include measures to ensure that eligibility is determined in a timely and accurate manner consistent with the requirements of section 482 and the submission of the financial aid form required by section 483.

''(2) REQUIRED INFORMATION.—Each eligible student desiring an award under this section shall submit at such time and in such manner such information as the Secretary may reasonably require.

''(3) CONTINUATION OF GRANT REQUIREMENTS.—In order for a student to continue to be eligible to receive an award under this section for the second year of undergraduate education, the eligible student must—

''(A) maintain eligibility to receive a Federal Pell Grant for that year;

''(B) obtain a grade point average of at least 3.0 (or the equivalent as determined under regulations prescribed by the Secretary) for the first year of undergraduate education; and

''(C) be enrolled full-time and fulfill the requirements for satisfactory progress described in section 484(c).

''(d) EVALUATION, AND REPORTS.—The Secretary shall monitor the progress, retention, and completion rates of the students to whom awards are provided under this section. In doing so, the Secretary shall evaluate the impact of the Pell Grants Plus Program and report, not less than biennially, to the authorizing committees of the House of Representatives and the Senate.''.

(2) CONFORMING AMENDMENT.—Chapter 3 of subpart 2 of part A of title IV (20 U.S.C. 1070a–31 through 1070a–35) is repealed.

SEC. 402. TRIO PROGRAMS.

(a) DURATION OF GRANTS.—

(1) AMENDMENT.—Section 402A(b)(2) (20 U.S.C. 1070a–11(b)(2)) is amended to read as follows:

''(2) DURATION.—Grants or contracts awarded under this chapter shall be awarded for a period of 5 years, except that—

''(A) grants under section 402G shall be awarded for a period of 2 years; and

''(B) grants under section 402H shall be awarded for a period determined by the Secretary.''.

(2) TRANSITION TO SYNCHRONOUS GRANT PERIODS.—Notwithstanding section 402A(b)(2) of the Higher Education Act of 1965 (as in effect both prior to and after the amendment made by paragraph (1) of this subsection), the Secretary of Education may continue an award made before the date of enactment of this Act under section 402B, 402C, 402D, 402E, or 402F of such Act as necessary to permit all the awards made under such a section to expire at the end of the same fiscal year, and thereafter to expire at the end of 5 years as provided in the amendment made by paragraph (1) of this subsection.

(b) MINIMUM GRANTS.—Section 402A(b)(3) (20 U.S.C. 1070a–11(b)(3)) is amended to read as follows:

''(3) MINIMUM GRANTS.—Unless the institution or agency requests a smaller amount, individual grants for programs authorized under this chapter shall be no less than $200,000, except that individual grants for programs authorized under section 402G shall be no less than $170,000.''.

(c) PRIOR EXPERIENCE; NOVICE APPLICANTS.—Section 402A(c)(2) (20 U.S.C. 1070a–11(c)(2)) is amended—

(1) by striking ''In making grants'' and inserting ''(A) Subject to subparagraph (B), in making grants''; and

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

''(B) From the amount available under subsection (h) for a program under this chapter (other than a program under section 402G or 402H) for any fiscal year in which the Secretary conducts a competition for the award of grants or contracts under such program, the Secretary shall reserve 10 percent of such available amount for purposes of funding applications from novice applicants. If the Secretary determines that there are an insufficient number of qualified novice applicants to utilize the amount so reserved, the Secretary shall restore the unutilized remainder of the amount reserved for use by applicants qualifying under subparagraph (A).''.

(d) APPLICATION STATUS.—Section 402A(c) (20 U.S.C. 1070a–11(c)) is amended by striking paragraph (7).

(e) DOCUMENTATION OF STATUS.—Section 402A(e) (20 U.S.C. 1070a–11(e)) is amended by striking ''(g)(2)'' each place it appears in paragraphs (1) and (2) and inserting ''(i)(4)''.

(f) HOMELESS AND UNACCOMPANIED YOUTH.—Section 402A(e) is further amended by adding at the end the following new paragraph:

''(3) Notwithstanding this subsection and subsection (i)(4), individuals who are homeless or unaccompanied youth as defined in section 725 of the McKinney-Vento Homeless Assistance Act shall be eligible to participate in programs under sections 402B, 402C, 402D, and 402F of this chapter.''.

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 402A(f) (20 U.S.C. 1070a–11(f)) is amended by striking ''$700,000,000 for fiscal year 1999, and such sums as may be necessary for each of the 4 succeeding fiscal years'' and inserting ''$836,500,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years''.

(h) DEFINITION.—Section 402A(g) (20 U.S.C. 1070a–11(g)) is amended—

(1) in paragraph (3), by striking ''by reason of such individual's age'';

(2) by redesignating paragraphs (1) through (4) as paragraphs (3) through (6), respectively; and

(3) by inserting before paragraph (3), as redesignated, the following:

''(1) DIFFERENT CAMPUS.—The term 'different campus' means an institutional site that—

''(A) is geographically apart from the main campus of the institution;

''(B) is permanent in nature; and

''(C) offers courses in educational programs leading to a degree, certificate, or other recognized educational credential.

''(2) DIFFERENT POPULATION.—The term 'different population' means a group of individuals, with respect to whom an entity seeks to serve through an application for funding under this chapter, that—

''(A) is separate and distinct from any other population that the entity seeks to serve through an application for funding under this chapter; or

''(B) while sharing some of the same needs as another population that the entity seeks to serve through an application for funding under this chapter, has distinct needs for specialized services.''.

(i) EDUCATION AND COUNSELING SERVICES.—Chapter 1 of subpart 2 of part A of title IV is further amended—

(1) in section 402B(b) (20 U.S.C. 1070a–12(b))—

(A) by redesignating paragraphs (3) through (10) as paragraphs (4) through (11), respectively;

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

''(3) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents;''; and

(C) in paragraph (11), as redesignated by subparagraph (A), by striking ''paragraphs (1) through (9)'' and inserting ''paragraphs (1) through (10)'';

(2) in section 402C (20 U.S.C. 1070a–13)—

(A) in subsection (b)—

(i) by redesignating paragraphs (2) through (12) as paragraphs (3) through (13), respectively;

(ii) by inserting after paragraph (1) the following:

''(2) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents;'';

(iii) in paragraph (12), as redesignated by clause (i), by inserting '', specifically in the fields of math and science'' after ''postsecondary education''; and

(iv) in paragraph (13), as redesignated by clause (i), by striking ''paragraphs (1)

through (11)'' and inserting ''paragraphs (1) through (12)''; and

(B) in subsection (e), by striking ''subsection (b)(10)'' and inserting ''subsection (b)(11)'';

(3) in section 402D(b) (20 U.S.C. 1070a–14(b))—

(A) by redesignating paragraphs (2) through (10) as paragraphs (3) through (11), respectively;

(B) by inserting after paragraph (1) the following:

''(2) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents;''; and

(C) in paragraph (11), as redesignated by subparagraph (A), by striking ''paragraphs (1) through (9)'' and inserting ''paragraphs (1) through (10)'';

(4) in section 402E(b) (20 U.S.C. 1070a–15(b))—

(A) by redesignating paragraphs (7) and (8) as paragraphs (8) and (9), respectively; and

(B) by inserting after paragraph (6) the following:

''(7) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents;''; and

(5) in section 402F(b) (20 U.S.C. 1070a–16(b))—

(A) by redesignating paragraphs (4) through (10) as paragraphs (5) through (11), respectively;

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

''(4) education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents;''; and

(C) in paragraph (11), as redesignated by subparagraph (A), by striking ''paragraphs (1) through (9)'' and inserting ''paragraphs (1) through (10)''.

(j) MAXIMUM STIPENDS.—Section 402C(e) (20 U.S.C. 1070a–13(e)) is amended—

(1) by striking ''$60'' and inserting ''$100''; and

(2) by striking ''$40'' and inserting ''$60''.

(k) STUDENT SUPPORT SERVICES.—Section 402D(d)(6) (20 U.S.C. 1070a–14(d)(6)) is amended—

(1) by striking ''and'' at the end of subparagraph (A);

(2) by striking the period at the end of subparagraph (B) and inserting ''; and''; and

(3) by inserting after subparagraph (B) the following new subparagraph:

''(C) working with other entities that serve low-income working adults to increase access to and successful progress in postsecondary education by low-income working adults seeking their first postsecondary degree or certificate.''.

(l) POSTBACCALAUREATE ACHIEVEMENT MAXIMUM STIPENDS.—Section 402E(e)(1) (20 U.S.C. 1070a–15(e)(1)) is amended by striking ''$2,800'' and inserting ''$5,000''.

(m) EDUCATIONAL OPPORTUNITY CENTERS: APPLICATION APPROVAL.—Section 402F(c) (20 U.S.C. 1070a–16(c)) is amended—

(1) by striking ''and'' at the end of paragraph (2);

(2) by striking the period at the end of paragraph (3) and inserting ''; and''; and

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

''(4) consider the extent to which the proposed project would provide services to low-income working adults in the region to be served, in order to increase access to postsecondary education by low-income working adults.''.

SEC. 403. TRIO REFORM.

(a) PERFORMANCE MEASURES.—Section 402A (20 U.S.C. 1070a-11) is amended—

(1) by redesignating subsections (c), (d), (e), (f), and (g) as subsections (d), (e), (g), (h), and (i), respectively; and

(2) by inserting after subsection (b) the following new subsection:

''(c) PERFORMANCE MEASURES.—

''(1) IN GENERAL.—The Secretary shall establish expected program outcomes and procedures for measuring, annually and for longer periods, the quality and effectiveness of programs operated under this chapter, and the impact of the services provided through the programs to support the attainment of higher education for students from disadvantaged backgrounds, low-income individuals, and prospective first-generation college students.

''(2) USE OF MEASURES.—The performance measures described in paragraph (1) shall be used to—

''(A) assess the impact of the specific services provided by recipients of grants or contracts under this chapter and, to the extent the Secretary finds appropriate, administrative and financial management practices of such programs;

''(B) identify strengths and weaknesses in the provision of services provided by grantees under this chapter;

''(C) identify project operations that may require training and technical assistance resources.

''(3) ADDITIONAL MEASURES.—In addition to the performance measures in paragraph (1), each grant recipient may establish local performance measures.''.

(b) SELECTION.—Subsection (d) of such section (as redesignated by subsection (a)(1) of this section) is amended—

(1) by redesignating paragraphs (2) through (6) as paragraphs (3) through (7), respectively; and

(2) by inserting after paragraph (1) the following new paragraph:

''(2) SELECTION.—

''(A) IN GENERAL.—In awarding grants from among qualified applicants, the Secretary shall consider the effectiveness of each applicant in providing services under this chapter, based on—

''(i) the plan of such applicant to deliver program services and achieve expected program outcomes established by the Secretary;

''(ii) the plan of such applicant to coordinate program services with other programs for disadvantaged students; and

''(iii) any prior experience of such applicant in achieving expected program outcomes under this chapter.

''(B) ADDITIONAL CRITERIA.—The Secretary may establish additional selection criteria as necessary to identify the most qualified applicants.''.

(c) PRIOR EXPERIENCE.—Paragraph (3) of such subsection (d) (as amended by section 402(c) and redesignated by subsection (b)(1) of this section) is amended—

(1) by striking subparagraph (A) and inserting ''(A) In making grants under this chapter, the Secretary shall use the measures described in subsection (c)(1) to evaluate each applicant's prior experience in achieving expected program outcomes under the particular program for which funds are sought.''; and

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

''(C) The Secretary shall not give prior experience points to any current grantee that during the then most recent period for which funds were provided—

''(i) failed to meet one or more expected program outcomes based on the performance measures described in subsection (c); or

''(ii) expended funds for indirect costs in an amount that exceeded 8 percent of the total grant award.''.

(d) ORDER OF AWARDS.—Paragraph (4) of such subsection (d) (as redesignated by subsection (b)(1) of this section) is amended—

(1) in subparagraph (A)—

(A) by striking ''under paragraph (4)'' and inserting ''under paragraph (5)''; and

(B) by stiking ''with paragraph (2)'' and inserting ''with paragraph (3)''; and

(2) by amending subparagraph (B) to read as follows:

''(B) The Secretary shall not provide assistance to an entity if the Secretary has determined that such entity has involved the fraudulent use of public or private funds.''.

(e) TECHNICAL ASSISTANCE.—Paragraph (3) of subsection (e) of such section (as redesignated by subsection (a)(1) of this section) is amended to read as follows:

''(3) TECHNICAL ASSISTANCE.—The Secretary shall provide technical assistance to applicants for projects and programs authorized under this chapter. The Secretary shall give priority to serving programs and projects that serve geographic areas and eligible populations which have been underserved by the programs assisted under this chapter. Technical training activities shall include the provision of information on authorizing legislation, goals and objectives of the program, required activities, eligibility requirements, the application process and application deadlines, and assistance in the development of program proposals and the completion of program applications.''.

(f) RECORDKEEPING AND REPORTING.—Section 402A is further amended by inserting after subsection (e) of such section (as redesignated by subsection (a)(1) of this section) the following new subsection:

''(f) RECORDKEEPING AND REPORTING.—

''(1) IN GENERAL.—The Secretary shall establish uniform reporting requirements and require each recipient of funds under this chapter to submit annually and in electronic form such information in such manner and form and at such time as the Secretary may require, except that reporting such information shall not reveal personally identifiable information about an individual student.

''(2) REPORT TO CONGRESS.—At least once every 2-year period, the Secretary shall prepare and submit to the authorizing committees, a report on the services provided to students that shall include—

''(A) a statement for the then most recently concluded fiscal year specifying—

''(i) the amount of funds received by grantees to provide services under this chapter; and

''(ii) the amount of funds received by new grantees to provide services under this chapter;

''(B) a description of the specific services provided to students;

''(C) a summary of the overall success in achieving specific program outcomes or progress toward such outcomes;

''(D) a report of the number of students served by types of service received;

''(E) information summarizing the types of organizations that received funds under this chapter; and

''(F) a summary of the research and evaluation activities under section 402H, including—

''(i) a status report on ongoing activities; and

''(ii) results, conclusions, and recommendations of such activities available after the then most recent report.''.

(g) INCREASED MONITORING.—Subsection (h) of such section (as redesignated by subsection (a)(1) of this section) is amended by striking everything after the first sentence and inserting the following: ''Of the amount appropriated under this chapter, the Secretary may use no more than one half of 1

percent of such amount to support the administration of the Federal TRIO programs including to increase the level of oversight monitoring, to support impact studies, program assessments and reviews, and to provide technical assistance to prospective applicants and current grantees.''.

(h) EXPECTED PROGRAM OUTCOME.—

(1) Section 402B (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

''(d) EXPECTED PROGRAM OUTCOME.—For the purposes of assessing an applicant's past performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider the college-going rate of the participants served by the program compared to that of other applicants eligible to receive consideration of prior experience.''.

(2) Section 402C (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

''(f) EXPECTED PROGRAM OUTCOME.—For the purposes of assessing an applicant's past performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider the college-going rate of the participants served by the program compared to that of other applicants eligible to receive consideration of prior experience.''.

(3) Section 402D (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

''(e) EXPECTED PROGRAM OUTCOME.—For the purposes of assessing an applicant's past performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider the college-going rate of the participants served by the program compared to that of other applicants eligible to receive consideration of prior experience.''.

(4) Section 402E (20 U.S.C. 1070a-12) is amended by striking subsection (f) and inserting the following:

''(f) EXPECTED PROGRAM OUTCOME.—For the purposes of assessing an applicant's past performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider the college-going rate of the participants served by the program compared to that of other applicants eligible to receive consideration of prior experience.''.

(5) Section 402F (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

''(d) EXPECTED PROGRAM OUTCOME.—For the purposes of assessing an applicant's past performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider the college-going rate of the participants served by the program compared to that of other applicants eligible to receive consideration of prior experience.''.

(i) STAFF DEVELOPMENT.—Section 402G (20 U.S.C. 1070a-17) is amended to read as follows:

''SEC. 402G. STAFF DEVELOPMENT ACTIVITIES.

''(a) SECRETARY'S AUTHORITY.—For the purpose of improving the operation of the programs and projects authorized by this chapter, the Secretary is authorized to make grants to institutions of higher education and other public and private nonprofit institutions and organizations to provide training and technical assistance for staff and leadership personnel employed in, participating in, or preparing for employment in, such programs and projects.

''(b) CONTENTS OF TRAINING PROGRAMS.—Such training shall be provided to assist programs and projects in—

''(1) achieving the expected program outcomes stated under this chapter or additional outcomes identified by individual programs or projects;

''(2) addressing any identified program weaknesses in the overall development, conduct, or administration of a grant or contract;

''(3) improving the quality of services provided to eligible students; or

''(4) additional areas in need of program improvement as identified by the Secretary or as requested by grantees in order to enhance program operations and outcomes.

''(c) CONSULTATION.—Grants for the purposes of this section shall be made only after consultation with regional and State professional associations of persons having special knowledge with respect to the needs and problems of such programs and projects.''.

(j) EVALUATIONS.—Section 402H (20 U.S.C. 1070a-18) is amended to read as follows:

''SEC. 402H. EVALUATIONS.

''(a) EVALUATIONS.—

''(1) IN GENERAL.—For the purpose of improving the effectiveness of the programs and projects assisted under this chapter, the Secretary shall make grants to or enter into contracts with one or more organizations to—

''(A) evaluate the effectiveness of the programs and projects assisted under this chapter; and

''(B) disseminate information on the impact of the programs in increasing the education level of participating students, as well as other appropriate measures.

''(2) ISSUES TO BE EVALUATED.—The evaluations described in paragraph (1) shall measure the effectiveness of programs under this chapter in—

''(A) meeting the expected program outcomes stated under this chapter and all performance measures identified by the Secretary;

''(B) enhancing the access of low-income individuals and first-generation college students to postsecondary education;

''(C) preparing individuals and students for postsecondary education;

''(D) comparing the level of education completed by students who participate in the programs funded under this chapter with the level of education completed by students of similar backgrounds who do not participate in such programs;

''(E) comparing the retention rates, dropout rates, graduation rates, and college admission and completion rates of students who participate in the programs funded under this chapter with the rates of students of similar backgrounds who do not participate in such programs; and

''(F) such other issues as the Secretary considers appropriate for inclusion in the evaluation.

''(3) PROGRAM METHODS.—Such evaluations shall also investigate the effectiveness of alternative and innovative methods within Federal TRIO programs of increasing access to, and retention of, students in postsecondary education.

''(b) RESULTS.—The Secretary shall submit to the authorizing committees—

''(1) an annual interim report on the progress and preliminary results of the evaluation of each program funded under this chapter no later than 2 years following the date of enactment of the College Access and Opportunity Act of 2006; and

''(2) a final report not later than 3 years following the date of enactment of such Act.

''(c) PUBLIC AVAILABILITY.—All reports and underlying data gathered pursuant to this section shall be made available to the public upon request, in a timely manner following submission of the applicable reports under subsection (b), except that any personally identifiable information on students participating in any TRIO program shall not be disclosed or made available to the public.''.

SEC. 404. GEARUP.

(a) DURATION OF AWARDS.—Section 404A(b) (20 U.S.C. 1070a–21(b)) is amended—

(1) in paragraph (2)(B), by striking ''Higher Education Amendments of 1998'' and inserting ''College Access and Opportunity Act of 2006''; and

(2) by adding at the end thereof the following new paragraph:

''(3) DURATION.—An award made by the Secretary under this chapter to an eligible entity described in paragraph (1) or (2) of subsection (c) shall be for the period of 6 years.''.

(b) CONTINUING ELIGIBILITY.—Section 404A (20 U.S.C. 1070a–21) is amended by adding at the end the following new subsection:

''(d) CONTINUING ELIGIBILITY.—An eligible entity shall not cease to be an eligible entity upon the expiration of any grant under this chapter (including a continuation award).''.

(c) CONTINUITY OF SERVICE.—

(1) COHORT APPROACH.—Section 404B(g)(1)(B) (20 U.S.C. 1070a–22(g)(1)(B)) is amended by inserting ''and provide the option of continued services through the student's first year of attendance at an eligible institution of higher education'' after ''grade level''.

(2) EARLY INTERVENTION.—Section 404D (20 U.S.C. 1070a–24) is amended—

(A) in subsection (b)(2)(A), by inserting ''and students in the first year of attendance at an eligible institution of higher education'' after ''grade 12''; and

(B) in subsection (c), by inserting '', and may consider students in their first year of attendance at an eligible institution,'' after ''grade 12''.

(d) COORDINATION.—Section 404C(a)(2) (20 U.S.C. 1070a–23(a)(2)) is amended—

(1) by striking ''and'' at the end of subparagraph (A);

(2) by redesignating subparagraph (B) as subparagraph (C); and

(3) by inserting after subparagraph (A) the following new subparagraph:

''(B) describe activities for coordinating, complementing, and enhancing services under this chapter provided by other eligible entities in the State; and''.

(e) EDUCATION AND COUNSELING SERVICES.—Section 404D(b)(2)(A)(ii) (20 U.S.C. 1070a–24(b)(2)(A)(ii)) is amended by striking ''and academic counseling'' and inserting ''academic counseling, and financial literacy and economic literacy education or counseling''.

(f) HOMELESS AND UNACCOMPANIED YOUTH.—Section 404D is further amended by adding at the end the following new subsection:

''(e) HOMELESS AND UNACCOMPANIED YOUTH.—Notwithstanding any other provision of this chapter, individuals who are homeless or unaccompanied youth as defined in section 725 of the McKinney-Vento Homeless Assistance Act shall be eligible to participate in programs under this section.''.

(g) REAUTHORIZATION.—Section 404H (20 U.S.C. 1070a–28) is amended by striking ''$200,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years'' and inserting ''$306,500,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years''.

SEC. 405. FEDERAL SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS.

(a) AUTHORIZATION OF APPROPRIATIONS.—Section 413A(b)(1) (20 U.S.C. 1070b(b)(1)) is amended by striking ''$675,000,000 for fiscal year 1999 and such sums as may be necessary for the 4 succeeding fiscal years'' and inserting ''$779,000,000 for fiscal year 2006 and such sums as may be necessary for the 5 succeeding fiscal years''.

(b) PRIORITY OF AWARDS.—Paragraph (2) of section 413C(c) (20 U.S.C. 1070b-2(c)(2)) is amended to read as follows:

''(2) In carrying out paragraph (1) of this subsection, each institution of higher education shall, in the agreement made under section 487, assure that the selection procedures—

''(A) will give a priority for supplemental grants under this subpart to students who receive Pell Grants and meet the requirements of section 484; and

''(B) will award no more than 10 percent of each institution's allocation received under section 413D to students who did not receive Federal Pell Grants in a prior year.''.

(c) PHASEOUT OF ALLOCATION BASED ON PREVIOUS ALLOCATIONS.—

(1) AMENDMENT.—Subsection (a) of section 413D (20 U.S.C. 1070b–3(a)) is amended to read as follows:

''(a) ALLOCATION BASED ON PREVIOUS ALLOCATION.—

''(1) BASE GUARANTEE.—From the amount appropriated pursuant to section 413A(b) for each fiscal year after fiscal year 2007, the Secretary shall, subject to paragraph (2), first allocate to each eligible institution an amount equal to the following percentage of the amount such institution received under subsection (a) of this section for fiscal year 2007 (as such subsection was in effect with respect to allocations for such fiscal year):

''(A) 80 percent for fiscal years 2008 and 2009;

''(B) 60 percent for fiscal years 2010 and 2011;

''(C) 40 percent for fiscal years 2012 and 2013;

''(D) 20 percent for fiscal years 2014 and 2015; and

''(E) 0 percent for fiscal year 2016 and any succeeding fiscal year.

''(2) RATABLE REDUCTIONS FOR INSUFFICIENT APPROPRIATIONS.—

''(A) REDUCTION OF BASE GUARANTEE.—If the amount appropriated for any fiscal year is less than the amount required to be allocated to all institutions under this subsection, then the amount of the allocation to each such institution shall be ratably reduced.

''(B) ADDITIONAL APPROPRIATIONS ALLOCATION.—If additional amounts are appropriated for any such fiscal year, such reduced amounts shall be increased on the same basis as they were reduced (until the amount allocated equals the amount required to be allocated under this subsection).

''(3) ADDITIONAL ALLOCATIONS FOR CERTAIN INSTITUTIONS.—

''(A) ALLOCATIONS PERMITTED.—Notwithstanding any other provision of this section, the Secretary may allocate an amount equal to not more than 10 percent of the amount by which the amount appropriated in any fiscal year to carry out this subpart exceeds $700,000,000 among eligible institutions described in subparagraph (B).

''(B) ELIGIBLE INSTITUTIONS.—An otherwise eligible institution may receive a portion of the allocation described in subparagraph (A) if—

''(i) not less than 10 percent of the students attending the institution receive Federal Pell Grants; and

''(ii)(I) in the case of an institution that offers programs of at least 4 years in duration, if its graduation rate for Federal Pell Grant recipients attending the institution and graduating within the period of time equal to normal duration of the longest undergraduate program offered by the institution, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(5)(C)); or

''(II) in the case of an institution that offers programs of at least 2, but less than 4, years in duration, if its rate for Federal Pell Grant recipients attending the institution and graduating or transferring to an institution that offers programs of at least 4 years in duration within the period of time equal to the normal duration of the program offered, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(5)(C)).''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to any amounts appropriated under section 413A(b) of the Higher Education Act of 1965 (20 U.S.C. 1070b(b)) for fiscal year 2008 or any succeeding fiscal year.

(d) BOOKS AND SUPPLIES.—Section 413D(c)(3)(D) (20 U.S.C. 1070–3(c)(3)(D)) is amended by striking ''$450'' and inserting ''$600''.

SEC. 406. LEAP.

Section 415A(b)(1) (20 U.S.C. 1070c(b)(1)) is amended—

(1) by striking ''1999'' and inserting ''2006''; and

(2) by striking ''4 succeeding'' and inserting ''5 succeeding''.

SEC. 407. HEP/CAMP PROGRAM.

Section 418A (20 U.S.C. 1070d–2) is amended—

(1) in subsection (b)(1)(B)(i), by inserting '', or whose spouse'' after ''themselves'';

(2) in subsection (b)(3)(B), by inserting '', including preparation for college entrance exams'' after ''program'';

(3) in subsection (b)(8), by inserting '', including child care and transportation'' after ''supportive services'';

(4) by striking ''and'' at the end of subsection (b)(7), by striking the period at the end of subsection (b)(8) and inserting ''; and'', and by adding at the end of subsection (b) the following new paragraph:

''(9) follow-up activity and reporting requirements, except that not more than 2 percent of the funds provided under this section may be used for such purposes.'';

(5) in subsection (c)(1)(A), by inserting '', or whose spouse'' after ''themselves'';

(6) in subsection (c)(1)(B), by striking clause (i) and inserting the following:

''(i) personal, academic, career, and economic education or personal finance counseling as an ongoing part of the program;'';

(7) in subsection (c)(2)(B), by inserting ''(including mentoring and guidance of such students)'' after ''services'';

(8) in subsection (c)(2), by striking ''and'' at the end of subparagraph (A), by striking the period at the end of subparagraph (B) and inserting ''; and'', and by adding at the end of subsection (c)(2) the following new subparagraph:

''(C) for students in any program that does not award a bachelor's degree, encouraging the transfer to, and persistence in, such a program, and monitoring the rate of such transfer, persistence, and completion.'';

(9) in subsection (e), by striking ''section 402A(c)(1)'' and inserting ''section 402A(c)(2)''; and

(10) in subsection (h)—

(A) in paragraph (1), by striking ''$15,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years'' and inserting ''$24,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years''; and

(B) in paragraph (2), by striking ''$5,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years'' and inserting ''$16,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years''.

SEC. 408. ROBERT C. BYRD HONORS SCHOLARSHIP PROGRAM.

Subpart 6 of part A of title IV is amended to read as follows:

''Subpart 6—Robert C. Byrd Honors Scholarship Program

''SEC. 419A. ROBERT C. BYRD MATHEMATICS AND SCIENCE HONORS SCHOLARSHIP PROGRAM.

''(a) PURPOSE.—The purpose of this section is to award scholarships to students who are enrolled in studies leading to baccalaureate and advanced degrees in physical, life, or computer sciences, mathematics, and engineering.

''(b) DEFINITIONS.—As used in this section—

''(1) the term 'computer science' means the branch of knowledge or study of computers, including such fields of knowledge or study as computer hardware, computer software, computer engineering, information systems, and robotics;

''(2) the term 'eligible student' means a student who—

''(A) is a citizen of the United States;

''(B) is selected by the managing agent to receive a scholarship;

''(C) is enrolled full-time in an institution of higher education, other than a United States service academy; and

''(D) has shown a commitment to and is pursuing a major in studies leading to a baccalaureate, masters, or doctoral degree (or a combination thereof) in physical, life, or computer sciences, mathematics, or engineering;

''(3) the term 'engineering' means the science by which the properties of matter and the sources of energy in nature are made useful to humanity in structures, machines, and products, as in the construction of engines, bridges, buildings, mines, and chemical plants, including such fields of knowledge or study as aeronautical engineering, chemical engineering, civil engineering, electrical engineering, industrial engineering, materials engineering, manufacturing engineering, and mechanical engineering;

''(4) the term 'life sciences' means the branch of knowledge or study of living things, including such fields of knowledge or study as biology, biochemistry, biophysics, microbiology, genetics, physiology, botany, zoology, ecology, and behavioral biology, except that the term does not encompass social psychology or the health professions;

''(5) the term 'managing agent' means an entity to which an award is made under subsection (c) to manage a program of Mathematics and Science Honors Scholarships;

''(6) the term 'mathematics' means the branch of knowledge or study of numbers and the systematic treatment of magnitude, relationships between figures and forms, and relations between quantities expressed symbolically, including such fields of knowledge or study as statistics, applied mathematics, and operations research; and

''(7) the term 'physical sciences' means the branch of knowledge or study of the material universe, including such fields of knowledge or study as astronomy, atmospheric sciences, chemistry, earth sciences, ocean sciences, physics, and planetary sciences.

''(c) AWARD.—

''(1)(A) From funds authorized under section 419D to carry out this section, the Secretary is authorized, through a grant or cooperative agreement, to make an award to a private, non-profit organization, other than an institution of higher education or system of institutions of higher education, to manage, through a public and private partnership, a program of Mathematics and Science Honors Scholarships under this section.

''(B) The award under subparagraph (A) shall be for a five-year period.

''(2)(A) One hundred percent of the funds awarded under paragraph (1)(A) for any fiscal year shall be obligated and expended solely on scholarships to eligible students.

''(B) No Federal funds shall be used to provide more than 50 percent of the cost of any scholarship to an eligible student.

''(C) The maximum scholarship award shall be the difference between an eligible student's cost of attendance minus any non-loan based aid such student receives.

''(3)(A) The secretary may establish—

''(i) eligibility criteria for applicants for managing agent, including criteria regarding financial and administrative capability; and

''(ii) operational standards for the managing agent, including management and performance requirements, such as audit, recordkeeping, record retention, and reporting procedures and requirements.

''(B) The Secretary, as necessary, may review and revise any criteria, standards, and rules established under this paragraph and, through the agreement with the managing agent, see that any revisions are implemented.

''(4) If the managing agent fails to meet the requirements of this section the Secretary may terminate the award to the managing agent.

''(5) The Secretary shall conduct outreach efforts to help raise awareness of the Mathematics and Science Honors Scholarships.

''(d) DUTIES OF THE MANAGING AGENT.—The managing agent shall—

''(1) develop criteria to award Mathematics and Science Honors Scholarships based on established measurements available to secondary students who wish to pursue degrees in physical, life, or computer sciences, mathematics, and engineering;

''(2) establish a Mathematics and Science Honors Scholarship Fund in a separate, named account that clearly discloses the amount of Federal and non-Federal funds deposited in the account and used for scholarships under this section;

''(3) solicit funds for scholarships and for the administration of the program from non-Federal sources;

''(4) solicit applicants for scholarships;

''(5) from the amounts in the Fund, award scholarships to eligible students and transfer such funds to the institutions of higher education that they attend; and

''(6) annually submit to the Secretary a financial audit and a report on the progress of the program, and such other documents as the Secretary may require to determine the effective management of the program.

''(e) APPLICATIONS.—

''(1) Any eligible entity that desires to be the managing agent under this section shall submit an application to the Secretary, in such form and containing such information, as the Secretary may require.

''(2) Each application shall include a description of—

''(A) how the applicant meets or will meet requirements established under subsections (c)(3)(A) and (d);

''(B) how the applicant will solicit funds for scholarships and for the administration of the program from non-Federal sources;

''(C) how the applicant will provide nationwide outreach to inform students about the program and to encourage students to pursue degrees in physical, life, or computer sciences, mathematics, and engineering;

''(D) how the applicant will solicit applications for scholarships, including how the applicant will balance efforts in urban and rural areas;

''(E) the selection criteria based on established measurements available to secondary students the applicant will use to award scholarships and to renew those awards;

''(F) how the applicant will inform the institution of higher education chosen by the recipient of the name and scholarship amount of the recipient;

''(G) what procedures and assurances the applicant and the institution of higher education that the recipient attends will use to verify student eligibility, attendance, degree progress, and academic performance and to deliver and account for payments to such institution;

''(H) the management (including audit and accounting) procedures the applicant will use for the program;

''(I) the human, financial, and other resources that the applicant will need and use to manage the program;

''(J) how the applicant will evaluate the program and report to the Secretary annually; and

''(K) a description of how the entity will coordinate with, complement, and build on similar public and private mathematics and science programs.

''(f) SCHOLARSHIP RECIPIENTS.—

''(1) A student receiving a scholarship under this section shall be known as a 'Byrd Mathematics and Science Honors Scholar'.

''(2) Any student desiring to receive a scholarship under this section shall submit an application to the managing agent in such form, and containing such information, as the managing agent may require.

''(3) Any student that receives a scholarship under this section shall enter into an agreement with the managing agent to complete 5 consecutive years of service to begin no later than 12 months following completion of the final degree in a position related to physical, life, or computer sciences, mathematics, or engineering as defined under this section.

''(4) If any student that receives a scholarship under this section fails to earn at least a baccalaureate degree in physical, life, or computer sciences, mathematics, or engineering as defined under this section, the student shall repay to the managing agent the amount of any financial assistance paid to such student.

''(5) If any student that receives a scholarship under this section fails to meet the requirements of paragraph (3), the student shall repay to the managing agent the amount of any financial assistance paid to such student.

''(6)(A) Scholarships shall be awarded for only one academic year of study at a time.

''(B)(i) A scholarship shall be renewable on an annual basis for the established length of the academic program if the student awarded the scholarship remains eligible.

''(ii) The managing agent may condition renewal of a scholarship on measures of academic progress and achievement, with the approval of the Secretary.

''(C)(i) If a student fails to either remain eligible or meet established measures of academic progress and achievement, the managing agent shall instruct the student's institution of higher education to suspend payment of the student's scholarship.

''(ii) A suspension of payment shall remain in effect until the student is able to demonstrate to the satisfaction of the managing agent that he or she is again eligible and meets the established measures of academic progress and achievement.

''(iii) A student's eligibility for a scholarship shall be terminated if a suspension period exceeds 12 months.

''(D)(i)(I) A student awarded a scholarship may, in a manner and under the terms established by, and with the approval of, the managing agent, postpone or interrupt his or her enrollment at an institution of higher education for up to 12 months.

''(II) Such a postponement or interruption shall not be considered a suspension for purposes of subparagraph (C).

''(ii) Neither a student nor the student's institution of higher education shall receive the student's scholarship payments during the period of postponement or interruption, but such payments shall resume upon enrollment or reenrollment.

''(iii) In exceptional circumstances, such as serious injury or illness or the necessity to care for family members, the student's postponement or interruption may, upon notification and approval of the managing agent, be extended beyond the 12 month period described in clause (i)(I).

''(g) RESPONSIBILITIES OF INSTITUTION OF HIGHER EDUCATION.—

''(1) The managing agent shall require any institution of higher education that enrolls a student who receives a scholarship under this section to annually provide an assurance, prior to making any payment, that the student—

''(A) is eligible in accordance with subsection (b)(2); and

''(B) has provided the institution with a written commitment to attend, or is attending, classes and is satisfactorily meeting the institution's academic criteria for enrollment in its program of study.

''(2)(A) The managing agent shall provide the institution of higher education with payments from the Fund for selected recipients in at least two installments.

''(B) An institution of higher education shall return prorated amounts of any scholarship payment to the managing agent, who shall deposit it in to the Fund, if a recipient declines a scholarship, does not attend courses, transfers to another institution of higher education, or becomes ineligible for a scholarship.

''SEC. 419B. MATHEMATICS AND SCIENCE INCENTIVE PROGRAM.

''(a) PROGRAM.—

''(1) IN GENERAL.—The Secretary is authorized to carry out a program of assuming the obligation to pay, pursuant to the provisions of this section, the interest on a loan made, insured, or guaranteed under part B or D of this title.

''(2) ELIGIBILITY.—The Secretary may assume interest payments under paragraph (1) only for a borrower who—

''(A) has submitted an application in compliance with subsection (d);

''(B) obtained one or more loans described in paragraph (1) as an undergraduate student;

''(C) is a new borrower (within the meaning of section 103(7) of this Act) on or after the date of enactment of the College Access and Opportunity Act of 2006;

''(D) is a highly qualified teacher of science, technology, engineering or mathematics at an elementary or secondary school in a high need local educational agency, or is a mathematics, science, or engineering professional; and

''(E) enters into an agreement with the Secretary to complete 5 consecutive years of service in a position described in subparagraph (D), starting on the date of the agreement.

''(3) PRIOR INTEREST LIMITATIONS.—The Secretary shall not make any payments for interest that—

''(A) accrues prior to the beginning of the repayment period on a loan in the case of a loan made under section 428H or a Federal Direct Unsubsidized Stafford Loan; or

''(B) has accrued prior to the signing of an agreement under paragraph (2)(E).

''(4) INITIAL SELECTION.—In selecting participants for the program under this section, the Secretary—

''(A) shall choose among eligible applicants on the basis of—

''(i) the national security, homeland security, and economic security needs of the United States, as determined by the Secretary, in consultation with other Federal agencies, including the Departments of Labor, Defense, Homeland Security, Commerce, and Energy, the Central Intelligence Agency, and the National Science Foundation; and

''(ii) the academic record or job performance of the applicant; and

''(B) may choose among eligible applicants on the basis of—

''(i) the likelihood of the applicant to complete the 5-year service obligation;

''(ii) the likelihood of the applicant to remain in science, mathematics, or engineering after the completion of the service requirement; or

''(iii) other relevant criteria determined by the Secretary.

''(5) AVAILABILITY SUBJECT TO APPROPRIATIONS.—Loan interest payments under this section shall be subject to the availability of appropriations. If the amount appropriated for any fiscal year is not sufficient to provide interest payments on behalf of all qualified applicants, the Secretary shall give priority to those individuals on whose behalf interest payments were made during the preceding fiscal year.

''(6) REGULATIONS.—The Secretary is authorized to prescribe such regulations as may be necessary to carry out the provisions of this section.

''(b) DURATION AND AMOUNT OF INTEREST PAYMENTS.—The period during which the Secretary shall pay interest on behalf of a student borrower who is selected under subsection (a) is the period that begins on the effective date of the agreement under subsection (a)(2)(E), continues after successful completion of the service obligation, and ends on the earlier of—

''(1) the completion of the repayment period of the loan;

''(2) payment by the Secretary of a total of $5,000 on behalf of the borrower;

''(3) if the borrower ceases to fulfill the service obligation under such agreement prior to the end of the 5-year period, as soon as the borrower is determined to have ceased to fulfill such obligation in accordance with regulations of the Secretary; or

''(4) 6 months after the end of any calendar year in which the borrower's gross income equals or exceeds 4 times the national per capita disposable personal income (current dollars) for such calendar year, as determined on the basis of the National Income and Product Accounts Tables of the Bureau of Economic Analysis of the Department of Commerce, as determined in accordance with regulations prescribed by the Secretary.

''(c) REPAYMENT TO ELIGIBLE LENDERS.—Subject to the regulations prescribed by the Secretary by regulation under subsection (a)(6), the Secretary shall pay to each eligible lender or holder for each payment period the amount of the interest that accrues on a loan of a student borrower who is selected under subsection (a).

''(d) APPLICATION FOR REPAYMENT.—

''(1) IN GENERAL.—Each eligible individual desiring loan interest payment under this section shall submit a complete and accurate application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(2) FAILURE TO COMPLETE SERVICE AGREEMENT.—Such application shall contain an agreement by the individual that, if the individual fails to complete the 5 consecutive years of service required by subsection (a)(2)(E), the individual agrees to repay the Secretary the amount of any interest paid by the Secretary on behalf of the individual.

''(e) TREATMENT OF CONSOLIDATION LOANS.—A consolidation loan made under section 428C of this Act, or a Federal Direct Consolidation Loan made under part D of title IV of this Act, may be a qualified loan for the purpose of this section only to the extent that such loan amount was used by a borrower who otherwise meets the requirements of this section to repay—

''(1) a loan made under section 428 or 428H of this Act; or

''(2) a Federal Direct Stafford Loan, or a Federal Direct Unsubsidized Stafford Loan, made under part D of title IV of this Act.

''(f) PREVENTION OF DOUBLE BENEFITS.—No borrower may, for the same service, receive a benefit under both this section and—

''(1) any loan forgiveness program under title IV of this Act; or

''(2) subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12601 et seq.).

''(g) DEFINITIONS.—As used in this section—

''(1) the term 'high need local educational agency' has the same meaning given such term in section 201(b)(4); and

''(2) the term 'mathematics, science, or engineering professional' means a person who—

''(A) holds a baccalaureate, masters, or doctoral degree (or a combination thereof) in science, mathematics, or engineering; and

''(B) works in a field the Secretary determines is closely related to that degree, which shall include working as a professor at a two- or four-year institution of higher education.

''SEC. 419C. MATHEMATICS AND SCIENCE EDUCATION COORDINATING COUNCIL GRANTS.

''(a) PURPOSES.—The purposes of this section include—

''(1) supporting programs that encourage students to enroll in and successfully complete baccalaureate and advanced degrees in science, technology, engineering, and mathematics;

''(2) achieving the common objective of organizing, leading, and implementing State-based reform agendas that support the continuing improvement of mathematics and science education; and

''(3) improving collaboration in a State among the State educational agency, 2-year and 4-year institutions of higher education, and the business community through the development or improvement of a coordinating council.

''(b) DEFINITIONS.—For the purposes of this section:

''(1) the term 'eligible State' means—

''(A) the Governor of a State; or

''(B) in the case of a State for which the constitution or laws of the State designate an individual, entity, or agency in the State, other than the Governor, to be responsible for coordination among segments of the State's educational systems, such individual, entity, or agency.

''(2) the term 'mathematics and science education coordinating council' means an organization that is charged by a State with coordinating mathematics and science education in the State. Such a council shall be composed of education, business, and community leaders working together to increase student participation and academic achievement in mathematics and science.

''(c) STATE GRANTS.—From amounts made available under section 419D for this section, the Secretary is authorized to use not more than $5,000,000 to award grants on a competitive basis to eligible States for the purpose of carrying out activities described in subsection (d).

''(d) USES OF FUNDS.—An eligible State that receives a grant under this section is authorized to use grant funds to carry out one or more of the following activities:

''(1) In a State in which a mathematics and science education coordinating council does not exist, planning and establishing such a council.

''(2) In a State in which such a council exists, reforming or expanding the activities of the council, including implementing State-based reform agendas that support the continuing improvement of mathematics and science education, and support services that lead to better teacher recruitment and training, increased student academic achievement, and increased student enrollment and degree attainment in science, technology, engineering, and mathematics.

''(3) Coordinating with activities under part B of title II of the Elementary and Secondary Education Act of 1965 and with title II of this Act, especially as it pertains to the recruitment and preparation of highly qualified mathematics and science teachers.

''(e) APPLICATION.—To be eligible to receive a grant under this section, an eligible State shall submit an application to the Secretary that—

''(1) describes the activities the State will carry out with the funds;

''(2) contains a plan for continuing such activities once Federal funding ceases; and

''(3) contains such other information and assurances as the Secretary may require.

''(f) CONSULTATION.—The Governor of a State, or the individual, entity, or agency in the State described in subsection (b)(1)(B), shall consult with the State board of education, State educational agency, and the State agency for higher education, as appropriate, with respect to the activities assisted under this section. In the case of an individual, entity, or agency described in subsection (b)(1)(B), such consultation shall also include the Governor.

''(g) CONSTRUCTION.—Nothing in this section shall be construed to negate or supersede the legal authority under State law of any State agency, State entity, or State public official over programs that are under the jurisdiction of the agency, entity, or official.

''(h) ADMINISTRATIVE PROVISIONS.—

''(1) IN GENERAL.—

''(A) Grants awarded under this section shall be awarded for a period not to exceed 5 years.

''(B) A grantee may receive a grant under this part only once.

''(C) Payments of grant funds under this section shall be annual.

''(2) SECRETARIAL SELECTIONS.—The Secretary shall determine which applications receive funds under this section, and the amount of the grant. In determining grant amounts, the Secretary shall take into account the total amount of funds available for all grants under this section and the nature of each grant proposal, including whether funds are being sought to assist in the creation of a new State mathematics and science education coordinating council or to extend the work of an existing council. The Secretary shall also take into account the equitable geographic distribution of grants throughout the United States.

''(3) MATCHING REQUIREMENT.—Each eligible State receiving a grant under this section shall provide, from non-Federal sources, an amount equal to 50 percent of the amount of the grant (in cash or in kind) to carry out the activities supported by the grant.

''(i) ACCOUNTABILITY AND EVALUATION.—

''(1) STATE GRANT ACCOUNTABILITY REPORT.—An eligible State that receives a grant under this section shall submit an annual accountability report to the Secretary. Such report shall include a description of the degree to which the eligible State, in using

grant funds, has made substantial progress in meeting its objectives.

''(2) EVALUATION AND DISSEMINATION.—The Secretary shall evaluate the activities funded under this section and report the Secretary's findings regarding such activities to the authorizing committees. The Secretary shall broadly disseminate successful practices developed by eligible States under this section, and shall broadly disseminate information regarding such practices that were found to be ineffective.

''(3) REVOCATION.—If the Secretary determines that an eligible State is not making substantial progress in meeting the purposes, objectives, and measures, as appropriate, required under this section by the end of the second year of a grant, then the grant payment shall not be made for the third year and subsequent years of the grant.

''SEC. 419D. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated $41,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years to carry out this subpart.''.

SEC. 409. CHILD CARE ACCESS.

Section 419N(g) (20 U.S.C. 1070e(g)) is amended—

(1) by striking ''1999'' and inserting ''2006''; and

(2) by striking ''4 succeeding'' and inserting ''5 succeeding''.

SEC. 410. LEARNING ANYTIME ANYWHERE PARTNERSHIPS.

(a) REPEAL.—Subpart 8 of part A of title IV (20 U.S.C. 1070f—1070f–6) is repealed.

(b) CONFORMING AMENDMENT.—Section 400(b) (20 U.S.C. 1070(b)) is amended by striking ''through 8'' and inserting ''through 7''.

PART B—FEDERAL FAMILY EDUCATION LOAN PROGRAM

SEC. 421. LOAN FORGIVENESS FOR SERVICE IN AREAS OF NATIONAL NEED.

Section 428K (20 U.S.C. 1078–11) is amended to read as follows:

''SEC. 428K. LOAN FORGIVENESS FOR SERVICE IN AREAS OF NATIONAL NEED.

''(a) PURPOSES.—The purposes of this section are—

''(1) to encourage highly trained individuals to enter and continue in service in areas of national need; and

''(2) to reduce the burden of student debt for Americans who dedicate their careers to service in areas of national need.

''(b) PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—The Secretary is authorized to carry out a program of assuming the obligation to repay, pursuant to paragraphs (2) of subsection (c) and subsection (d), a qualified loan amount for a loan made, insured, or guaranteed under this part or part D (other than loans made under section 428B and 428C and comparable loans made under part D), for any new borrower after the date of enactment of the College Access and Opportunity Act of 2006, who—

''(A) has been employed full-time for at least 5 consecutive complete school, academic, or calendar years, as appropriate, in an area of national need described in subsection (c); and

''(B) is not in default on a loan for which the borrower seeks forgiveness.

''(2) AWARD BASIS.—Loan repayment under this section shall be on a first-come, first-served basis pursuant to the designation under subsection (c) and subject to the availability of appropriations.

''(3) REGULATIONS.—The Secretary is authorized to issue such regulations as may be necessary to carry out the provisions of this section.

''(c) AREAS OF NATIONAL NEED.—

''(1) STATUTORY CATEGORIES.—For purposes of this section, an individual shall be treated as employed in an area of national need if the individual is employed full time and is any of the following:

''(A) EARLY CHILDHOOD EDUCATORS.—An individual who is employed as an early childhood educator in an eligible preschool program or child care facility in a low-income community, and who is involved directly in the care, development and education of infants, toddlers, or young children through age five.

''(B) NURSES.—An individual who is employed—

''(i) as a nurse in a clinical setting; or

''(ii) as a member of the nursing faculty at an accredited school of nursing (as those terms are defined in section 801 of the Public Health Service Act (42 U.S.C. 296)).

''(C) FOREIGN LANGUAGE SPECIALISTS.—An individual who has obtained a baccalaureate degree in a critical foreign language and is employed—

''(i) in an elementary or secondary school as a teacher of a critical foreign language; or

''(ii) in an agency of the United States Government in a position that regularly requires the use of such critical foreign language.

''(D) LIBRARIANS.—An individual who is employed full-time as a libarian in—

''(i) a public library that serves a geographic area within which the public schools have a combined average of 30 percent or more of their total student enrollments composed of children counted under section 1113(a)(5) of the Elementary and Secondary Education Act of 1965; or

''(ii) an elementary or secondary school which is in the school district of a local educational agency which is eligible in such year for assistance pursuant to title I of the Elementary and Secondary Education Act of 1965, and which for the purpose of this paragraph and for that year has been determined by the Secretary (pursuant to regulations and after consultation with the State educational agency of the State in which the school is located) to be a school in which the enrollment of children counted under section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 exceeds 30 percent of the total enrollment of that school.

''(E) HIGHLY QUALIFIED TEACHERS: BILINGUAL EDUCATION AND LOW-INCOME COMMUNITIES.—An individual who—

''(i) is highly qualified as such term is defined in section 9101 of the Elementary and Secondary Education Act of 1965; and

''(ii)(I) is employed as a full-time teacher of bilingual education; or

''(II) is employed as a teacher for service in a public or nonprofit private elementary or secondary school which is in the school district of a local educational agency which is eligible in such year for assistance pursuant to title I of the Elementary and Secondary Education Act of 1965, and which for the purpose of this paragraph and for that year has been determined by the Secretary (pursuant to regulations and after consultation with the State educational agency of the State in which the school is located) to be a school in which the enrollment of children counted under section 1113(a)(5) of the Elementary and Secondary Education Act of 1965 exceeds 40 percent of the total enrollment of that school.

''(F) FIRST RESPONDERS IN LOW-INCOME COMMUNITIES.—An individual who—

''(i) is employed as a firefighter, police officer, or emergency medical technician; and

''(ii) serves as such in a low-income community.

''(G) CHILD WELFARE WORKERS.—An individual who—

''(i) has obtained a degree in social work or a related field with a focus on serving children and families; and

''(ii) is employed in public or private child welfare services.

''(H) SPEECH-LANGUAGE PATHOLOGISTS.—An individual who is a speech-language pathologist, who is employed in an eligible preschool program or an elementary or secondary school, and who has, at a minimum, a graduate degree in speech-language pathology, or communication sciences and disorders.

''(I) ADDITIONAL AREAS OF NATIONAL NEED.—An individual who is employed in an area designated by the Secretary under paragraph (2) and has completed a baccalaureate or advanced degree related to such area.

''(2) DESIGNATION OF AREAS OF NATIONAL NEED.—After consultation with appropriate Federal, State, and community-based agencies and organizations, the Secretary shall designate areas of national need. In making such designations, the Secretary shall take into account the extent to which—

''(A) the national interest in the area is compelling;

''(B) the area suffers from a critical lack of qualified personnel; and

''(C) other Federal programs support the area concerned.

''(d) QUALIFIED LOAN AMOUNT.—The Secretary shall repay not more than $5,000 in the aggregate of the loan obligation on a loan made under section 428 or 428H that is outstanding after the completion of the fifth consecutive school, academic, or calendar year, as appropriate, described in subsection (b)(1).

''(e) CONSTRUCTION.—Nothing in this section shall be construed to authorize the refunding of any repayment of a loan made under section 428 or 428H.

''(f) INELIGIBILITY OF NATIONAL SERVICE AWARD RECIPIENTS.—No student borrower may, for the same service, receive a benefit under both this section and subtitle D of title I of the National and Community Service Act of 1990 (42 U.S.C. 12601 et seq.).

''(g) INELIGIBILITY FOR DOUBLE BENEFITS.—No borrower may receive a reduction of loan obligations under both this section and section 428J or 460.

''(h) DEFINITIONS.—In this section

''(1) CHILD CARE FACILITY.—The term 'child care facility' means a facility, including a home, that—

''(A) provides for the education and care of children from birth through age 5; and

''(B) meets any applicable State or local government licensing, certification, approval, or registration requirements.

''(2) CRITICAL FOREIGN LANGUAGE.—The term 'critical foreign language' includes the languages of Arabic, Korean, Japanese, Chinese, Pashto, Persian-Farsi, Serbian-Croatian, Russian, Portuguese, and any other language identified by the Secretary of Education, in consultation with the Defense Language Institute, the Foreign Service Institute, and the National Security Education Program, as a critical foreign language need.

''(3) EARLY CHILDHOOD EDUCATOR.—The term 'early childhood educator' means an early childhood educator employed in an eligible preschool program who has completed a baccalaureate or advanced degree in early childhood development, early childhood education, or in a field related to early childhood education.

''(4) ELIGIBLE PRESCHOOL PROGRAM.—The term 'eligible preschool program' means a program that provides for the care, development, and education of infants, toddlers, or young children through age 5, meets any applicable State or local government licensing, certification, approval, and registration requirements, and is operated by—

''(A) a public or private school that may be supported, sponsored, supervised, or administered by a local educational agency;

''(B) a Head Start agency serving as a grantee designated under the Head Start Act (42 U.S.C. 9831 et seq.);

''(C) a nonprofit or community based organization; or

''(D) a child care program, including a home.

''(5) LOW-INCOME COMMUNITY.—In this subsection, the term 'low-income community' means a community in which 70 percent of households earn less than 85 percent of the State median household income.

''(6) NURSE.—The term 'nurse' means a nurse who meets all of the following:

''(A) The nurse graduated from—

''(i) an accredited school of nursing (as those terms are defined in section 801 of the Public Health Service Act (42 U.S.C. 296));

''(ii) a nursing center; or

''(iii) an academic health center that provides nurse training.

''(B) The nurse holds a valid and unrestricted license to practice nursing in the State in which the nurse practices in a clinical setting.

''(C) The nurse holds one or more of the following:

''(i) A graduate degree in nursing, or an equivalent degree.

''(ii) A nursing degree from a collegiate school of nursing (as defined in section 801 of the Public Health Service Act (42 U.S.C. 296)).

''(iii) A nursing degree from an associate degree school of nursing (as defined in section 801 of the Public Health Service Act (42 U.S.C. 296)).

''(iv) A nursing degree from a diploma school of nursing (as defined in section 801 of the Public Health Service Act (42 U.S.C. 296)).

''(7) SPEECH-LANGUAGE PATHOLOGIST.—The term 'speech-language pathologist' means a speech-language pathologist who meets all of the following:

''(A) the speech-language pathologist has received, at a minimum, a graduate degree in speech-language pathology or communication sciences and disorders from an institution of higher education accredited by an agency or association recognized by the Secretary pursuant to section 496(a) of this Act; and

''(B) the speech-language pathologist meets or exceeds the qualifications as defined in section 1861(ll) of the Social Security Act (42 U.S.C. 1395x).

''(i) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.''.

SEC. 422. ADDITIONAL ADMINISTRATIVE PROVISIONS.

(a) REPAYMENT PLANS.—Section 428(b)(9)(A) (20 U.S.C. 1078(b)(9)(A)) is amended by inserting before the semicolon at the end of clause (ii) the following: '', and the Secretary may not restrict the proportions or ratios by which such payments may be graduated with the informed agreement of the borrower''.

(b) COUNTING OF CONSOLIDATION LOANS AGAINST LIMITS.—

(1) AMENDMENT.—Section 428C(a)(3)(B) (20 U.S.C. 1078–3(a)(3)(B)) is amended by adding at the end the following new clause:

''(ii) Loans made under this section shall, to the extent used to pay off the outstanding principal balance on loans made under this title, excluding capitalized interest, be counted against the applicable limitations on aggregate indebtedness contained in sections 425(a)(2), 428(b)(1)(B), 428H(d), 455, and 464(a)(2)(B).''.

(2) EFFECTIVE DATE.—The amendments made by this subsection shall apply with respect to any loan made, insured, or guaranteed under part B or part D of title IV of the Higher Education Act of 1965 for which the first disbursement of principal is made on or after July 1, 2007.

(c) ADDITIONAL CONSOLIDATION LOAN CHANGES.—

(1) ADDITIONAL AMENDMENTS.—Section 428C(b)(1) (20 U.S.C. 1078–3(b)(1)) is amended—

(A) by striking everything after ''under this section'' the first place it appears in subparagraph (A);

(B) by striking ''(i) which'' and all that follows through ''and (ii)'' in subparagraph (C);

(C) by striking ''and'' at the end of subparagraph (E);

(D) by redesignating subparagraph (F) as subparagraph (G); and

(E) by inserting after subparagraph (E) the following new subparagraph:

''(F) that the lender of the consolidation loan shall, upon application for such loan, provide the borrower with a clear and conspicuous notice of at least the following information:

''(i) the effects of consolidation on total interest to be paid, fees to be paid, and length of repayment;

''(ii) the effects of consolidation on a borrower's underlying loan benefits, including loan forgiveness, cancellation, deferment, and reduced interest rates on those underlying loans;

''(iii) the ability of the borrower to prepay the loan, pay on a shorter schedule, and to change repayment plans;

''(iv) that borrower benefit programs may vary among different loan holders, and a description of how the borrower benefits may vary among different loan holders;

''(v) the tax benefits for which borrowers may be eligible;

''(vi) the consequences of default; and

''(vii) that by making the application the applicant is not obligated to agree to take the consolidation loan; and''.

(2) EFFECTIVE DATE FOR SINGLE HOLDER AMENDMENT.—The amendment made by paragraph (1)(A) shall apply with respect to any loan made under section 428C of the Higher Education Act of 1965 (20 U.S.C. 1078–3) for which the application is received by an eligible lender on or after July 1, 2006.

(d) VOLUNTARY FLEXIBLE AGREEMENTS.—Section 428A(c) (20 U.S.C. 1078–1(c)) is amended by striking paragraph (3) and inserting the following:

''(3) NOTICE TO INTERESTED PARTIES.—Once the Secretary reaches a tentative agreement in principle under this section, the Secretary shall publish in the Federal Register a notice that invites interested parties to comment on the proposed agreement. The notice shall state how to obtain a copy of the tentative agreement in principle and shall give interested parties no less than 30 days to provide comments. The Secretary may consider such comments prior to providing the notices pursuant to paragraph (2).''.

(e) FINANCIAL AND ECONOMIC LITERACY.—

(1) DEFAULT REDUCTION PROGRAM.—Section 428F is amended by adding at the end the following:

''(c) FINANCIAL AND ECONOMIC LITERACY.—Where appropriate, each program described under subsection (b) shall include making available financial and economic education materials for the borrower.''.

(2) PROGRAM ASSISTANCE FOR BORROWERS.—Section 432(k)(1) (20 U.S.C. 1082(k)(1)) is amended by striking ''and offering'' and all that follows through the period and inserting '', offering loan repayment matching provisions as part of employee benefit packages, and providing employees with financial and economic education and counseling.''.

(f) CREDIT BUREAU ORGANIZATION AGREEMENTS.—Section 430A(a) (20 U.S.C. 1080a(a)) is amended by striking ''agreements with credit bureau organizations'' and inserting ''an agreement with each national credit bureau organization (as described in section 603(p) of the Fair Credit Reporting Act)''.

(g) DEFAULT REDUCTION MANAGEMENT.—Section 432 is further amended—

(1) by striking subsection (n); and

(2) by redesignating subsections (o) and (p) as subsections (n) and (o), respectively.

(h) DISABILITY DETERMINATIONS.—Section 437(a) (20 U.S.C. 1087(a)) is amended by adding at the end the following new sentence: ''In making such determination of permanent and total disability, the Secretary shall provide that a borrower who has been certified as permanently and totally disabled by the Department of Veterans Affairs or the Social Security Administration shall not be required to present further documentation for purposes of this title.''.

(i) TREATMENT OF FALSELY CERTIFIED BORROWERS.—Section 437(c)(1) (20 U.S.C. 1087(c)(1)) is amended by inserting ''or parent's eligibility'' after ''such student's eligibility''.

(j) ADDITIONAL TECHNICAL AMENDMENTS.—

(1) Section 428(a)(2)(A) (20 U.S.C. 1078(a)(2)(A)) is amended—

(A) by striking ''and'' at the end of subclause (II) of clause (i); and

(B) by moving the margin of clause (iii) two ems to the left.

(2) Section 428G(e) (20 U.S.C. 1078–7(e)) is amended by striking '', made to a student to cover the cost of attendance at an eligible institution outside the United States,''.

PART C—FEDERAL WORK-STUDY PROGRAMS

SEC. 441. AUTHORIZATION OF APPROPRIATIONS.

Section 441(b) (42 U.S.C. 2751(b)) is amended—

(1) by striking ''1999'' and inserting ''2006''; and

(2) by striking ''4 succeeding'' and inserting ''5 succeeding''.

SEC. 442. COMMUNITY SERVICE.

Section 441(c)(1) (42 U.S.C. 2751(c)(1)) is amended by striking ''that are open and accessible to the community''.

SEC. 443. ALLOCATION OF FUNDS.

(a) PHASEOUT OF ALLOCATION BASED ON PREVIOUS ALLOCATIONS.—Subsection (a) of section 442 (42 U.S.C. 2752(a)) is amended to read as follows:

''(a) ALLOCATION BASED ON PREVIOUS ALLOCATION.—

''(1) BASE GUARANTEE.—From the amount appropriated pursuant to section 441(b) for each fiscal year after fiscal year 2007, the Secretary shall, subject to paragraph (2), first allocate to each eligible institution an amount equal to the following percentage of the amount such institution received under subsection (a) of this section for fiscal year 2007 (as such subsection was in effect with respect to allocations for such fiscal year):

''(A) 80 percent for fiscal years 2008 and 2009;

''(B) 60 percent for fiscal years 2010 and 2011;

''(C) 40 percent for fiscal years 2012 and 2013;

''(D) 20 percent for fiscal years 2014 and 2015; and

''(E) 0 percent for fiscal year 2016 and any succeeding fiscal year.

''(2) RATABLE REDUCTIONS FOR INSUFFICIENT APPROPRIATIONS.—

''(A) REDUCTION OF BASE GUARANTEE.—If the amount appropriated for any fiscal year is less than the amount required to be allocated to all institutions under this subsection, then the amount of the allocation to each such institution shall be ratably reduced.

''(B) ADDITIONAL APPROPRIATIONS ALLOCATION.—If additional amounts are appropriated for any such fiscal year, such reduced amounts shall be increased on the same basis as they were reduced (until the amount allocated equals the amount required to be allocated under this subsection).

''(3) ADDITIONAL ALLOCATIONS FOR CERTAIN INSTITUTIONS.—

''(A) ALLOCATIONS PERMITTED.—Notwithstanding any other provision of this section, the Secretary may allocate an amount equal to not more than 10 percent of the amount by which the amount appropriated in any fiscal year to carry out this part exceeds $700,000,000 among eligible institutions described in subparagraph (B).

''(B) ELIGIBLE INSTITUTIONS.—An otherwise eligible institution may receive a portion of the allocation described in subparagraph (A) if—

''(i) not less than 10 percent of the students attending the institution receive Federal Pell Grants; and

''(ii)(I) in the case of an institution that offers programs of at least 4 years in duration, if its graduation rate for Federal Pell Grant recipients attending the institution and graduating within the period of time equal to normal duration of the longest undergraduate program offered by the institution, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(5)(C)); or

''(II) in the case of an institution that offers programs of at least 2, but less than 4, years in duration, if its rate for Federal Pell Grant recipients attending the institution and graduating or transferring to an institution that offers programs of at least 4 years in duration within the period of time equal to the normal duration of the program offered, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(5)(C)).''.

(b) EFFECTIVE DATE.—The amendment made by subsection (a) shall apply with respect to any amounts appropriated under section 441(b) of the Higher Education Act of 1965 (42 U.S.C. 2751(b)) for fiscal year 2008 or any succeeding fiscal year.

SEC. 444. BOOKS AND SUPPLIES.

Section 442(c)(4)(D) (42 U.S.C. 2752(c)(4)(D)) is amended by striking ''$450'' and inserting ''$600''.

SEC. 445. JOB LOCATION AND DEVELOPMENT.

Section 446(a)(1) (42 U.S.C. 2756(a)(1)) is amended—

(1) by striking ''10 percent or $50,000'' and inserting ''15 percent or $75,000''; and

(2) by inserting before the period at the end the following: '', except that not less than one-third of such amount shall be specifically allocated to locate and develop community service jobs''.

SEC. 446. WORK COLLEGES.

Section 448 (42 U.S.C. 2756b) is amended—

(1) by striking ''work-learning'' each place it appears and inserting ''work-learning-service'';

(2) by amending subparagraph (C) of subsection (e)(1) to read as follows:

''(C) requires all resident students, including at least one-half of all students who are enrolled on a full-time basis, to participate in a comprehensive work-learning-service program for at least 5 hours each week, or at least 80 hours during each period of enrollment, unless the student is engaged in an institutionally organized or approved study abroad or externship program; and'';

(3) by amending paragraph (2) of subsection (e) to read as follows:

''(2) the term 'comprehensive student work-learning-service program'—

''(A) means a student work-learning-service program that is an integral and stated part of the institution's educational philosophy and program;

''(B) requires participation of all resident students for enrollment and graduation;

''(C) includes learning objectives, evaluation, and a record of work performance as part of the student's college record;

''(D) provides programmatic leadership by college personnel at levels comparable to traditional academic programs;

''(E) recognizes the educational role of work-learning-service supervisors; and

''(F) includes consequences for nonperformance or failure in the work-learning-service program similar to the consequences for failure in the regular academic program.''; and

(4) in subsection (f), by striking ''1999 and such sums as may be necessary for each of the 4 succeeding fiscal years'' and inserting ''2006 and such sums as may be necessary for the 5 succeeding fiscal years''.

PART D—FEDERAL DIRECT LOAN PROGRAM

SEC. 451. INCOME CONTINGENT REPAYMENT.

Section 455(e)(2) (20 U.S.C. 1087e(e)(2)) is amended by striking ''and files a Federal income tax return jointly with the borrower's spouse''.

PART E—FEDERAL PERKINS LOAN PROGRAM

SEC. 461. REAUTHORIZATION OF PROGRAM.

(a) PROGRAM AUTHORIZATION.—

(1) AUTHORIZATION OF APPROPRIATIONS.—Section 461(b) (20 U.S.C. 1087aa(b)) is amended—

(A) in paragraph (1)—

(i) by striking ''1999'' and inserting ''2006''; and

(ii) by striking ''4 succeeding'' and inserting ''5 succeeding''; and

(B) in paragraph (2), by striking ''2003'' each place it appears and inserting ''2012''.

(2) FEDERAL CAPITAL CONTRIBUTION RECOVERY.—Section 466 (20 U.S.C. 1087ff) is amended—

(A) by striking ''2004'' each place it appears in subsections (a) and (c) and inserting ''2012''; and

(B) by striking ''2003'' each place it appears in subsections (a) and (b),and inserting ''2011''.

(b) PHASEOUT OF ALLOCATION BASED ON PREVIOUS ALLOCATIONS.—

(1) AMENDMENT.—Subsection (a) of section 462 (20 U.S.C. 1087bb(a)) is amended to read as follows:

''(a) ALLOCATION BASED ON PREVIOUS ALLOCATION.—

''(1) BASE GUARANTEE.—From the amount appropriated pursuant to section 461(b) for each fiscal year after fiscal year 2007, the Secretary shall, subject to paragraphs (2) and (3), first allocate to each eligible institution an amount equal to—

''(A) 100 percent of the amount such institution received under subsection (a) of this section for fiscal year 2007 (as such subsection was in effect with respect to allocations for such fiscal year), multiplied by

''(B) the institution's default penalty, as determined under subsection (e), except that if the institution has a cohort default rate in excess of the applicable maximum cohort default rate under subsection (f), the institution may not receive an allocation under this paragraph.

''(2) PHASE OUT.—For each of the fiscal years after fiscal year 2007, paragraph (1) shall be applied by substituting for '100 percent':

''(A) '80 percent' for fiscal years 2008 and 2009;

''(B) '60 percent' for fiscal years 2010 and 2011;

''(C) '40 percent' for fiscal years 2012 and 2013;

''(D) '20 percent' for fiscal years 2014 and 2015; and

''(E) '0 percent' for fiscal year 2016 and any succeeding fiscal year.

''(3) RATABLE REDUCTIONS FOR INSUFFICIENT APPROPRIATIONS.—

''(A) REDUCTION OF BASE GUARANTEE.—If the amount appropriated for any fiscal year is less than the amount required to be allocated to all institutions under this subsection, then the amount of the allocation to each such institution shall be ratably reduced.

''(B) ADDITIONAL APPROPRIATIONS ALLOCATION.—If additional amounts are appropriated for any such fiscal year, such reduced amounts shall be increased on the same basis as they were reduced (until the amount allocated equals the amount required to be allocated under this subsection).''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to any amounts appropriated under section 461(b) of the Higher Education Act of 1965 (20 U.S.C. 1087bb(b)) for fiscal year 2008 or any succeeding fiscal year.

(c) BOOKS AND SUPPLIES.—Section 462(c)(4)(D) (20 U.S.C. 1087bb(c)(4)(D)) is amended by striking ''$450'' and inserting ''$600''.

SEC. 462. LOAN TERMS AND CONDITIONS.

(a) LOAN LIMITS.—Section 464(a) (20 U.S.C. 1087dd(a)) is amended—

(1) in paragraph (2)(A)—

(A) by striking ''$4,000'' in clause (i) and inserting ''$5,500''; and

(B) by striking ''$6,000'' in clause (ii) and inserting ''$8,000''; and

(2) in paragraph (2)(B)—

(A) by striking ''$40,000'' in clause (i) and inserting ''$60,000'';

(B) by striking ''$20,000'' in clause (ii) and inserting ''$27,500''; and

(C) by striking ''$8,000'' in clause (iii) and inserting ''$11,000''.

(b) FORBEARANCE.—Section 464(e) (20 U.S.C. 1087dd(e)) is amended by striking '', upon written request,''.

(c) SPECIAL REPAYMENT RULE.—Paragraph (2) of section 464(f) is amended to read as follows:

''(2) No compromise repayment of a defaulted loan as authorized by paragraph (1) may be made unless agreed to by the Secretary.''.

(d) REHABILITATION.—Section 464(h)(1)(A) (20 U.S.C. 1087dd(h)(1)(A)) is amended by striking ''12 ontime'' and inserting ''9 ontime''.

SEC. 463. LOAN CANCELLATION.

Section 465(a)(3)(A) (20 U.S.C. 1087ee(a)(3)(A)) is amended—

(1) by inserting ''(D),'' after ''subparagraph (A), (C),'' in clause (i);

(2) by inserting ''or'' after the semicolon at the end of clause (ii);

(3) by striking clause (iii); and

(4) by redesignating clause (iv) as clause (iii).

SEC. 464. TECHNICAL AMENDMENTS.

Part E is further amended as follows:

(1) Section 462(g)(1)(E)(i)(I) (20 U.S.C. 1087bb(g)(1)(E)(i)(I)) is amended by inserting ''monthly'' after ''consecutive''.

(2) Section 463(a)(4)(A) (20 U.S.C. 1087cc(a)(4)(A)) is amended by striking ''the Secretary may'' and inserting ''the Secretary shall''.

(3) Section 464(c)(1)(D) (20 U.S.C. 1087dd(c)(1)(D)) is amended by redesignating subclauses (I) and (II) as clauses (i) and (ii), respectively.

(4) Section 465(a)(2) (20 U.S.C. 1087ee(a)(2)) is amended in subparagraph (A), by striking ''section 111(c)'' and inserting ''section 1113(a)(5)''.

(5) Section 467(b) (20 U.S.C. 1087gg(b)) is amended by striking ''(5)(A), (5)(B)(i), or (6)'' and inserting ''(4)(A), (4)(B), or (5)''.

(6) Section 469(c) (20 U.S.C. 1087ii(c)) is amended—

(A) by striking ''sections 602 and 632'' and inserting ''sections 602(3) and 632(5)'';

(B) by striking ''qualified professional provider of early intervention services'' and inserting ''early intervention services''; and

(C) by striking ''section 672(2)'' and inserting ''section 632(4)''.

PART F—NEED ANALYSIS

SEC. 471. SIGNIFICANTLY SIMPLIFYING THE STUDENT AID APPLICATION PROCESS.

(a) IMPROVEMENTS TO PAPER AND ELECTRONIC FORMS.—

(1) COMMON FINANCIAL AID FORM DEVELOPMENT AND PROCESSING.—Section 483(a) (20 U.S.C. 1090(a)) is amended—

(A) by striking paragraphs (1), (2), and (5);

(B) by redesignating paragraphs (3), (4), (6), and (7), as paragraphs (9), (10), (11), and (12), respectively;

(C) by inserting before paragraph (9), as redesignated by subparagraph (B), the following:

''(1) IN GENERAL.—The Secretary, in cooperation with representatives of agencies and organizations involved in student financial assistance, shall produce, distribute, and process free of charge common financial reporting forms as described in this subsection to be used for application and reapplication to determine the need and eligibility of a student for financial assistance under parts A through E (other than subpart 4 of part A). These forms shall be made available to applicants in both paper and electronic formats and shall be referred to as the 'Free Application for Federal Student Aid' or the 'FAFSA'.

''(2) EARLY ESTIMATES.—

''(A) IN GENERAL.—The Secretary shall permit applicants to complete such forms as described in this subsection in the 4 years prior to enrollment in order to obtain a non-binding estimate of the family contribution, as defined in section 473. The estimate shall clearly and conspicuously indicate that it is only an estimate of family contribution, and may not reflect the actual family contribution of the applicant that shall be used to determine the grant, loan, or work assistance that the applicant may receive under this title when enrolled in a program of postsecondary education. Such applicants shall be permitted to update information submitted on forms described in this subsection using the process required under paragraph (5)(A).

''(B) EVALUATION.—Two years after the early estimates are implemented under this paragraph and from data gathered from the early estimates, the Secretary shall evaluate the differences between initial, non-binding early estimates and the final financial aid award made available under this title.

''(C) REPORT.—The Secretary shall provide a report to the authorizing committees on the results of the evaluation.

''(3) PAPER FORMAT.—

''(A) IN GENERAL.—The Secretary shall produce, distribute, and process common forms in paper format to meet the requirements of paragraph (1). The Secretary shall develop a common paper form for applicants who do not meet the requirements of subparagraph (B).

''(B) EZ FAFSA.—

''(i) IN GENERAL.—The Secretary shall develop and use a simplified paper application form, to be known as the 'EZ FAFSA', to be used for applicants meeting the requirements of section 479(c).

''(ii) REDUCED DATA REQUIREMENTS.—The form under this subparagraph shall permit an applicant to submit, for financial assistance purposes, only the data elements required to make a determination of whether the applicant meets the requirements under section 479(c).

''(iii) STATE DATA.—The Secretary shall include on the form under this subparagraph such data items as may be necessary to award State financial assistance, as provided under paragraph (6), except that the Secretary shall not include a State's data if that State does not permit its applicants for State assistance to use the form under this subparagraph.

''(iv) FREE AVAILABILITY AND PROCESSING.—The provisions of paragraph (7) shall apply to the form under this subparagraph, and the data collected by means of the form under this subparagraph shall be available to institutions of higher education, guaranty agencies, and States in accordance with paragraph (9).

''(v) TESTING.—The Secretary shall conduct appropriate field testing on the form under this subparagraph.

''(C) PROMOTING THE USE OF ELECTRONIC FAFSA.—

''(i) IN GENERAL.—The Secretary shall make an effort to encourage applicants to utilize the electronic forms described in paragraph (4).

''(ii) MAINTENANCE OF THE FAFSA IN A PRINTABLE ELECTRONIC FILE.—The Secretary shall maintain a version of the paper forms described in subparagraphs (A) and (B) in a printable electronic file that is easily portable. The printable electronic file will be made easily accessible and downloadable to students on the same website used to provide students with the electronic application forms described in paragraph (4) of this subsection. The Secretary shall enable students to submit a form created under this subparagraph that is downloaded and printed from an electronic file format in order to meet the filing requirements of this section and in order to receive aid from programs under this title.

''(iii) REPORTING REQUIREMENT.—The Secretary shall report annually to Congress on the impact of the digital divide on students completing applications for title IV aid described under this paragraph and paragraph (4). The Secretary will also report on the steps taken to eliminate the digital divide and phase out the paper form described in subparagraph (A) of this paragraph. The Secretary's report will specifically address the impact of the digital divide on the following student populations: dependent students, independent students without dependents, and independent students with dependents other than a spouse.

''(4) ELECTRONIC FORMAT.—

''(A) IN GENERAL.—The Secretary shall produce, distribute, and process common forms in electronic format to meet the requirements of paragraph (1). The Secretary shall develop common electronic forms for applicants who do not meet the requirements of subparagraph (C) of this paragraph.

''(B) STATE DATA.—The Secretary shall include on the common electronic forms space for information that needs to be submitted from the applicant to be eligible for State financial assistance, as provided under paragraph (6), except the Secretary shall not require applicants to complete data required by any State other than the applicant's State of residence.

''(C) SIMPLIFIED APPLICATIONS: FAFSA ON THE WEB.—

''(i) IN GENERAL.—The Secretary shall develop and use a simplified electronic application form to be used by applicants meeting the requirements under subsection (c) of section 479 and an additional, separate simplified electronic application form to be used by applicants meeting the requirements under subsection (b) of section 479.

''(ii) REDUCED DATA REQUIREMENTS.—The simplified electronic application forms shall permit an applicant to submit for financial assistance purposes, only the data elements required to make a determination of whether the applicant meets the requirements under subsection (b) or (c) of section 479.

''(iii) STATE DATA.—The Secretary shall include on the simplified electronic application forms such data items as may be necessary to award state financial assistance, as provided under paragraph (6), except that the Secretary shall not require applicants to complete data required by any State other than the applicant's State of residence.

''(iv) AVAILABILITY AND PROCESSING.—The data collected by means of the simplified electronic application forms shall be available to institutions of higher education, guaranty agencies, and States in accordance with paragraph (9).

''(v) TESTING.—The Secretary shall conduct appropriate field testing on the forms developed under this subparagraph.

''(D) USE OF FORMS.—Nothing in this subsection shall be construed to prohibit the use of the forms developed by the Secretary pursuant to this paragraph by an eligible institution, eligible lender, guaranty agency, State grant agency, private computer software provider, a consortium thereof, or such other entities as the Secretary may designate.

''(E) PRIVACY.—The Secretary shall ensure that data collection under this paragraph complies with section 552a of title 5, United States Code, and that any entity using the electronic version of the forms developed by the Secretary pursuant to this paragraph shall maintain reasonable and appropriate administrative, technical, and physical safeguards to ensure the integrity and confidentiality of the information, and to protect against security threats, or unauthorized uses or disclosures of the information provided on the electronic version of the forms. Data collected by such electronic version of the forms shall be used only for the application, award, and administration of aid awarded under this title, State aid, or aid awarded by eligible institutions or such entities as the Secretary may designate. No data collected by such electronic version of the forms shall be used for making final aid awards under this title until such data have been processed by the Secretary or a contractor or designee of the Secretary, except as may be permitted under this title.

''(F) SIGNATURE.—Notwithstanding any other provision of this Act, the Secretary may permit an electronic form under this paragraph to be submitted without a signature, if a signature is subsequently submitted by the applicant.

''(5) STREAMLINING.—

''(A) STREAMLINED REAPPLICATION PROCESS.—

''(i) IN GENERAL.—The Secretary shall develop streamlined reapplication forms and processes, including both paper and electronic reapplication processes, consistent with the requirements of this subsection, for an applicant who applies for financial assistance under this title—

''(I) in the academic year succeeding the year in which such applicant first applied for financial assistance under this title; or

''(II) in any succeeding academic years.

''(ii) MECHANISMS FOR REAPPLICATION.—The Secretary shall develop appropriate mechanisms to support reapplication.

''(iii) IDENTIFICATION OF UPDATED DATA.—The Secretary shall determine, in cooperation with States, institutions of higher education, agencies, and organizations involved

in student financial assistance, the data elements that can be updated from the previous academic year's application.

''(iv) REDUCED DATA AUTHORIZED.—Nothing in this title shall be construed as limiting the authority of the Secretary to reduce the number of data elements required of reapplicants.

''(v) ZERO FAMILY CONTRIBUTION.—Applicants determined to have a zero family contribution pursuant to section 479(c) shall not be required to provide any financial data in a reapplication form, except that which is necessary to determine eligibility under such section.

''(B) REDUCTION OF DATA ELEMENTS.—

''(i) REDUCTION ENCOURAGED.—Of the number of data elements on the FAFSA on the date of enactment of the College Access and Opportunity Act of 2006 (including questions on the FAFSA for the purposes described in paragraph (6)), the Secretary, in cooperation with representatives of agencies and organizations involved in student financial assistance, shall continue to reduce the number of such data elements following the date of enactment. Reductions of data elements under paragraph (3)(B), (4)(C), or (5)(A)(iv) shall not be counted towards the reduction referred to in this paragraph unless those data elements are reduced for all applicants.

''(ii) REPORT.—The Secretary shall annually report to the House of Representatives and the Senate on the progress made of reducing data elements.

''(6) STATE REQUIREMENTS.—

''(A) IN GENERAL.—The Secretary shall include on the forms developed under this subsection, such State-specific data items as the Secretary determines are necessary to meet State requirements for State need-based financial aid under section 415C, except as provided in paragraphs (3)(B)(iii) and (4)(C)(iii) of this subsection. Such items shall be selected in consultation with State agencies in order to assist in the awarding of State financial assistance in accordance with the terms of this subsection, except as provided in paragraphs (3)(B)(iii) and (4)(C)(iii) of this subsection. The number of such data items shall not be less than the number included on the form on October 7, 1998, unless a State notifies the Secretary that the State no longer requires those data items for the distribution of State need-based financial aid.

''(B) ANNUAL REVIEW.—The Secretary shall conduct an annual review process to determine which forms and data items the States require to award State need-based financial aid and other application requirements that the States may impose.

''(C) STATE USE OF SIMPLIFIED FORMS.—The Secretary shall encourage States to take such steps as necessary to encourage the use of simplified application forms, including those described in paragraphs (3)(B) and (4)(C), to meet the requirements under subsection (b) or (c) of section 479.

''(D) FEDERAL REGISTER NOTICE.—The Secretary shall publish on an annual basis a notice in the Federal Register requiring State agencies to inform the Secretary—

''(i) if the State agency is unable to permit applicants to utilize the simplified application forms described in paragraphs (3)(B) and (4)(C); and

''(ii) of the State-specific data that the State agency requires for delivery of State need-based financial aid.

''(E) STATE NOTIFICATION TO THE SECRETARY.—

''(i) IN GENERAL.—Each State agency shall notify the Secretary—

''(I) whether the State permits an applicant to file a form described in paragraph (3)(B) or paragraph (4)(C) of this subsection for purposes of determining eligibility for State need-based financial aid; and

''(II) the State-specific data that the State agency requires for delivery of State need-based financial aid.

''(ii) ACCEPTANCE OF FORMS.—In the event that a State does not permit an applicant to file a form described in paragraph (3)(B) or paragraph (4)(C) of this subsection for purposes of determining eligibility for State need-based financial aid—

''(I) the State shall notify the Secretary if the State is not permitted to do so because of either State law or because of agency policy; and

''(II) the notification under subclause (I) shall include an estimate of the program cost to permit applicants to complete simplified application forms under paragraphs (3)(B) and paragraph (4)(C) of this subsection.

''(iii) LACK OF NOTIFICATION BY THE STATE.—If a State does not notify the Secretary pursuant to clause (i), the Secretary shall—

''(I) permit residents of that State to complete simplified application forms under paragraphs (3)(B) and paragraph (4)(C) of this subsection; and

''(II) not require any resident of that State to complete any data previously required by that State under this section.

''(7) CHARGES TO STUDENTS AND PARENTS FOR USE OF FORMS PROHIBITED.—

''(A) FEES PROHIBITED.—The FAFSA, in whatever form (including the EZ–FAFSA, paper, electronic, simplified, or reapplication), shall be produced, distributed, and processed by the Secretary and no parent or student shall be charged a fee for the collection, processing, or delivery of financial aid through the use of the FAFSA. The need and eligibility of a student for financial assistance under parts A through E of this title (other than under subpart 4 of part A) may only be determined by using the FAFSA developed by the Secretary pursuant to this subsection. No student may receive assistance under parts A through E of this title (other than under subpart 4 of part A), except by use of the FAFSA developed by the Secretary pursuant to this subsection. No data collected on a form for which a fee is charged shall be used to complete the FAFSA.

''(B) NOTICE.—Any entity that provides to students or parents, or charges students or parents for, any value-added services with respect to or in connection with the FAFSA, such as completion of the FAFSA, submission of the FAFSA, or tracking of the FAFSA for a student, shall provide to students and parents clear and conspicuous notice that—

''(i) the FAFSA is a free Federal student aid application;

''(ii) the FAFSA can be completed without professional assistance; and

''(iii) includes the current Internet address for the FAFSA on the Department's web site.

''(8) APPLICATION PROCESSING CYCLE.—The Secretary shall enable students to submit a form created under this subsection in order to meet the filing requirements of this section and in order to receive aid from programs under this title and shall initiate the processing of applications under this subsection as early as practicable prior to January 1 of the student's planned year of enrollment.''.

(2) MASTER CALENDAR.—Section 482(a)(1)(B) (20 U.S.C. 1089) is amended to read as follows:

''(B) by March 1: proposed modifications, updates, and notices pursuant to sections 478, 479(c)(2)(C), and 483(a)(6) published in the Federal Register;''.

(b) INCREASING ACCESS TO TECHNOLOGY.—Section 483 (20 U.S.C. 1090) is further amended by adding at the end the following:

''(f) ADDRESSING THE DIGITAL DIVIDE.—The Secretary shall utilize savings accrued by moving more applicants to the electronic forms described in subsection (a)(4) to improve access to the electronic forms described in subsection (a)(4) for applicants meeting the requirements of section 479(c).''.

(c) EXPANDING THE DEFINITION OF AN INDEPENDENT STUDENT.—Section 480(d) (20 U.S.C.1087vv(d)) is amended by striking paragraph (2) and inserting the following:

''(2) is an orphan, in foster care, or a ward of the court, or was in foster care or a ward of the court until the individual reached the age of 18;''.

SEC. 472. DISCRETION OF STUDENT FINANCIAL AID ADMINISTRATORS.

Section 479A(a) (20 U.S.C. 1087tt(a)) is amended—

(1) by striking ''(a) IN GENERAL.—'' and inserting the following:

''(a) AUTHORITY TO MAKE ADJUSTMENTS.—

''(1) ADJUSTMENTS FOR SPECIAL CIRCUMSTANCES.—'';

(2) by inserting before ''Special circumstances may'' the following:

''(2) SPECIAL CIRCUMSTANCES DEFINED.—'';

(3) by inserting ''a student's status as a ward of the court at any time prior to attaining 18 years of age, a student's status as an individual who was adopted at or after age 13, a student's status as a homeless or unaccompanied youth (as defined in section 725 of the McKinney-Vento Homeless Assistance Act),'' after ''487,'';

(4) by inserting before ''Adequate documentation'' the following:

''(3) DOCUMENTATION AND USE OF SUPPLEMENTARY INFORMATION.—''; and

(5) by inserting before ''No student'' the following:

''(4) FEES FOR SUPPLEMENTARY INFORMATION PROHIBITED.—''.

PART G—GENERAL PROVISIONS RELATING TO STUDENT FINANCIAL ASSISTANCE

SEC. 481. EXPANDING INFORMATION DISSEMINATION REGARDING ELIGIBILITY FOR PELL GRANTS.

Section 483(a) (20 U.S.C. 1090(a)) (as amended by section 471(a)) is further amended by adding at the end the following new paragraph:

''(13) EXPANDING INFORMATION DISSEMINATION REGARDING ELIGIBILITY FOR PELL GRANTS.—The Secretary shall make special efforts, in conjunction with State efforts, to notify students and their parents who qualify for a free lunch under the Richard B. Russell National School Lunch Act (42 U.S.C. 1751 et seq.), the Food Stamps program, or such other programs as the Secretary shall determine, of their potential eligibility for a maximum Pell Grant, and shall disseminate such informational materials as the Secretary deems appropriate.''.

SEC. 482. STUDENT ELIGIBILITY.

(a) TECHNICAL AMENDMENT.—Section 484(b)(5) (20 U.S.C. 1091(b)(5)) is amended by inserting ''or parent (on behalf of a student)'' after ''student''.

(b) FREELY ASSOCIATED STATES.—Section 484(j) (20 U.S.C. 1091(j)) is amended by inserting ''and shall be eligible only for assistance under subpart 1 of part A thereafter,'' after ''part C,''.

SEC. 483. INSTITUTIONAL REFUNDS.

Section 484B (20 U.S.C. 1091b) is amended—

(1) in subsection (a)(1), by inserting ''subpart 4 of part A or'' after ''received under'';

(2) in subsection (b)(2), by adding at the end the following new subparagraph:

''(D) WAIVERS OF PELL GRANT REPAYMENT BY STUDENTS AFFECTED BY DISASTERS.—The Secretary may waive the amounts that students are required to return under this section with respect to Pell grants if the withdrawals on which the returns are based are withdrawals by students—

''(i) who were residing in, employed in, or attending an institution of higher education

that is located in an area in which the President has declared that a major disaster exists, in accordance with section 401 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170);

''(ii) whose attendance was interrupted because of the impact of the disaster on the student or the institution; and

''(iii) whose withdrawal ended within the academic year during which the designation occurred or during the next succeeding academic year.''; and

(3) in subsection (d), by striking ''(a)(3)(B)(i)'' and inserting ''(a)(3)(B)''.

SEC. 484. INSTITUTIONAL AND FINANCIAL ASSISTANCE INFORMATION FOR STUDENTS.

(a) INFORMATION DISSEMINATION ACTIVITIES.—Section 485(a)(1) (20 U.S.C. 1092(a)(1)) is amended—

(1) by amending the second sentence to read as follows: ''The information required by this section shall be produced and be made publicly available to an enrolled student and to any prospective student, through appropriate publications, mailings, electronic media, and the reports required by the institution's accrediting agency under section 496(c)(9).'';

(2) by amending subparagraph (G) to read as follows:

''(G) the academic programs of the institution, including—

''(i) the current degree programs and other educational and training programs;

''(ii) the institution's educational mission and goals;

''(iii) the instructional, laboratory, and other physical plant facilities which relate to the academic programs; and

''(iv) the faculty and other instructional personnel;'';

(3) by striking subparagraph (L) and inserting the following:

''(L) a summary of student outcomes for full-time undergraduate students, including—

''(i) the completion or graduation rates of certificate- or degree-seeking undergraduate students entering such institutions; and

''(ii) any other student outcome data, qualitative or quantitative, including data regarding distance education, deemed by the institution to be appropriate to its stated educational mission and goals, and, when applicable, licensing and placement rates for professional and vocational programs;'';

(4) by inserting before the semicolon at the end of subparagraph (J) the following: '', and the process for students to register complaints with the accrediting agencies or associations'';

(5) in subparagraph (M), by striking ''guaranteed student loans under part B of this title or direct student loans under part E of this title, or both,'' and inserting ''student loans under part B, D, or E of this title'';

(6) by striking ''and'' at the end of subparagraph (N);

(7) by striking the period at the end of subparagraph (O) and inserting a semicolon; and

(8) by adding at the end the following new subparagraphs:

''(P) the penalties contained in subsection 484(r) regarding suspension of eligibility for drug related offenses;

''(Q) the policies of the institution regarding the acceptance or denial of academic credit earned at another institution of higher education, which shall include a statement that such decisions will not be based solely on the source of accreditation of a sending institution, provided that the sending institution is accredited by an agency or association that is recognized by the Secretary pursuant to section 496 to be a reliable authority as to the quality of the education or training offered, and except that nothing in this subparagraph shall be construed to—

''(i) authorize an officer or employee of the Department to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any institution of higher education, or over any accrediting agency or association;

''(ii) limit the application of the General Education Provisions Act; or

''(iii) create any legally enforceable right; and''.

(b) ADDITIONAL AMENDMENTS.—Section 485(a) is further amended by striking paragraph (6) and inserting the following:

''(6) Each institution may provide supplemental information to enrolled and prospective students showing the completion or graduation rate for students described in paragraph (4). For the purpose of this paragraph, the definitions provided in the Integrated Postsecondary Education Data System shall apply.

''(7) Each eligible institution participating in any program under this title may publicly report to currently enrolled and prospective students the voluntary information collected by the National Survey of Student Engagement (NSSE), the Community College Survey of Student Engagement (CCSSE), or other instruments that provide evidence of student participation in educationally purposeful activities. The information shall be produced and made available in a uniform and comprehensible manner, through appropriate publications, mailings, and electronic media, and may be included in reports required by the institution's accrediting agency.''.

(c) EXIT COUNSELING.—Section 485(b) (20 U.S.C. 1092(b)) is amended by adding at the end the following new paragraph:

''(3) Each eligible institution shall, during the exit interview required by this subsection, provide to a borrower of a loan made under part B, D, or E a clear and conspicuous notice describing the effect of using a consolidation loan to discharge the borrower's student loans, including—

''(A) the effects of consolidation on total interest to be paid, fees to be paid, and length of repayment;

''(B) the effects of consolidation on a borrower's underlying loan benefits, including loan forgiveness, cancellation, and deferment;

''(C) the ability for the borrower to prepay the loan, pay on a shorter schedule, and to change repayment plans, and that borrower benefit programs may vary among different loan holders;

''(D) the tax benefits for which the borrower may be eligible; and

''(E) the consequences of default.''.

(d) CAMPUS CRIME INFORMATION.—Section 485(f)(1) (20 U.S.C. 1092(f)(1)) is amended by inserting '', other than a foreign institution of higher education,'' after ''under this title''.

(e) DISCLOSURE OF FIRE SAFETY OF CAMPUS BUILDINGS.—Section 485 of the Higher Education Act of 1965 (20 U.S.C. 1092) is further amended—

(1) in subsection (a)(1), by adding after subparagraph (Q) (as added by subsection (a)(8) of this section) the following new subparagraph:

''(R) the fire safety report prepared by the institution pursuant to subsection (h).''; and

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

''(h) DISCLOSURE OF FIRE SAFETY STANDARDS AND MEASURES.—

''(1) ANNUAL FIRE SAFETY REPORTS REQUIRED.—Each institution participating in any program under this title shall, beginning in the first academic year that begins after the date of enactment of the College Access and Opportunity Act of 2006, and each year thereafter, prepare, publish, and distribute, through appropriate publications (including the Internet) or mailings, to all current students and employees, and to any applicant for enrollment or employment upon request, an annual fire safety report. Such reports shall contain at least the following information with respect to the campus fire safety practices and standards of that institution:

''(A) A statement that identifies each institution-owned or controlled student housing facility, and whether or not such facility is equipped with a fire sprinkler system or other fire safety system, or has fire escape planning or protocols.

''(B) Statistics for each such facility concerning the occurrence of fires and false alarms in such facility during the 2 preceding calendar years for which data are available.

''(C) For each such occurrence in each such facility, a summary of the human injuries or deaths, structural or property damage, or combination thereof.

''(D) Information regarding rules on portable electrical appliances, smoking and open flames (such as candles), regular mandatory supervised fire drills, and planned and future improvements in fire safety.

''(E) Information about fire safety education and training provided to students, faculty, and staff.

''(F) Information concerning fire safety at any housing facility owned or controlled by a fraternity, sorority, or student group that is recognized by the institution, including—

''(i) information reported to the institution under paragraph (4); and

''(ii) a statement concerning whether and how the institution works with recognized student fraternities and sororities, and other recognized student groups owning or controlling housing facilities, to make each building and property owned or controlled by such fraternities, sororities, and groups more fire safe.

''(2) FRATERNITIES, SORORITIES, AND OTHER GROUPS.—Each institution participating in a program under this title shall request each fraternity and sorority that is recognized by the institution, and any other student group that is recognized by the institution and that owns or controls housing facilities, to collect and report to the institution the information described in subparagraphs (A) through (E) of paragraph (1), as applied to the fraternity, sorority, or recognized student group, respectively, for each building and property owned or controlled by the fraternity, sorority, or group, respectively.

''(3) CURRENT INFORMATION TO CAMPUS COMMUNITY.—Each institution participating in any program under this title shall make, keep, and maintain a log, written in a form that can be easily understood, recording all on-campus fires, including the nature, date, time, and general location of each fire and all false fire alarms. All entries that are required pursuant to this paragraph shall, except where disclosure of such information is prohibited by law, be open to public inspection, and each such institution shall make annual reports to the campus community on such fires and false fire alarms in a manner that will aid the prevention of similar occurrences.

''(4) REPORTS TO THE SECRETARY.—On an annual basis, each institution participating in any program under this title shall submit to the Secretary a copy of the statistics required to be made available under paragraph (1)(B). The Secretary shall—

''(A) review such statistics;

''(B) make copies of the statistics submitted to the Secretary available to the public; and

''(C) in coordination with nationally recognized fire organizations and representatives of institutions of higher education, identify exemplary fire safety policies, procedures, and practices and disseminate information concerning those policies, procedures, and practices that have proven effective in the reduction of campus fires.

''(5) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed to authorize the Secretary to require particular policies, procedures, or practices by institutions of higher education with respect to fire safety.

''(6) DEFINITIONS.—In this subsection, the term 'campus' has the meaning provided in subsection (f)(6).''.

SEC. 485. DISTANCE EDUCATION DEMONSTRATION PROGRAM.

(a) ELIGIBLE APPLICANTS.—Section 486(b)(3) (20 U.S.C. 1093(b)(3)) is amended—

(1) in subparagraph (B), by striking ''section 102(a)(1)(C)'' and inserting ''section 102''; and

(2) in subparagraph (C), by striking ''subsection (a) of section 102, other than the requirement of paragraph (3)(A) or (3)(B) of such subsection,'' and inserting ''section 101, other than the requirements of subparagraph (A) or (B) of subsection (b)(4) of such section''.

(b) SELECTION.—Section 486(d)(1) (20 U.S.C. 1093(d)(1)) is amended—

(1) by striking ''the third year'' and inserting ''subsequent years'';

(2) by striking ''35 institutions'' and inserting ''100 institutions''; and

(3) by adding at the end the following new sentence: ''Not more than 5 of such institutions, systems, or consortia may be accredited, degree-granting correspondence schools.''.

SEC. 486. COLLEGE AFFORDABILITY DEMONSTRATION PROGRAM.

Part G of title IV is amended by inserting after section 486 (20 U.S.C. 1093) the following new section:

''SEC. 486A. COLLEGE AFFORDABILITY DEMONSTRATION PROGRAM.

''(a) PURPOSE.—It is the purpose of this section—

''(1) to provide, through a college affordability demonstration program, for increased innovation in the delivery of higher education and student financial aid in a manner resulting in reduced costs for students as well as the institution by employing one or more strategies including accelerating degree or program completion, increasing availability of, and access to, distance components of education delivery, engaging in collaborative arrangements with other institutions and organizations, and other alternative methodologies; and

''(2) to help determine—

''(A) the most effective means of delivering student financial aid as well as quality education;

''(B) the specific statutory and regulatory requirements that should be altered to provide for more efficient and effective delivery of student financial aid, as well as access to high quality distance education programs, resulting in a student more efficiently completing postsecondary education; and

''(C) the most effective methods of obtaining and managing institutional resources.

''(b) DEMONSTRATION PROGRAM AUTHORIZED.—

''(1) IN GENERAL.—In accordance with the purposes described in subsection (a) and the provisions of subsection (d), the Secretary is authorized to select not more than 100 institutions of higher education, including those applying as part of systems or consortia of such institutions, for voluntary participation in the College Affordability Demonstration Program in order to enable participating institutions to carry out such purposes by providing programs of postsecondary education, and making available student financial assistance under this title to students enrolled in those programs, in a manner that would not otherwise meet the requirements of this title.

''(2) WAIVERS.—The Secretary is authorized to waive for any institutions of higher education, or any system or consortia of institutions of higher education, selected for participation in the College Affordability Demonstration Program, any requirements of this Act or the regulations thereunder as deemed necessary by the Secretary to meet the purpose described in subsection (a)(1), and shall make a determination that the waiver can reasonably be expected to result in reduced costs to students or institutions without an increase in Federal program costs. The Secretary may not waive under this paragraph the maximum award amounts for an academic year or loan period.

''(3) ELIGIBLE APPLICANTS.—

''(A) ELIGIBLE INSTITUTIONS.—Except as provided in subparagraph (B), only an institution of higher education that is eligible to participate in programs under this title shall be eligible to participate in the demonstration program authorized under this section.

''(B) PROHIBITION.—An institution of higher education described in section 102 shall not be eligible to participate in the demonstration program authorized under this section.

''(c) APPLICATION.—

''(1) IN GENERAL.—Each institution or system of institutions desiring to participate in the demonstration program under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

''(2) CONTENTS OF APPLICATIONS.—Each application for the college affordability demonstration program shall include at least the following:

''(A) a description of the institution or system or consortium of institutions and what quality assurance mechanisms are in place to insure the integrity of the Federal financial aid programs;

''(B) a description of the innovation or innovations being proposed and the affected programs and students, including—

''(i) a description of any collaborative arrangements with other institutions or organizations to reduce costs;

''(ii) a description of any expected economic impact of participation in the program within the community in which the institution is located; and

''(iii) a description of any means the institution will employ to reduce the costs of instructional materials, such as textbooks;

''(C) a description of each regulatory or statutory requirement for which waivers are sought, with a reason for each waiver;

''(D) a description of the expected outcomes of the program changes proposed, including the estimated reductions in costs both for the institution and for students;

''(E) a description of the quality assurance mechanisms in place to ensure the integrity of the Federal financial aid programs;

''(F) an assurance from each institution in a system or consortium of a commitment to fulfill its role as described in the application;

''(G) an assurance that the participating institution or system of institutions will offer full cooperation with the ongoing evaluations of the demonstration program provided for in this section; and

''(H) any other information or assurances the Secretary may require.

''(d) SELECTION.—In selecting institutions to participate in the demonstration program under this section, the Secretary shall take into account—

''(1) the number and quality of applications received, determined on the basis of the contents required by subsection (c)(2);

''(2) the Department's capacity to oversee and monitor each institution's participation;

''(3) an institution's—

''(A) financial responsibility;

''(B) administrative capability;

''(C) program or programs being offered via distance education, if applicable;

''(D) student completion rates; and

''(E) student loan default rates; and

''(4) the participation of a diverse group of institutions with respect to size, mission, and geographic distribution.

''(e) NOTIFICATION.—The Secretary shall make available to the public and to the authorizing committees a list of institutions selected to participate in the demonstration program authorized by this section. Such notice shall include a listing of the specific statutory and regulatory requirements being waived for each institution and a description of the innovations being demonstrated.

''(f) EVALUATIONS AND REPORTS.—

''(1) EVALUATION.—The Secretary shall evaluate the demonstration program authorized under this section on a biennial basis. Such evaluations specifically shall review—

''(A) the extent to which expected outcomes, including the estimated reductions in cost, were achieved;

''(B) the number and types of students participating in the programs offered, including the progress of participating students toward recognized certificates or degrees and the extent to which participation in such programs increased;

''(C) issues related to student financial assistance associated with the innovations undertaken;

''(D) effective technologies and alternative methodologies for delivering student financial assistance;

''(E) the extent of the cost savings to the institution, the student, and the Federal Government by virtue of the waivers provided, and an estimate as to future cost savings for the duration of the demonstration program;

''(F) the extent to which students saved money by virtue of completing their postsecondary education sooner;

''(G) the extent to which the institution reduced its tuition and fees and its costs by virtue of participation in the demonstration program;

''(H) the extent to which any collaborative arrangements with other institutions or organizations have reduced the participating institution's costs; and

''(I) the extent to which statutory or regulatory requirements not waived under the demonstration program present difficulties for students or institutions.

''(2) POLICY ANALYSIS.—The Secretary shall review current policies and identify those policies that present impediments to the implementation of innovations that result in cost savings and in expanding access to education.

''(3) REPORTS.—The Secretary shall provide a report to the authorizing committees on a biennial basis regarding—

''(A) the demonstration program authorized under this section;

''(B) the results of the evaluations conducted under paragraph (1);

''(C) the cost savings to the Federal Government by the demonstration program authorized by this section; and

''(D) recommendations for changes to increase the efficiency and effective delivery of financial aid.

''(g) OVERSIGHT.—In conducting the demonstration program authorized under this section, the Secretary shall, on a continuing basis—

''(1) ensure compliance of institutions or systems of institutions with the requirements of this title (other than the sections and regulations that are waived under subsection (b)(2));

''(2) provide technical assistance to institutions in their application to and participation in the demonstration program;

''(3) monitor fluctuations in the student population enrolled in the participating institutions or systems of institutions;

''(4) monitor changes in financial assistance provided at the institution; and

''(5) consult with appropriate accrediting agencies or associations and appropriate State regulatory authorities.

''(h) TERMINATION OF AUTHORITY.—The authority of the Secretary under this section shall cease to be effective on October 1, 2011.''.

SEC. 487. PROGRAM PARTICIPATION AGREEMENTS.

(a) REFUND POLICIES.—Section 487(a) (20 U.S.C. 1094(a)) is amended—

(1) in paragraph (16), by inserting ''or other Federal, State, or local government funds'' after ''funds under this title'' each place it appears;

(2) in paragraph (22), by striking ''refund policy'' and inserting ''policy on the return of title IV funds''; and

(3) in paragraph (23)—

(A) by moving subparagraph (C) 2 em spaces to the left; and

(B) by adding after such subparagraph the following new subparagraph:

''(D) An institution shall be considered in compliance with the requirements of subparagraph (A) for any student to whom the institution electronically transmits a message containing a voter registration form acceptable for use in the State in which the institution is located, or an Internet address where such a form can be downloaded, provided such information is in an electronic message devoted to voter registration.''.

(b) ENFORCING THE 90/10 RULE.—

(1) AMENDMENT.—Section 487(a) (20 U.S.C. 1094(a)) is further amended by adding at the end the following new paragraph:

''(24) The institution will, as calculated in accordance with subsection (f)(1), have at least 10 percent of its revenues from sources other than funds provided under this title, or will be subject to the sanctions described in subsection (f)(2).''.

(2) IMPLEMENTATION.—Section 487 is further amended by adding at the end the following new subsection:

''(f) IMPLEMENTATION OF NON-TITLE IV REVENUE REQUIREMENT.—

''(1) CALCULATION.—In carrying out subsection (a)(24), an institution shall use the cash basis of accounting and count the following funds toward the 10 percent of revenues from sources of funds other than funds provided under this title:

''(A) funds used by students to pay tuition, fees, and other institutional charges from sources other than funds provided under this title as long as the institution can reasonably demonstrate that such funds were used for such purposes;

''(B) institutional funds used to satisfy matching-fund requirements for programs under this title;

''(C) funds from savings plans for educational expenses established pursuant to the Internal Revenue Code of 1986;

''(D) funds paid by a student, or on behalf of a student by a party other than the institution, for an education or training program that is not eligible for funds under this title, so long as the program is approved or licensed by the appropriate State agency or an accrediting agency recognized by the Secretary; and

''(E) institutional aid, as follows:

''(i) in the case of institutional loans, only the amount of loan repayments received during the fiscal year; and

''(ii) in the case of institutional scholarships, only those provided by the institution in the form of monetary aid or tuition discounts based upon the academic achievements or financial need of students, disbursed during the fiscal year from an established restricted account, and only to the extent that the funds in that account represent designated funds from an outside source or from income earned on those funds.

''(2) SANCTIONS.—An institution that fails to meet the requirements of subsection (a)(24) for 3 consecutive years shall become ineligible to participate in the programs authorized by this title. In addition to such other means of enforcing the requirements of this title as may be available to the Secretary, if an institution fails to meet the requirements of subsection (a)(24) in any year, the Secretary may impose one or more of the following sanctions on the institution:

''(A) Place the institution on provisional certification in accordance with section 498(h) until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(24).

''(B) Require such other increased monitoring and reporting requirements as the Secretary determines necessary until the institution demonstrates, to the satisfaction of the Secretary, that it is in compliance with subsection (a)(24).

''(3) PUBLICATION ON COOL WEBSITE.—The Secretary shall identify, on the College Opportunities On-Line website under section 131(b), any institution that fails to meet the requirements of subsection (a)(24) in any year as an institution that is failing to meet the minimum non-Federal source of revenue requirements of that subsection.''.

(c) REPORTS ON DISCIPLINARY PROCEEDINGS.—

(1) AMENDMENT.—Section 487(a) (20 U.S.C. 1094(a)) is further amended by adding after paragraph (24), as added by subsection (b) of this section, the following new paragraph:

''(25) The institution will disclose to the alleged victim of any crime of violence (as that term is defined in section 16 of title 18), or a nonforcible sex offense, the final results of any disciplinary proceeding conducted by such institution against a student who is the alleged perpetrator of such crime or offense with respect to such crime or offense. If the alleged victim of such crime or offense is deceased, the next of kin of such victim shall be treated as the alleged victim for purposes of this paragraph.''.

(2) EFFECTIVE DATE.—The amendment made by paragraph (1) shall apply with respect to any disciplinary proceeding conducted by such institution on or after one year after the date of enactment of this Act.

(d) AUDIT REQUIREMENTS.—Section 487(c)(1)(A)(i) (20 U.S.C. 1094(c)(1)(A)(i)) is amended by inserting before the semicolon at the end the following: '', except that the Secretary may modify the requirements of this clause with respect to institutions of higher education that are foreign institutions, and may waive such requirements with respect to a foreign institution whose students receive less than $500,000 in loans under this title during the award year preceding the audit period''.

SEC. 488. ADDITIONAL TECHNICAL AND CONFORMING AMENDMENTS.

Part G is further amended as follows:

(1) Section 483(d) (20 U.S.C. 1090(d)) is amended by striking ''that is authorized under section 685(d)(2)(C)'' and inserting '', or another appropriate provider of technical assistance and information on postsecondary educational services, that is supported under section 663''.

(2) Section 484 (20 U.S.C. 1091) is amended—

(A) in subsection (a)(4), by striking ''certification,,'' and inserting ''certification,''; and

(B) in subsection (b)(2)—

(i) in the matter preceding subparagraph (A), by striking ''section 428A'' and inserting ''section 428H'';

(ii) in subparagraph (A), by inserting ''and'' after the semicolon at the end thereof;

(iii) in subparagraph (B), by striking ''; and'' and inserting a period; and

(iv) by striking subparagraph (C).

(3) Section 484A(b)(2) (20 U.S.C. 1091a(b)(2)) is amended by striking ''part B of this title'' and inserting ''part B, D, or E of this title''.

(4) Section 485B(a) (20 U.S.C. 1092b(a)) is amended—

(A) by redesignating paragraphs (6) through (10) as paragraphs (7) through (11), respectively;

(B) by redesignating the paragraph (5) (as added by section 2008 of Public Law 101–239) as paragraph (6); and

(C) in paragraph (5) (as added by section 204(3) of the National Community Service Act of 1990 (Public Law 101–610))—

(i) by striking ''(22 U.S.C. 2501 et seq.)),'' and inserting ''(22 U.S.C. 2501 et seq.),''; and

(ii) by striking the period at the end thereof and inserting a semicolon.

(5) Section 487A(b) (20 U.S.C. 1094a(b)) is amended—

(A) in paragraph (1)—

(i) by striking ''Higher Education Amendments of 1998'' and inserting ''College Access and Opportunity Act of 2005''; and

(ii) by striking the second sentence;

(B) in paragraph (2)—

(i) by striking ''1993 through 1998'' and inserting ''1998 through 2004'';

(ii) by striking ''(as such section'' and all that follows through ''Amendments of 1998)''; and

(iii) by striking ''Higher Education Amendments of 1998.'' and inserting ''College Access and Opportunity Act of 2005.''; and

(C) in paragraph (3)(A)—

(i) by striking ''Upon the submission'' and all that follows through ''limited number of additional institutions for voluntary participation'' and inserting ''The Secretary is authorized to continue the voluntary participation of institutions participating as of July 1, 2005,''; and

(ii) by inserting before the period at the end the following: '', and shall continue the participation of any such institution unless the Secretary determines that such institution's participation has not been successful in carrying out the purposes of this section''.

(6) Section 491(c) (20 U.S.C. 1098(c)) is amended by adding at the end the following new paragraph:

''(3) The appointment of members under subparagraphs (A) and (B) of paragraph (1) shall be effective upon publication of the appointment in the Congressional Record.''.

(7) Section 491(h)(1) (20 U.S.C. 1098(h)(1)) is amended by striking ''the rate authorized for GS–18 of the General Schedule'' and inserting ''the maximum rate payable under section 5376 of such title''.

(8) Section 491(k) (20 U.S.C. 1098(k)) is amended by striking ''2004'' and inserting ''2011''.

(9) Section 493A (20 U.S.C. 1098c) is repealed.

(10) Section 498 (20 U.S.C. 1099c) is amended—

(A) in subsection (c)(2), by striking ''for profit,'' and inserting ''for-profit,''; and

(B) in subsection (d)(1)(B), by inserting ''and'' after the semicolon at the end thereof.

PART H—PROGRAM INTEGRITY

SEC. 495. ACCREDITATION.

(a) STANDARDS FOR ACCREDITATION.—Section 496(a) (20 U.S.C. 1099b(a)) is amended—

(1) in paragraph (3)—

(A) by inserting ''or'' after the semicolon at the end of subparagraph (A);

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B);

(2) in paragraph (4)—

(A) by inserting ''(A)'' after ''(4)'';

(B) by inserting after ''consistently applies and enforces standards'' the following: ''that consider the stated missions of institutions of higher education, including such missions as inculcation of religious values, and'';

(C) by inserting ''and'' after the semicolon at the end thereof; and

(D) by adding at the end the following new subparagraph:

''(B) if such agency or association already has or seeks to include within its scope of recognition the evaluation of the quality of institutions or programs offering distance education, such agency or association shall, in addition to meeting the other requirements of this subpart, demonstrate to the Secretary that—

''(i) the accreditation agency's or association's standards effectively address the quality of an institution's distance education programs in the areas identified in paragraph (5) of this subsection, except that the agency or association shall not be required to have separate standards, procedures, or policies for the evaluation of distance education institutions or programs in order to meet the requirements of this subparagraph; and

''(ii) the agency or association requires that an institution that offers distance education programs to have processes by which it establishes that the student who registers in a distance education course or program is the same student who participates, completes academic work, and receives academic credit;'';

(3) in paragraph (5)—

(A) by amending subparagraph (A) to read as follows:

''(A) success with respect to student achievement in relation to the institution's mission, including, as appropriate, consideration of student academic achievement as determined by the institution (in accordance with standards of the accrediting agency or association), retention, course and program completion, State licensing examinations, and job placement rates, and other student performance information selected by the institution, particularly that information used by the institution to evaluate or strengthen its programs;''; and

(B) by amending subparagraph (E) to read as follows:

''(E) fiscal, administrative capacity, as appropriate to the specified scale of operations, and, for an agency or association where its approval for such institution determines eligibility for student assistance under this title, board governance, within the context of the institution's mission;'';

(4) by striking paragraph (6) and inserting the following:

''(6) such an agency or association shall establish and apply review procedures throughout the accrediting process, including evaluation and withdrawal proceedings that comply with due process that provides for—

''(A) adequate specification of requirements and deficiencies at the institution of higher education or program being examined;

''(B) an opportunity for a written response by any such institution to be included in the evaluation and withdrawal proceedings;

''(C) upon the written request of an institution, an opportunity for the institution to appeal any adverse action at a hearing prior to such action becoming final before an appeals panel that—

''(i) shall not include current members of the agency or association's underlying decision-making body that made the adverse decision; and

''(ii) is subject to a conflict of interest of policy; and

''(D) the right to representation by counsel for an such institution;''; and

(5) by striking paragraph (8) and inserting the following:

''(8) such agency or association shall make available to the public and submit to the Secretary and the State licensing or authorizing agency, together with the comments of the affected institution, a summary of agency or association actions, involving—

''(A) final denial, withdrawal, suspension, or termination of accreditation; and

''(B) any other final adverse action taken with respect to an institution.''.

(b) OPERATING PROCEDURES.—Section 496(c) (20 U.S.C. 1099b(c)) is amended—

(1) by inserting ''(including those regarding distance education)'' before the semicolon at the end of paragraph (1);

(2) by striking ''and'' at the end of paragraph (5);

(3) by striking the period at the end of paragraph (6) and inserting a semicolon; and

(4) by inserting after paragraph (6) the following new paragraphs:

''(7) ensures that its onsite comprehensive reviews for accreditation or reaccreditation include evaluation of the substance of the information required in subparagraph (H) of section 485(a)(1);

''(8) confirms as a part of its review for accreditation or reaccreditation that the institution has transfer policies—

''(A) that are publicly disclosed; and

''(B) that do not deny transfer of credit based solely on the accreditation of the sending institution as long as the association or agency is recognized by the Secretary pursuant to section 496;

''(9) develops a brief summary, available to the public, of final adverse actions in accordance with the requirements of subsection (a)(8);

''(10) monitors the enrollment growth of distance education to ensure that an institution experiencing signficant growth has the capacity to serve its students effectively;

''(11) discloses publicly, on the agency's website or through other similar dissemination—

''(A) a list of the individuals who comprised the evaluation teams during the prior calendar year for each agency or association and the title and institutional affiliation of such individuals, although such list shall not be required to identify those individuals who comprised the evaluation team used for any specific institution;

''(B) a description of the agency's or association's process for selecting, preparing, and evaluating such individuals; and

''(C) any statements related to the accreditation responsibilities of such individuals; and

''(12) reviews the record of student complaints resulting from the student information process described in section 485(a)(1)(J).''.

(c) LIMITATION, SUSPENSION, AND TERMINATION OF RECOGNITION.—Section 496(*l*) is amended by adding at the end the following new paragraph:

''(3) The Secretary shall provide an annual report to Congress on the status of any agency or association for which the Secretary has limited, suspended or terminated recognition under this subsection.''.

(d) PROGRAM REVIEW AND DATA.—Section 498A(b) (20 U.S.C. 1099c-1(b)) is amended—

(1) by striking ''and'' at the end of paragraph (4);

(2) by striking the period at the end of paragraph (5) and inserting a semicolon; and

(3) by adding at the end the following new paragraphs:

''(6) provide to the institution adequate opportunity to review and respond to any program review report or audit finding and underlying materials related thereto before any final program review or audit determination is reached;

''(7) review and take into consideration the institution's response in any final program review or audit determination, and include in the final determination—

''(A) a written statement addressing the institution's response and stating the basis for such final determination; and

''(B) a copy of the institution's statement in response, appropriately redacted to protect confidential information;

''(8) maintain and preserve at all times the confidentiality of any program review report or audit finding until the requirements of paragraphs (6) and (7) are met, and until a final program review or audit determination has been issued, except to the extent required to comply with paragraph (5), provided, however, that the Secretary shall promptly disclose any and all program review reports and audit findings to the institution under review; and

''(9) require that the authority to approve or issue any program review report or audit finding, preliminary or otherwise, that contains any finding, determination, or proposed assessment that exceeds or may exceed $500,000 in liabilities shall not be delegated to any official beyond the Chief Operating Officer of Federal Student Aid.''.

SEC. 496. REPORT TO CONGRESS ON PREVENTION OF FRAUD AND ABUSE IN STUDENT FINANCIAL AID PROGRAMS.

Title IV is amended by adding at the end the following new section:

"SEC. 499. REPORT TO CONGRESS ON PREVENTION OF FRAUD AND ABUSE IN STUDENT FINANCIAL AID PROGRAMS.

''(a) PURPOSE.—It is the purpose of this section to require the Secretary to commission a nonpartisan, comprehensive study on the prevention of fraud and abuse in title IV student financial aid programs, and to report the results of such study to Congress.

''(b) SCOPE OF REPORT.—The study under this section shall thoroughly identify and address the following:

''(1) The impact of fraud and abuse in title IV student financial aid programs upon students and taxpayers, and the nature of such fraud and abuse.

''(2) The effectiveness of existing policies and requirements under this Act that were put in place to prevent fraud and abuse in title IV student financial aid programs, and how such policies and requirements should be improved.

''(3) The extent to which existing protections against fraud and abuse under this Act are adequately enforced, and how enforcement should be strengthened.

''(4) Areas in which additional information is needed to assess the effectiveness of current protections and enforcement against fraud and abuse.

''(5) Existing policies and requirements under this Act aimed at fraud and abuse that are ineffective, hinder innovation, or could be eliminated without reducing effectiveness.

''(6) New policies and enforcement, particularly those suited for the current higher education marketplace, needed to protect against fraud and abuse in title IV student financial aid programs.

''(7) The extent to which States are implementing regulations to protect students from fraud and abuse, and whether changes

to Federal law will preempt such regulations.

''(c) REPORT.—Not later than December 31, 2007, the Secretary, after an opportunity for both the Secretary and the Inspector General of the Department of Education to review the results of the study, shall transmit to Congress a report on the study conducted under this section. Such report shall—

''(1) include clear and specific recommendations for legislative and regulatory actions that are likely to significantly reduce the fraud and abuse in title IV student financial aid programs identified under subsection (b); and

''(2) include both the Secretary's and the Inspector General's comments on the report.''.

TITLE V—DEVELOPING INSTITUTIONS

SEC. 501. DEFINITIONAL CHANGES.

Section 502(a) (20 U.S.C. 1101a(a)) is amended—

(1) in paragraph (5)—

(A) by inserting ''and'' after the semicolon at the end of subparagraph (A);

(B) by inserting ''at the end of the award year immediately preceding the date of application'' after ''Hispanic students'' in subparagraph (B);

(C) by striking ''; and'' at the end of subparagraph (B) and inserting a period; and

(D) by striking subparagraph (C); and

(2) by striking paragraph (7).

SEC. 502. ASSURANCE OF ENROLLMENT OF NEEDY STUDENTS.

Section 511(c) (20 U.S.C. 1103(c)) is amended—

(1) by striking paragraph (2);

(2) by redesignating paragraphs (3) through (7) as paragraphs (2) through (6); and

(3) by inserting after paragraph (6) as so redesignated the following new paragraph:

''(7) contain such assurances as the Secretary may require that the institution has an enrollment of needy students as required by section 502(b);''.

SEC. 503. ADDITIONAL AMENDMENTS.

Title V is further amended—

(1) in section 502(a)(2)(A) (20 U.S.C. 1101a(a)(2)(A)), by redesignating clauses (v) and (vi) as clauses (vi) and (vii), respectively, and inserting after clause (iv) the following new clause:

''(v) which provides a program of not less than 2 years that is acceptable for full credit toward a bachelor's degree;'';

(2) in section 503(b) (20 U.S.C. 1101b(b))—

(A) by amending paragraph (2) to read as follows:

''(2) Construction, maintenance, renovation, and improvement in classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services, and the acquisition of real property adjacent to the campus of the institution on which to construct such facilities.'';

(B) by amending paragraph (12) to read as follows:

''(12) Establishing community outreach programs and collaborative partnerships between Hispanic-serving institutions and local elementary or secondary schools. Such partnerships may include mentoring, tutoring, or other instructional opportunities that will boost student academic achievement and assist elementary and secondary school students in developing the academic skills and the interest to pursue postsecondary education.'';

(C) by redesignating paragraphs (5) through (14) as paragraphs (6) through (15), respectively; and

(D) by inserting after paragraph (4) the following:

''(5) Education or counseling services designed to improve the financial literacy and economic literacy of students and, as appropriate, their parents.'';

(3) in section 504(a) (20 U.S.C. 1101c(a))—

(A) by striking the following:

''(a) AWARD PERIOD.—

''(1) IN GENERAL.—The Secretary'' and inserting the following:

''(a) AWARD PERIOD.—The Secretary''; and

(B) by striking paragraph (2); and

(4) in section 514(c) (20 U.S.C. 1103c(c)), by striking ''section 505'' and inserting ''section 504''.

SEC. 504. POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS.

(a) ESTABLISHMENT OF PROGRAM.—Title V is amended—

(1) by redesignating part B as part C;

(2) by redesignating sections 511 through 518 as sections 521 through 528, respectively; and

(3) by inserting after section 505 (20 U.S.C. 1101d) the following new part:

"PART B—PROMOTING POSTBACCALAUREATE OPPORTUNITIES FOR HISPANIC AMERICANS

"SEC. 511. PURPOSES.

''The purposes of this part are—

''(1) to expand postbaccalaureate educational opportunities for, and improve the academic attainment of, Hispanic students; and

''(2) to expand the postbaccalaureate academic offerings and enhance the program quality in the institutions that are educating the majority of Hispanic college students and helping large numbers of Hispanic and low-income students complete postsecondary degrees.

"SEC. 512. PROGRAM AUTHORITY AND ELIGIBILITY.

''(a) PROGRAM AUTHORIZED.—Subject to the availability of funds appropriated to carry out this part, the Secretary shall award competitive grants to Hispanic-serving institutions determined by the Secretary to be making substantive contributions to graduate educational opportunities for Hispanic students.

''(b) ELIGIBILITY.—For the purposes of this part, an 'eligible institution' means an institution of higher education that—

''(1) is an eligible institution under section 502(a)(2); and

''(2) offers a postbaccalaureate certificate or degree granting program.

"SEC. 513. AUTHORIZED ACTIVITIES.

''Grants awarded under this part shall be used for one or more of the following activities:

''(1) Purchase, rental, or lease of scientific or laboratory equipment for educational purposes, including instructional and research purposes.

''(2) Construction, maintenance, renovation, and improvement of classrooms, libraries, laboratories, and other instructional facilities, including purchase or rental of telecommunications technology equipment or services.

''(3) Purchase of library books, periodicals, technical and other scientific journals, microfilm, microfiche, and other educational materials, including telecommunications program materials.

''(4) Support for needy postbaccalaureate students including outreach, academic support services, mentoring, scholarships, fellowships, and other financial assistance to permit the enrollment of such students in postbaccalaureate certificate and degree granting programs.

''(5) Support of faculty exchanges, faculty development, faculty research, curriculum development, and academic instruction.

''(6) Creating or improving facilities for Internet or other distance learning academic instruction capabilities, including purchase or rental of telecommunications technology equipment or services.

''(7) Collaboration with other institutions of higher education to expand postbaccalaureate certificate and degree offerings.

''(8) Other activities proposed in the application submitted pursuant to section 514 that—

''(A) contribute to carrying out the purposes of this part; and

''(B) are approved by the Secretary as part of the review and acceptance of such application.

"SEC. 514. APPLICATION AND DURATION.

''(a) APPLICATION.—Any eligible institution may apply for a grant under this part by submitting an application to the Secretary at such time and in such manner as determined by the Secretary. Such application shall demonstrate how the grant funds will be used to improve postbaccalaureate education opportunities in programs and professions in which Hispanic Americans are underrepresented.

''(b) DURATION.—Grants under this part shall be awarded for a period not to exceed 5 years.

''(c) LIMITATION.—The Secretary shall not award more than one grant under this part in any fiscal year to any Hispanic-serving institution.''.

(b) COOPERATIVE ARRANGEMENTS.—Section 524(a) (as redesignated by subsection (a)(2)) (20 U.S.C. 1103c(a)) is amended by inserting ''and section 513'' after ''section 503''.

SEC. 505. AUTHORIZATION OF APPROPRIATIONS.

Subsection (a) of section 528 (as redesignated by section 504(a)(2) of this Act) (20 U.S.C. 1103g) is amended to read as follows:

''(a) AUTHORIZATIONS.—

''(1) PART A.—There are authorized to be appropriated to carry out part A and part C of this title $96,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.

''(2) PART B.—There are authorized to be appropriated to carry out part B of this title $59,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.''.

TITLE VI—TITLE VI AMENDMENTS

SEC. 601. INTERNATIONAL AND FOREIGN LANGUAGE STUDIES.

(a) FINDINGS AND PURPOSES.—Section 601 (20 U.S.C. 1121) is amended—

(1) in subsection (a)—

(A) by striking ''post-Cold War'' in paragraph (3);

(B) by redesignating paragraphs (4) and (5) as paragraphs (5) and (6), respectively; and

(C) by inserting after paragraph (3) the following new paragraph:

''(4) The events and aftermath of September 11, 2001, have underscored the need for the Nation to strengthen and enhance American knowledge of international relations, world regions, and foreign languages. Homeland security and effective United States engagement abroad depend upon an increased number of Americans who have received such training and are willing to serve their Nation.'';

(2) in subsection (b)(1)—

(A) by striking ''; and'' at the end of subparagraph (D) and inserting '', including through linkages overseas with institutions of higher education and relevant organizations that contribute to the educational programs assisted under this part;'';

(B) by inserting ''and'' after the semicolon at the end of subparagraph (E);

(C) by inserting after such subparagraph (E) the following new subparagraph:

''(F) to assist the national effort to educate and train citizens to participate in the efforts of homeland security;''; and

(3) in subsection (b)(3)—

(A) by inserting ''reinforce and'' before ''coordinate''; and

(B) by inserting '', and international business and trade competitiveness'' before the period.

(b) GRADUATE AND UNDERGRADUATE LANGUAGE AND AREA CENTERS AND PROGRAMS.—Section 602(a) (20 U.S.C. 1122(a)) is amended—

(1) in paragraph (1), by striking subparagraph (A) and inserting the following:

''(A) IN GENERAL.—The Secretary is authorized to make grants to institutions of higher education or consortia of such institutions for the purpose of establishing, strengthening, and operating—

''(i) comprehensive foreign language and area or international studies centers and programs; and

''(ii) a diverse network of undergraduate foreign language and area or international studies centers and programs.'';

(2) in paragraph (2)—

(A) by striking ''and'' at the end of subparagraph (G);

(B) by striking the period at the end of subparagraph (H) and inserting a semicolon; and

(C) by inserting after subparagraph (H) the following new subparagraphs:

''(I) supporting instructors of the less commonly taught languages;

''(J) widely disseminating materials developed by the center or program to local educational agencies and public and private elementary and secondary education schools, and institutions of higher education, presented from diverse perspectives and reflective of a wide range of views on the subject matter, except that no more than 50 percent of funds awarded to an institution of higher education or consortia of such institutions for purposes under this title may be associated with the costs of dissemination; and

''(K) projects that support in students an understanding of science and technology in coordination with foreign language proficiency.''; and

(3) in paragraph (4)—

(A) by amending subparagraph (B) to read as follows:

''(B) Partnerships or programs of linkage and outreach with 2-year and 4-year colleges and universities, including colleges of education and teacher professional development programs.'';

(B) in subparagraph (C), by striking ''Programs of linkage or outreach'' and inserting ''Partnerships or programs of linkage and outreach'';

(C) in subparagraph (E)—

(i) by striking ''foreign area'' and inserting ''area studies'';

(ii) by striking ''of linkage and outreach''; and

(iii) by striking ''(C), and (D)'' and inserting ''(D), and (E)'';

(D) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively; and

(E) by inserting after subparagraph (B) the following new subparagraph:

''(C) Partnerships with local educational agencies and public and private elementary and secondary education schools that are designed to increase student academic achievement in foreign language and knowledge of world regions, and to facilitate the wide dissemination of materials related to area studies, foreign languages, and international studies that are reflective of a wide range of views on the subject matter.''.

(c) LANGUAGE RESOURCE CENTERS.—Section 603(c) (20 U.S.C. 1123(c)) is amended by inserting ''reflect the purposes of this part and'' after ''shall''.

(d) UNDERGRADUATE INTERNATIONAL STUDIES AND FOREIGN LANGUAGE PROGRAMS.—Section 604 (20 U.S.C. 1124) is amended—

(1) in subsection (a)(1), by striking ''combinations'' each place it appears and inserting ''consortia'';

(2) in subsection (a)(2)—

(A) in subparagraph (B)(ii), by striking ''teacher training'' and inserting ''teacher professional development'';

(B) by redesignating subparagraphs (I) through (M) as subparagraphs (J) through (N), respectively;

(C) by inserting after subparagraph (H) the following new subparagraph:

''(I) the provision of grants for educational programs abroad that are closely linked to the program's overall goals and have the purpose of promoting foreign language fluency and knowledge of world regions, except that not more than 10 percent of a grant recipient's funds may be used for this purpose;''; and

(D) in subparagraph (M)(ii) (as redesignated by subparagraph (B) of this paragraph), by striking ''elementary and secondary education institutions'' and inserting ''local educational agencies and public and private elementary and secondary education schools'';

(3) in subsection (a)(4)(B), by inserting ''that demonstrates a need for a waiver or reduction'' before the period at the end;

(4) in subsection (a)(6), by inserting ''reflect the purposes of this part and'' after ''shall'';

(5) in subsection (a)(8), by striking ''may'' and inserting ''shall''; and

(6) by striking subsection (c).

(e) RESEARCH; STUDIES; ANNUAL REPORT.—Section 605(a) (20 U.S.C. 1125(a)) is amended by inserting before the period at the end of the first sentence the following: '', including the systematic collection, analysis, and dissemination of data''.

(f) TECHNOLOGICAL INNOVATION AND COOPERATION FOR FOREIGN INFORMATION ACCESS.—Section 606 (20 U.S.C. 1126) is amended—

(1) in subsection (a)—

(A) by striking ''or consortia of such institutions or libraries'' and inserting ''museums, or consortia of such entities'';

(B) by striking ''new''; and

(C) by inserting ''from foreign sources'' after ''disseminate information'';

(2) in subsection (b)—

(A) by inserting ''acquire and'' before ''facilitate access'' in paragraph (1);

(B) by striking ''new means of'' in paragraph (3) and inserting ''new means and standards for'';

(C) by striking ''and'' at the end of paragraph (6);

(D) by striking the period at the end of paragraph (7) and by inserting a semicolon; and

(E) by inserting after paragraph (7) the following new paragraphs:

''(8) to establish linkages between grant recipients under subsection (a) with libraries, museums, organizations, or institutions of higher education located overseas to facilitate carrying out the purposes of this section; and

''(9) to carry out other activities deemed by the Secretary to be consistent with the purposes of this section.''; and

(3) by adding at the end the following new subsection:

''(e) SPECIAL RULE.—The Secretary may waive or reduce the required non-Federal share for institutions that—

''(1) are eligible to receive assistance under part A or B of title III or under title V; and

''(2) have submitted a grant application under this section that demonstrates a need for a waiver or reduction.''.

(g) SELECTION OF GRANT RECIPIENTS.—Section 607(b) (20 U.S.C. 1127(b)) is amended—

(1) by striking ''objectives'' and inserting ''missions''; and

(2) by adding at the end the following new sentence: ''In keeping with the purposes of this part, the Secretary shall take into account the degree to which activities of centers, programs, and fellowships at institutions of higher education address national interests, generate and disseminate information, and foster debate on international issues from diverse perspectives.''.

(h) EQUITABLE DISTRIBUTION.—Section 608(a) (20 U.S.C. 1128(a)) is amended by adding at the end the following new sentence: ''Grants made under section 602 shall also reflect the purposes of this part.''.

(i) AUTHORIZATION OF APPROPRIATIONS.—Section 610 (20 U.S.C. 1128b) is amended—

(1) by striking ''1999'' and inserting ''2006''; and

(2) by striking ''4 succeeding'' and inserting ''5 succeeding''.

(j) CONFORMING AMENDMENTS.—

(1) Sections 603(a), 604(a)(5), and 612 (20 U.S.C. 1123(a), 1124(a)(5), 1130–1) are each amended by striking ''combinations'' each place it appears and inserting ''consortia''.

(2) Section 612 (20 U.S.C. 1130–1) is amended by striking ''combination'' each place it appears and inserting ''consortium'' .

SEC. 602. BUSINESS AND INTERNATIONAL EDUCATION PROGRAMS.

(a) CENTERS FOR INTERNATIONAL BUSINESS EDUCATION.—Section 612 (20 U.S.C. 1130–1) is amended—

(1) in subsection (c)(1)(D), by inserting ''(including those that are eligible to receive assistance under part A or B of title III or under title V)'' after ''other institutions of higher education''; and

(2) in subsection (e), by adding at the end the following new paragraph:

''(5) SPECIAL RULE.—The Secretary may waive or reduce the required non-Federal share for institutions that—

''(A) are eligible to receive assistance under part A or B of title III or under title V; and

''(B) have submitted a grant application under this section that demonstrates a need for a waiver or reduction.''.

(b) EDUCATION AND TRAINING PROGRAMS.—Section 613 (20 U.S.C. 1130a) is amended by adding at the end the following new subsection:

''(e) SPECIAL RULE.—The Secretary may waive or reduce the required non-Federal share for institutions that—

''(1) are eligible to receive assistance under part A or B of title III or under title V; and

''(2) have submitted a grant application under this section that demonstrates a need for a waiver or reduction.''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 614 (20 U.S.C. 1130b) is amended—

(1) by striking ''1999'' each place it appears and inserting ''2006''; and

(2) by striking ''4 succeeding'' each place it appears and inserting ''5 succeeding''.

SEC. 603. INSTITUTE FOR INTERNATIONAL PUBLIC POLICY.

(a) FOREIGN SERVICE PROFESSIONAL DEVELOPMENT.—Section 621 (20 U.S.C. 1131) is amended—

(1) by striking the heading of such section and inserting the following:

''SEC. 621. PROGRAM FOR FOREIGN SERVICE PROFESSIONALS.'';

(2) by striking the second sentence of subsection (a) and inserting the following: ''The Institute shall conduct a program to enhance the international competitiveness of the United States by increasing the participation of underrepresented populations in the international service, including private international voluntary organizations and the foreign service of the United States.''; and

(3) in subsection (b)(1), by striking subparagraphs (A) and (B) and inserting the following:

''(A) A Tribally Controlled College or University or Alaska Native or Native Hawaiian-serving institution eligible for assistance under title III, an institution eligible for assistance under part B of title III, or a Hispanic-serving institution eligible for assistance under title V.

''(B) An institution of higher education which serves substantial numbers of underrepresented students.''.

(b) INSTITUTIONAL DEVELOPMENT.—Section 622 (20 U.S.C. 1131–1) is amended by inserting before the period at the end of subsection (a) the following: ''and promote collaboration with colleges and universities that receive funds under this title''.

(c) STUDY ABROAD PROGRAM.—Section 623(a) (20 U.S.C. 1131a(a)) is amended by inserting after ''1978,'' the following: ''Alaska Native-serving, Native Hawaiian-serving, and Hispanic-serving institutions,''.

(d) ADVANCED DEGREE IN INTERNATIONAL RELATIONS.—Section 624 (20 U.S.C. 1131b) is amended—

(1) by striking ''**MASTERS**'' in the heading of such section and inserting ''**ADVANCED**'';

(2) by striking ''a masters degree in international relations'' and inserting ''an advanced degree in international relations, international affairs, international economics, or other academic areas related to the Institute fellow's career objectives''; and

(3) by striking ''The masters degree program designed by the consortia'' and inserting ''The advanced degree study program shall be designed by the consortia, consistent with the fellow's career objectives, and''.

(e) INTERNSHIPS.—Section 625 (20 U.S.C. 1131c) is amended—

(1) in subsection (a), by inserting after ''1978,'' the following: ''Alaska Native-serving, Native Hawaiian-serving, and Hispanic-serving institutions,'';

(2) in subsection (b)—

(A) by inserting ''and'' after the semicolon at the end of paragraph (2);

(B) by striking ''; and'' at the end of paragraph (3) and inserting a period; and

(C) by striking paragraph (4); and

(3) by amending subsection (c) to read as follows:

''(c) RALPH J. BUNCHE FELLOWS.—In order to assure the recognition and commitment of individuals from underrepresented student populations who demonstrate special interest in international affairs and language study, eligible students who participate in the internship programs authorized under (a) and (b) shall be known as the 'Ralph J. Bunche Fellows'.''.

(f) REPORT.—Section 626 (20 U.S.C. 1131d) is amended by striking ''annually prepare a report'' and inserting ''prepare a report biennially''.

(g) AUTHORIZATION OF APPROPRIATIONS.—Section 628 (20 U.S.C. 1131f) is amended—

(1) by striking ''1999'' and inserting ''2006''; and

(2) by striking ''4 succeeding'' and inserting ''5 succeeding''.

SEC. 604. EVALUATION, OUTREACH, AND DISSEMINATION.

Part D of title VI is amended by inserting after section 631 (20 U.S.C. 1132) the following new section:

''SEC. 632. EVALUATION, OUTREACH, AND DISSEMINATION.

''The Secretary may use not more than one percent of the funds made available for this title for program evaluation, national outreach, and information dissemination activities.''.

SEC. 605. ADVISORY BOARD.

Part D of title VI is amended by inserting after section 632 (as added by section 604) the following new section:

''SEC. 633. INTERNATIONAL HIGHER EDUCATION ADVISORY BOARD.

''(a) ESTABLISHMENT AND PURPOSE.—

''(1) ESTABLISHMENT.—There is established in the Department an independent International Higher Education Advisory Board (hereafter in this section referred to as the 'International Advisory Board'). The International Advisory Board shall provide advice, counsel, and recommendations to the Secretary and the Congress on international education issues for higher education.

''(2) PURPOSE.—The purpose of the International Advisory Board is—

''(A) to provide expertise in the area of national needs for proficiency in world regions, foreign languages, international affairs, and international business;

''(B) to make recommendations that will promote the excellence of international education programs and result in the growth and development of such programs at the postsecondary education level that will reflect diverse perspectives and a wide range of views on world regions, foreign language, international affairs, and international business; and

''(C) to advise the Secretary and the Congress with respect to needs for expertise in government, the private sector, and education in order to enhance America's understanding of, and engagement in, the world.

''(b) INDEPENDENCE OF INTERNATIONAL ADVISORY BOARD.—In the exercise of its functions, powers, and duties, the International Advisory Board shall be independent of the Secretary and the other offices and officers of the Department. Except as provided in this subsection and subsection (f), the recommendations of the International Advisory Board shall not be subject to review or approval by any officer of the Federal Government. Nothing in this title shall be construed to authorize the International Advisory Board to mandate, direct, or control an institution of higher education's specific instructional content, curriculum, or program of instruction or instructor. The International Advisory Board is authorized to assess a sample of activities supported under this title, using materials that have been submitted to the Department of Education by grant recipients under this title, in order to provide recommendations to the Secretary and the Congress for the improvement of programs under the title and to ensure programs meet the purposes of the title to promote the study of and expertise in foreign language and world regions, especially with respect to diplomacy, national security, and international business and trade competitiveness. The recommendations of the International Advisory Board may address any area in need of improvement, except that any recommendation of specific legislation to Congress shall be made only if the President deems it necessary and expedient.

''(c) MEMBERSHIP.—

''(1) APPOINTMENT.—The International Advisory Board shall have 7 members of whom—

''(A) 3 members shall be appointed by the Secretary;

''(B) 2 members shall be appointed by the Speaker of the House of Representatives, upon the recommendation of the Majority Leader and the Minority Leader; and

''(C) 2 members shall be appointed by the President pro tempore of the Senate, upon the recommendation of the Majority Leader and the Minority Leader.

''(2) REPRESENTATION.—Two of the members appointed by the Secretary under paragraph (1)(A) shall be appointed to represent Federal agencies that have diplomacy, national security, international commerce, or other international activity responsibilities, after consultation with the heads of such agencies. The members of the International Advisory Board shall also include (but not be limited to) persons with international expertise representing States, institutions of higher education, cultural organizations, educational organizations, international business, local education agencies, students, and private citizens with expertise in international concerns.

''(3) QUALIFICATION.—Members of the International Advisory Board shall be individuals who have technical qualifications, professional standing, experience working in international affairs or foreign service or international business occupations, or demonstrated knowledge in the fields of higher education and international education, including foreign languages, world regions, or international affairs.

''(d) FUNCTIONS OF THE INTERNATIONAL ADVISORY BOARD.—

''(1) IN GENERAL.—The International Advisory Board shall provide recommendations in accordance with subsection (b) regarding improvement of programs under this title to the Secretary and the Congress for their review. The International Advisory Board may—

''(A) review and comment upon the regulations for grants under this title;

''(B) assess a sample of activities supported under this title based on the purposes and objectives of this title, using materials that have been submitted to the Department of Education by grant recipients under this title, in order to provide recommendations for improvement of the programs under this title;

''(C) make recommendations that will assist the Secretary and the Congress to improve the programs under this title to better reflect the national needs related to foreign languages, world regions, diplomacy, national security, and international business and trade competitiveness, including an assessment of the national needs and the training provided by the institutions of higher education that receive a grant under this title for expert and non-expert level foreign language training;

''(D) make recommendations to the Secretary and the Congress regarding such studies, surveys, and analyses of international education that will provide feedback about the programs under this title and assure that their relative authorized activities reflect diverse perspectives and a wide range of views on world regions, foreign languages, diplomacy, national security, and international business and trade competitiveness;

''(E) make recommendations that will strengthen the partnerships between local educational agencies, public and private elementary and secondary education schools, and grant recipients under this title to ensure that the research and knowledge about world regions, foreign languages, and international affairs is widely disseminated to local educational agencies;

''(F) make recommendations on how institutions of higher education that receive a grant under this title can encourage students to serve the Nation and meet national needs in an international affairs, international business, foreign language, or national security capacity;

''(G) make recommendations on how linkages between institutions of higher education and public and private organizations that are involved in international education, international business and trade competitiveness, language training, and international research capacities may fulfill the

manpower and information needs of United States businesses; and

''(H) make recommendations to the Secretary and the Congress about opportunities for underrepresented populations in the areas of foreign language study, diplomacy, international business and trade competitiveness, and international economics, in order to effectively carry out the activities of the Institute under part C.

''(2) HEARINGS.—The International Advisory Board shall provide for public hearing and comment regarding the matter contained in the recommendations described in paragraph (1), prior to the submission of those recommendations to the Secretary and the Congress.

''(e) OPERATIONS OF THE COMMITTEE.—

''(1) TERMS.—Each member of the International Advisory Board shall be appointed for a term of 3 years, except that, of the members first appointed (A) 4 shall be appointed for a term of 3 years, and (B) 3 shall be appointed for a term of 4 years, as designated at the time of appointment by the Secretary. A member of the International Advisory Board may be reappointed to successive terms on the International Advisory Board.

''(2) VACANCIES.—Any member appointed to fill a vacancy occurring prior to the expiration of the term of a predecessor shall be appointed only for the remainder of such term. A member of the International Advisory Board shall, upon the Secretary's request, continue to serve after the expiration of a term until a successor has been appointed.

''(3) NO GOVERNMENTAL MEMBERS.—Except for the members appointed by the Secretary under subsection (c)(1)(A), no officers or full-time employees of the Federal Government shall serve as members of the International Advisory Board.

''(4) MEETINGS.—The International Advisory Board shall meet not less than once each year. The International Advisory Board shall hold additional meetings at the call of the Chair or upon the written request of not less than 3 voting members of the International Advisory Board.

''(5) QUORUM.—A majority of the voting members of the International Advisory Board serving at the time of a meeting shall constitute a quorum.

''(6) CHAIR.—The International Advisory Board shall elect a Chairman or Chairwoman from among the members of the International Advisory Board.

''(f) SUBMISSION TO DEPARTMENT FOR COMMENT.—The International Advisory Board shall submit its proposed recommendations to the Secretary of Education for comment for a period not to exceed 30 days in each instance.

''(g) PERSONNEL AND RESOURCES.—

''(1) COMPENSATION AND EXPENSE.—Members of the International Advisory Board shall serve without pay for such service. Members of the International Advisory Board who are officers or employees of the United States may not receive additional pay, allowances, or benefits by reason of their service on the International Advisory Board. Members of the International Advisory Board may each receive reimbursement for travel expenses incident to attending International Advisory Board meetings, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

''(2) PERSONNEL.—The International Advisory Board may appoint such personnel as may be determined necessary by the Chairman without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and subchapter III of chapter 53 of such title relating to classification and General Schedule pay rates, but no individual so appointed shall be paid in excess of the maximum rate payable under section 5376 of such title. The International Advisory Board may appoint not more than one full-time equivalent, nonpermanent, consultant without regard to the provisions of title 5, United States Code. The International Advisory Board shall not be required by the Secretary to reduce personnel to meet agency personnel reduction goals.

''(3) CONSULTATION.—In carrying out its duties under the Act, the International Advisory Board shall consult with other Federal agencies, representatives of State and local governments, and private organizations to the extent feasible.

''(4) ASSISTANCE FROM OTHER AGENCIES.—

''(A) INFORMATION.—The International Advisory Board is authorized to secure directly from any executive department, bureau, agency, board, commission, office, independent establishment, or instrumentality information, suggestions, estimates, and statistics for the purpose of this section and each such department, bureau, agency, board, commission, office, independent establishment, or instrumentality is authorized and directed, to the extent permitted by law, to furnish such information, suggestions, estimates, and statistics directly to the International Advisory Board, upon request made by the Chairman for the purpose of providing expertise in the area of national needs for the proficiency in world regions, foreign languages, and international affairs.

''(B) SERVICES AND PERSONNEL.—The head of each Federal agency shall, to the extent not prohibited by law, consult with the International Advisory Board in carrying out this section. The International Advisory Board is authorized to utilize, with their consent, the services, personnel, information, and facilities of other Federal, State, local, and private agencies with or without reimbursement, for the purpose of providing expertise in the area of national needs for the proficiency in world regions, foreign languages, and international affairs.

''(5) CONTRACTS; EXPERTS AND CONSULTANTS.—The International Advisory Board may enter into contracts for the acquisition of information, suggestions, estimates, and statistics for the purpose of this section. The International Advisory Board is authorized to obtain the services of experts and consultants without regard to section 3109 of title 5, United States Code and to set pay in accordance with such section.

''(h) TERMINATION.—Notwithstanding the sunset and charter provisions of the Federal Advisory Committee Act (5 U.S.C. App. I) or any other statute or regulation, the International Advisory Board shall be authorized through September 30, 2012.

''(i) FUNDS.—The Secretary shall use not more than one-half of the funds available to the Secretary under section 632 to carry out this section.''.

SEC. 606. RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION; SAFETY.

Part D of title VI is amended by inserting after section 633 (as added by section 605) the following new sections:

''SEC. 634. RECRUITER ACCESS TO STUDENTS AND STUDENT RECRUITING INFORMATION.

''Each institution of higher education that receives a grant under this title shall assure that—

''(1) recruiters of the United States Government and agencies thereof are given the same access to students as is provided generally to other institutions of higher education and prospective employers of those students for the purpose of recruiting for graduate opportunities or prospective employment; and

''(2) no undue restrictions are placed upon students that seek employment with the United States Government or any agency thereof.

''SEC. 635. STUDENT SAFETY.

''Applicants seeking funds under this title to support student travel and study abroad shall submit as part of their grant application a description of safety policies and procedures for students participating in the program while abroad.''.

SEC. 607. NATIONAL STUDY OF FOREIGN LANGUAGE HERITAGE COMMUNITIES.

Part D of title VI is further amended by inserting after section 635 (as added by section 606) the following new section:

''SEC. 636. NATIONAL STUDY OF FOREIGN LANGUAGE HERITAGE COMMUNITIES.

''(a) STUDY.—The Secretary of Education, in consultation with the International Advisory Board, shall conduct a study to identify foreign language heritage communities, particularly such communities that include speakers of languages that are critical to the national security of the United States.

''(b) FOREIGN LANGUAGE HERITAGE COMMUNITY.—For purposes of this section, the term 'foreign language heritage community' means a community of residents or citizens of the United States who are native speakers of, or who have partial fluency in, a foreign language.

''(c) REPORT.—Not later than one year after the date of the enactment of this Act, the Secretary of Education shall submit a report to the Congress on the results of the study conducted under this section.''.

TITLE VII—TITLE VII AMENDMENTS

SEC. 701. JAVITS FELLOWSHIP PROGRAM.

(a) AUTHORITY AND TIMING OF AWARDS.—Section 701(a) (20 U.S.C. 1132a(a)) is amended by inserting after the second sentence the following: ''For purposes of the exception in the preceding sentence, a master's degree in fine arts shall be considered a terminal degree.''.

(b) INTERRUPTIONS OF STUDY.—Section 701(c) (20 U.S.C. 1134(c)) is amended by adding at the end the following new sentence: ''In the case of other exceptional circumstances, such as active duty military service or personal or family member illness, the institution of higher education may also permit the fellowship recipient to interrupt periods of study for the duration of the tour of duty (in the case of military service) or not more than 12 months (in any other case), but without payment of the stipend.''.

(c) ALLOCATION OF FELLOWSHIPS.—Section 702(a)(1) (20 U.S.C. 1134a(a)(1)) is amended—

(1) in the first sentence, by inserting ''from diverse geographic regions'' after ''higher education''; and

(2) by adding at the end the following new sentence: ''The Secretary shall also assure that at least one representative appointed to the Board represents an institution that is eligible for a grant under title III or V of this Act.''.

(d) STIPENDS.—Section 703 (20 U.S.C. 1134b(a)) is amended—

(1) in subsection (a)—

(A) by striking ''1999–2000'' and inserting ''2006–2007'';

(B) by striking ''shall be set'' and inserting ''may be set''; and

(C) by striking ''Foundation graduate fellowships'' and inserting ''Foundation Graduate Research Fellowship Program on February 1 of such academic year''; and

(2) in subsection (b), by amending paragraph (1)(A) to read as follows:

''(1) IN GENERAL.—(A) The Secretary shall (in addition to stipends paid to individuals

under this subpart) pay to the institution of higher education, for each individual awarded a fellowship under this subpart at such institution, an institutional allowance. Except as provided in subparagraph (B), such allowance shall be, for 2006–2007 and succeeding academic years, the same amount as the institutional payment made for 2005–2006 adjusted for 2006–2007 and annually thereafter in accordance with inflation as determined by the Department of Labor's Consumer Price Index for All Urban Consumers for the previous calendar year.''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 705 (20 U.S.C. 1134d) is amended by striking ''fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years'' and inserting ''fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years''.

SEC. 702. GRADUATE ASSISTANCE IN AREAS OF NATIONAL NEED.

(a) DESIGNATION OF AREAS OF NATIONAL NEED; PRIORITY.—Section 712 (20 U.S.C. 1135a) is amended—

(1) in the last sentence of subsection (b)—

(A) by striking ''and an assessment'' and inserting ''an assessment''; and

(B) by inserting before the period at the end the following: '', and the priority described in subsection (c) of this section''; and

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

''(c) PRIORITY.—The Secretary shall establish a priority for grants in order to prepare individuals for the professoriate who will train highly-qualified elementary and secondary math and science teachers, special education teachers, and teachers who provide instruction for limited English proficient individuals. Such grants shall offer program assistance and graduate fellowships for—

''(1) post-baccalaureate study related to teacher preparation and pedagogy in math and science for students who have completed a master's degree or are pursuing a doctorate of philosophy in math and science;

''(2) post-baccalaureate study related to teacher preparation and pedagogy in special education and English language acquisition and academic proficiency for limited English proficient individuals; and

''(3) support of dissertation research in the fields of math, science, special education, or second language pedagogy and second language acquisition.''.

(b) COLLABORATION REQUIRED FOR CERTAIN APPLICATIONS.—Section 713(b) (20 U.S.C. 1135b) is amended—

(1) by striking ''and'' at the end of paragraph (9);

(2) by redesignating paragraph (10) as paragraph (11); and

(3) by inserting after paragraph (9) the following new paragraph:

''(10) in the case of an application for a grant by a department, program, or unit in education or teacher preparation, contain assurances that such department, program, or unit collaborates with departments, programs, or units in all content areas to assure a successful combination of training in both teaching and such content; and''.

(c) STIPENDS.—Section 714(b) (20 U.S.C. 1135c(b)) is amended—

(1) by striking ''1999–2000'' and inserting ''2006–2007'';

(2) by striking ''shall be set'' and inserting ''may be set''; and

(3) by striking ''Foundation graduate fellowships'' and inserting ''Foundation Graduate Research Fellowship Program on February 1 of such academic year''.

(d) ADDITIONAL ASSISTANCE.—Section 715(a)(1) (20 U.S.C. 1135d(a)(1)) is amended—

(1) by striking ''1999–2000'' and inserting ''2006–2007'';

(2) by striking ''1998–1999'' and inserting ''2005–2006''; and

(3) by inserting ''for All Urban Consumers'' after ''Price Index''.

(e) AUTHORIZATION OF APPROPRIATIONS.—Section 716 (20 U.S.C. 1135e) is amended by striking ''fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years'' and inserting ''fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years''.

(f) TECHNICAL AMENDMENTS.—Section 714(c) (20 U.S.C. 1135c(c)) is amended—

(1) by striking ''section 716(a)'' and inserting ''section 715(a)''; and

(2) by striking ''section 714(b)(2)'' and inserting ''section 713(b)(2)''.

SEC. 703. THURGOOD MARSHALL LEGAL EDUCATIONAL OPPORTUNITY PROGRAM.

(a) CONTRACT AND GRANT PURPOSES.—Section 721(c) (20 U.S.C. 1136(c)) is amended—

(1) by amending paragraph (2) to read as follows:

''(2) to prepare such students for study at accredited law schools and assist them with the development of analytical skills and study methods to enhance their success and promote completion of law school;'';

(2) by striking ''and'' at the end of paragraph (4);

(3) by striking the period at the end of paragraph (5) and inserting ''; and''; and

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

''(6) to award Thurgood Marshall Fellowships to eligible law school students—

''(A) who participated in summer institutes authorized by subsection (d) and who are enrolled in an accredited law school; or

''(B) who are eligible law school students who have successfully completed a comparable summer institute program certified by the Council on Legal Educational Opportunity.''.

(b) SERVICES PROVIDED.—Section 721(d)(1)(D) (20 U.S.C. 1136(d)(1)(D)) is amended by inserting ''in analytical skills and study methods'' after ''courses''.

(c) AUTHORIZATION OF APPROPRIATIONS.—Section 721(h) (20 U.S.C. 1136(h)) is amended by striking ''1999 and each of the 4 succeeding fiscal years'' and inserting ''2006 and each of the 5 succeeding fiscal years''.

(d) GENERAL PROVISIONS.—Subsection (e) of section 731 (20 U.S.C. 1137(e)) is repealed.

SEC. 704. FUND FOR THE IMPROVEMENT OF POSTSECONDARY EDUCATION.

(a) CONTRACT AND GRANT PURPOSES.—Section 741(a) (20 U.S.C. 1138(a)) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) the encouragement of the reform and improvement of, and innovation in, postsecondary education and the provision of educational opportunity for all, especially for the non-traditional student populations;'';

(2) in paragraph (2), by inserting before the semicolon at the end the following: ''for postsecondary students, especially institutions, programs, and joint efforts that provide academic credit for programs'';

(3) by amending paragraph (3) to read as follows:

''(3) the establishment of institutions and programs based on the technology of communications, including delivery by distance education;'';

(4) by amending paragraph (6) to read as follows:

''(6) the introduction of institutional reforms designed to expand individual opportunities for entering and reentering postsecondary institutions and pursuing programs of postsecondary study tailored to individual needs;'';

(5) by striking ''and'' at the end of paragraph (7);

(6) by striking the period at the end of paragraph (8) and inserting a semicolon; and

(7) by adding at the end the following new paragraphs:

''(9) the provision of support and assistance to programs implementing integrated education reform services in order to improve secondary school graduation and college attendance and completion rates for disadvantaged students, and to programs that reduce postsecondary remediation rates, and improve degree attainment rates, for low-income students and former high school dropouts; and

''(10) the assessment, in partnership with a public or private nonprofit institution or agency, of the performance of teacher preparation programs within institutions of higher education in a State, using an assessment which provides comparisons across such schools within the State based upon indicators including teacher candidate knowledge in subject areas in which such candidate has been prepared to teach. ''.

(b) PROHIBITION.—Section 741 (20 U.S.C. 1138) is further amended by adding at the end the following new subsection:

''(c) PROHIBITION.—No funds made available under this part may be used to provide financial assistance to students who do not meet the requirements of section 484(a)(5).''.

(c) AREAS OF NATIONAL NEED.—Section 744(c) (20 U.S.C. 1138c(c)) is amended—

(1) by amending paragraph (2) to read as follows:

''(2)(A) Development of partnerships between local educational agencies and institutions of higher education to establish or expand existing dual enrollment programs at institutions of higher education that allow high school students to earn high school and transferable college credit.

''(B) Development of consortia of institutions of higher education to create dual enrollment programs including academic and student support agreements and comprehensive articulation agreements that would allow for the seamless and timeless acquisition of college credits and the transfer of postsecondary academic credits between such institutions, particularly from 2-year to 4-year institutions of higher education.''; and

(2) by striking paragraph (4) and inserting the following:

''(4) International cooperation, partnerships, or student exchange among postsecondary educational institutions in the United States and abroad.

''(5) Establishment of academic programs including graduate and undergraduate courses, seminars and lectures, support of research, and development of teaching materials for the purpose of supporting faculty and academic programs that teach traditional American history (including significant constitutional, political, intellectual, economic, diplomatic, and foreign policy trends, issues, and documents; the history, nature, and development of democratic institutions of which American democracy is a part; and significant events and individuals in the history of the United States).

''(6) Support for planning, applied research, training, resource exchanges or technology transfers, the delivery of services, or other activities the purpose of which is to design and implement programs to enable institutions of higher education to work with private and civic organizations to assist communities to meet and address their pressing and severe problems, including economic development, community infrastructure and housing, crime prevention, education, healthcare, self-sufficiency, and workforce preparation. Such activities may include support for the development of coordinated

curriculum and internship opportunities for students in disadvantaged communities.''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 745 (20 U.S.C. 1138d) is amended by striking ''$30,000,000 for fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years'' and inserting ''$40,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years'' .

SEC. 705. URBAN COMMUNITY SERVICE.

Part C of title VII (20 U.S.C. 1139 et seq.) is repealed.

SEC. 706. DEMONSTRATION PROJECTS TO ENSURE STUDENTS WITH DISABILITIES RECEIVE A QUALITY HIGHER EDUCATION.

(a) SERVING ALL STUDENTS WITH DISABILITIES.—Section 762(a) (20 U.S.C. 1140a(a)) is amended by striking ''students with learning disabilities'' and inserting ''students with disabilities''.

(b) AUTHORIZED ACTIVITIES.—

(1) AMENDMENT.—Section 762(b)(2) is amended—

(A) in subparagraph (A), by inserting ''in order to improve retention and completion'' after ''disabilities'';

(B) by redesignating subparagraphs (B) and (C) as subparagraphs (C) and (E), respectively;

(C) by inserting after subparagraph (A) the following new subparagraph:

''(B) EFFECTIVE TRANSITION PRACTICES.—The development of innovative, effective, and efficient teaching methods and strategies to ensure the smooth transition of students with disabilities from high school to postsecondary education.''; and

(D) by inserting after subparagraph (C) (as redesignated by subparagraph (B) of this paragraph) the following new subparagraph:

''(D) DISTANCE LEARNING.—The development of innovative, effective, and efficient teaching methods and strategies to provide faculty and administrators with the ability to provide accessible distance education programs or classes that would enhance access of students with disabilities to higher education, including the use of electronic communication for instruction and advisement.''.

(2) CONFORMING AMENDMENT.—Section 762(b)(3) is amended by striking ''subparagraphs (A) through (C)'' and inserting ''subparagraphs (A) through (E)''.

(c) APPLICATIONS.—Section 763 (20 U.S.C. 1140b) is amended—

(1) by amending paragraph (1) to read as follows:

''(1) a description of how such institution plans to address the activities allowed under this part;'';

(2) by striking ''and'' at the end of paragraph (2);

(3) by striking the period at the end of paragraph (3) and inserting ''; and''; and

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

''(4) a description of the extent to which an institution will work to replicate the best practices of institutions of higher education with demonstrated success in serving students with disabilities.''.

(d) AUTHORIZATION OF APPROPRIATIONS.—Section 765 (20 U.S.C. 1140d) is amended by striking ''fiscal year 1999 and such sums as may be necessary for each of the 4 succeeding fiscal years'' and inserting ''fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years''.

TITLE VIII—CLERICAL AMENDMENTS

SEC. 801. CLERICAL AMENDMENTS.

(a) DEFINITION.—Section 103 (20 U.S.C. 1003) (as amended by section 102) is further amended—

(1) by redesignating paragraphs (1) through (16) as paragraphs (2) through (17), respectively; and

(2) by inserting before paragraph (2) (as so redesignated) the following new paragraph:

''(1) AUTHORIZING COMMITTEES.—The term 'authorizing committees' means the Committee on Health, Education, Labor, and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.''.

(b) COMMITTEES.—

(1) The following provisions are each amended by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''authorizing committees'':

(A) Section 428(g) (20 U.S.C. 1078(g)).

(B) Section 428A(c)(2) (20 U.S.C. 1078–1(c)(2)).

(C) Section 428A(c)(5) (20 U.S.C. 1078–1(c)(5)).

(D) Section 455(b)(7)(B) (20 U.S.C. 1087e(b)(7)(B)), as redesignated by section 423(b)(3).

(E) Section 483(c) (20 U.S.C. 1090(c)).

(F) Section 486(e) (20 U.S.C. 1093(e)).

(G) Section 486(f)(3)(A) (20 U.S.C. 1093(f)(3)(A)).

(H) Section 486(f)(3)(B) (20 U.S.C. 1093(f)(3)(B)).

(I) Section 487A(a)(5) (20 U.S.C. 1094a(a)(5)).

(J) Section 487A(b)(2) (20 U.S.C. 1094a(b)(2)).

(K) Section 487A(b)(3)(B) (20 U.S.C. 1094a(b)(3)(B)).

(L) Section 498B(d)(1) (20 U.S.C. 1099c–2(d)(1)).

(M) Section 498B(d)(2) (20 U.S.C. 1099c–2(d)(2)).

(2) The following provisions are each amended by striking ''Committee on Education and the Workforce of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''authorizing committees'':

(A) Section 141(d)(4)(B) (20 U.S.C. 1018(d)(4)(B)).

(B) Section 428(n)(4) (20 U.S.C. 1078(n)(4)).

(C) Section 437(c)(1) (20 U.S.C. 1087(c)(1)).

(D) Section 485(f)(5)(A) (20 U.S.C. 1092(f)(5)(A)).

(E) Section 485(g)(4)(B) (20 U.S.C. 1092(g)(4)(B)).

(3) Section 401(f)(3) (20 U.S.C. 1070a(f)(3)) is amended by striking ''Committee on Appropriations and the Committee on Labor and Human Resources of the Senate and the Committee on Appropriations and the Committee on Education and the Workforce of the House of Representatives'' and inserting ''Committees on Appropriations of the Senate and House of Representatives and the authorizing committees''.

(4) Section 428(c)(9)(K) (20 U.S.C. 1078(c)(9)(K)) is amended by striking ''House Committee on Education and the Workforce and the Senate Committee on Labor and Human Resources'' and inserting ''authorizing committees''.

(5) Section 432(f)(1)(C) (20 U.S.C. 1082(f)(1)(C)) is amended by striking ''Committee on Education and the Workforce of the House of Representatives or the Committee on Labor and Human Resources of the Senate'' and inserting ''either of the authorizing committees''.

(6) Section 439(d)(1)(E)(iii) (20 U.S.C. 1087–2(d)(1)(E)(iii)) is amended by striking ''Chairman and the Ranking Member on the Committee on Labor and Human Resources of the Senate and the Chairman and the Ranking Member of the Committee on Education and Labor of the House of Representatives'' and inserting ''chairpersons and ranking minority members of the authorizing committees''.

(7) Paragraphs (3) and (8)(C) of section 439(r) (20 U.S.C. 1087–2(r)) are each amended by striking ''Chairman and ranking minority member of the Committee on Labor and Human Resources of the Senate, the Chairman and ranking minority member of the Committee on Education and Labor of the House of Representatives,'' and inserting ''chairpersons and ranking minority members of the authorizing committees''.

(8) Paragraphs (5)(B) and (10) of section 439(r) (20 U.S.C. 1087–2(r)) are each amended by striking ''Chairman and ranking minority member of the Senate Committee on Labor and Human Resources and to the Chairman and ranking minority member of the House Committee on Education and Labor'' and inserting ''chairpersons and ranking minority members of the authorizing committees''.

(9) Section 439(r)(6)(B) (20 U.S.C. 1087–2(r)(6)(B)) is amended by striking ''Chairman and ranking minority member of the Committee on Labor and Human Resources of the Senate and to the Chairman and ranking minority member of the Committee on Education and Labor of the House of Representatives'' and inserting ''chairpersons and ranking minority members of the authorizing committees''.

(10) Section 439(s)(2)(A) (20 U.S.C. 1087–2(s)(2)(A)) is amended by striking ''Chairman and Ranking Member of the Committee on Labor and Human Resources of the Senate and the Chairman and Ranking Member of the Committee on Economic and Educational Opportunities of the House of Representatives'' and inserting ''chairpersons and ranking minority members of the authorizing committees''.

(11) Section 439(s)(2)(B) (20 U.S.C. 1087–2(s)(2)(B)) is amended by striking ''Chairman and Ranking Minority Member of the Committee on Labor and Human Resources of the Senate and Chairman and Ranking Minority Member of the Committee on Economic and Educational Opportunities of the House of Representatives'' and inserting ''chairpersons and ranking minority members of the authorizing committees''.

(12) Section 482(d) (20 U.S.C. 1089(d)) is amended by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and Labor of the House of Representatives'' and inserting ''authorizing committees''.

(c) ADDITIONAL CLERICAL AMENDMENTS.—

(1) Clauses (i) and (ii) of section 425(a)(2)(A) (20 U.S.C. 1075(a)(2)(A)) are each amended by striking ''428A or 428B'' and inserting ''428B or 428H''.

(2) Section 428(a)(2)(E) (20 U.S.C. 1078(a)(2)(E)) is amended by striking ''428A or''.

(3) Clauses (i) and (ii) of section 428(b)(1)(B) (20 U.S.C. 1078(b)(1)(B)) are each amended by striking ''428A or 428B'' and inserting ''428B or 428H''.

(4) Section 428(b)(1)(Q) (20 U.S.C. 1078(b)(1)(Q)) is amended by striking ''sections 428A and 428B'' and inserting ''section 428B or 428H''.

(5) Section 428(b)(7)(C) (20 U.S.C. 1078(b)(7)(C)) is amended by striking ''428A, 428B,'' and inserting ''428B''.

(6) Section 428G(c)(2) (20 U.S.C. 1078–7(c)(2)) is amended by striking ''428A'' and inserting ''428H''.

(7) The heading for section 433(e) (20 U.S.C. 1083(e)) is amended by striking ''SLS LOANS AND''.

(8) Section 433(e) (20 U.S.C. 1083(e)) is amended by striking ''428A, 428B,'' and inserting ''428B''.

(9) Section 435(a)(3) (20 U.S.C. 1085(a)(3)) is amended—

(A) by inserting ''or'' at the end of subparagraph (A);

(B) by striking subparagraph (B); and

(C) by redesignating subparagraph (C) as subparagraph (B).

(10) Section 435(d)(1)(G) (20 U.S.C. 1085(d)(1)(G)) is amended by striking ''428A(d), 428B(d), 428C,'' and inserting ''428B(d), 428C, 428H,''.

(11) Section 435(m) (20 U.S.C. 1085(m)) is amended—

(A) in paragraph (1)(A), by striking '', 428A,''; and

(B) in paragraph (2)(D), by striking ''428A'' each place it appears and inserting ''428H''.

(12) Section 438(b)(2)(D)(ii) (20 U.S.C. 1087–1(b)(2)(D)(ii)) is amended by striking ''division (i) of this subparagraph'' and inserting ''clause (i) of this subparagraph''.

(13) Section 438(c)(6) (20 U.S.C. 1087–1(c)(6)) is amended—

(A) by striking ''SLS AND PLUS'' in the heading and inserting ''PLUS''; and

(B) by striking ''428A or''.

(14) Section 438(c)(7) (20 U.S.C. 1087–1(c)(7)) is amended by striking ''428A or''.

(15) Nothing in the amendments made by this subsection shall be construed to alter the terms, conditions, and benefits applicable to Federal supplemental loans for students (''SLS loans'') under section 428A as in effect prior to July 1, 1994 (20 U.S.C. 1078–1).

TITLE IX—AMENDMENTS TO OTHER EDUCATION LAWS

PART A—EDUCATION OF THE DEAF ACT OF 1986

SEC. 901. LAURENT CLERC NATIONAL DEAF EDUCATION CENTER.

(a) GENERAL AUTHORITY.—Section 104(a)(1)(A) of the Education of the Deaf Act of 1986 (20 U.S.C. 4304(a)(1)(A)) is amended by inserting after ''maintain and operate'' the following: '', at the Laurent Clerc National Deaf Education Center,''.

(b) ADMINISTRATIVE REQUIREMENTS.—

(1) IN GENERAL.—Section 104(b) of the Education of the Deaf Act of 1986 (20 U.S.C. 4304(b)) is amended—

(A) in the matter preceding subparagraph (A) of paragraph (1), by striking ''elementary and secondary education programs'' and inserting ''Laurent Clerc National Deaf Education Center''; and

(B) in paragraph (2), by striking ''elementary and secondary education programs'' and inserting ''Laurent Clerc National Deaf Education Center''.

(2) ACADEMIC CONTENT STANDARDS, ACHIEVEMENT STANDARDS, AND ASSESSMENTS.—Section 104(b) of the Education of the Deaf Act of 1986 (20 U.S.C. 4304(b)) is amended by adding at the end the following new paragraph:

''(5) The University, in consultation with the Secretary and consistent with the mission of the elementary and secondary programs operated at the Laurent Clerc National Deaf Education Center, shall—

''(A) not later than the beginning of the 2007–2008 school year, adopt and implement academic content standards, academic achievement standards, and academic assessments as described in paragraphs (1) and (3) of section 1111(b) of the Elementary and Secondary Education Act of 1965 for such Center;

''(B) develop adequate yearly progress standards for such Center as described in section 1111(b)(2)(C) of such Act; and

''(C) publicly report the results of such assessments, except in such case in which such reporting would not yield statistically reliable information or would reveal personally identifiable information about an individual student.''.

SEC. 902. AUTHORITY.

Section 111 of the Education of the Deaf Act of 1986 (20 U.S.C. 4331) is amended by striking ''the institution of higher education with which the Secretary has an agreement under this part'' and inserting ''the Rochester Institute of Technology''.

SEC. 903. AGREEMENT FOR THE NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.

(a) GENERAL AUTHORITY.—Section 112(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4332(a)) is amended—

(1) in paragraph (1)—

(A) in the first sentence—

(i) by striking ''an institution of higher education'' and inserting ''the Rochester Institute of Technology, Rochester, New York,''; and

(ii) by striking ''of a'' and inserting ''of the''; and

(B) by striking the second sentence; and

(2) in paragraph (2)—

(A) in the matter preceding subparagraph (A), by striking ''the institution of higher education with which the Secretary has an agreement under this section'' and inserting ''the Rochester Institute of Technology''; and

(B) in subparagraph (B), by striking ''the institution'' and inserting ''the Rochester Institute of Technology''.

(b) PROVISIONS OF AGREEMENT.—Section 112(b) of the Education of the Deaf Act of 1986 (20 U.S.C. 4332(b)) is amended—

(1) in paragraph (2), by striking ''or other governing body of the institution'' and inserting ''of the Rochester Institute of Technology''; and

(2) in paragraph (3)—

(A) by striking ''or other governing body of the institution'' and inserting ''of the Rochester Institute of Technology'';

(B) by striking ''the institution of higher education under the agreement with the Secretary'' and inserting ''the Rochester Institute of Technology by the National Technical Institute for the Deaf''; and

(C) by striking ''Committee on Education and Labor of the House of Representatives and to the Committee on Labor and Human Resources of the Senate'' and inserting ''Committee on Education and the Workforce of the House of Representatives and to the Committee on Health, Education, Labor, and Pensions of the Senate''.

(c) LIMITATION.—Section 112(c) of the Education of the Deaf Act of 1986 (20 U.S.C. 4332(c)) is amended in paragraphs (1) and (2) by striking ''institution'' each place it appears and inserting ''Rochester Institute of Technology''.

SEC. 904. DEFINITIONS.

Section 201 of the Education of the Deaf Act of 1986 (20 U.S.C. 4351) is amended—

(1) by striking paragraph (3);

(2) by redesignating paragraphs (4) through (7) as paragraphs (3) through (6), respectively; and

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

''(7) The term 'RIT' means the Rochester Institute of Technology.''.

SEC. 905. AUDIT.

(a) GOVERNMENT ACCOUNTABILITY OFFICE AUTHORITY.—Section 203(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4353(a)) is amended—

(1) in the heading, by striking ''GENERAL ACCOUNTING OFFICE'' and inserting ''GOVERNMENT ACCOUNTABILITY OFFICE''; and

(2) in the matter following paragraph (2), by striking ''General Accounting Office'' and inserting ''Government Accountability Office''.

(b) INDEPENDENT FINANCIAL AND COMPLIANCE AUDIT.—Section 203(b)(1) of the Education of the Deaf Act of 1986 (20 U.S.C. 4353(b)(1)) is amended by striking the second sentence and inserting the following: ''NTID shall have an annual independent financial and compliance audit made of RIT programs and activities, including NTID programs and activities.''.

(c) COMPLIANCE.—Section 203(b)(2) of the Education of the Deaf Act of 1986 (20 U.S.C. 4353(b)(2)) is amended by striking ''sections'' and all that follows through ''section 207'' and inserting ''sections 102(b), 105(b)(4), 112(b)(5), 203(c), 207(b)(2), subsections (c) through (f) of section 207''.

(d) SUBMISSION OF AUDITS.—Section 203(b)(3) of the Education of the Deaf Act of 1986 (20 U.S.C. 4353(b)(3)) is amended—

(1) by inserting after ''Secretary'' the following: ''and the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''; and

(2) by striking ''or the institution authorized to establish and operate the NTID under section 112(a)'' and inserting ''or RIT''.

(e) LIMITATIONS REGARDING EXPENDITURE OF FUNDS.—Section 203(c)(2)(A) of the Education of the Deaf Act of 1986 (20 U.S.C. 4353(c)(2)(A)) is amended in the fifth sentence by striking ''the Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''.

SEC. 906. REPORTS.

(a) TECHNICAL AMENDMENTS.—Section 204 of the Education of the Deaf Act of 1986 (20 U.S.C. 4354) is amended in the matter preceding paragraph (1)—

(1) by striking ''or other governing body of the institution of higher education with which the Secretary has an agreement under section 112'' and inserting ''of RIT''; and

(2) by striking ''Committee on Education and Labor of the House of Representatives and the Committee on Labor and Human Resources of the Senate'' and inserting ''Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''.

(b) CONTENTS OF REPORT.—Section 204 of the Education of the Deaf Act of 1986 (20 U.S.C. 4354) is amended—

(1) in paragraph (2)(C), by striking ''upon graduation/completion'' and inserting ''within one year of graduation/completion''; and

(2) in paragraph (3)(B), by striking ''of the institution of higher education with which the Secretary has an agreement under section 112, including specific schedules and analyses for all NTID funds, as required under section 203'' and inserting ''of RIT programs and activities''.

SEC. 907. LIAISON FOR EDUCATIONAL PROGRAMS.

Section 206(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4356(a)) is amended by striking ''Not later than 30 days after the date of enactment of this Act, the'' and inserting ''The''.

SEC. 908. FEDERAL ENDOWMENT PROGRAMS FOR GALLAUDET UNIVERSITY AND THE NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.

Section 207(a)(2) of the Education of the Deaf Act of 1986 (20 U.S.C. 4357(a)(2)) is amended by striking ''or other governing body of the institution of higher education with which the Secretary has an agreement under section 112'' and inserting ''of RIT''.

SEC. 909. OVERSIGHT AND EFFECT OF AGREEMENTS.

Section 208(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359(a)) is amended—

(1) by striking ''the institution of higher education with which the Secretary has an agreement under part B of title I'' and inserting ''RIT''; and

(2) by striking ''Committee on Labor and Human Resources of the Senate and the Committee on Education and the Workforce

of the House of Representatives'' and inserting ''Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate''.

SEC. 910. AUTHORIZATION OF APPROPRIATIONS.

(a) MONITORING AND EVALUATION ACTIVITIES.—Section 205(c) of the Education of the Deaf Act of 1986 (20 U.S.C. 4355(c)) is amended by striking ''fiscal years 1998 through 2003'' and inserting ''fiscal years 2006 through 2011''.

(b) FEDERAL ENDOWMENT PROGRAMS FOR GALLAUDET UNIVERSITY AND THE NATIONAL TECHNICAL INSTITUTE FOR THE DEAF.—Section 207(h) of the Education of the Deaf Act of 1986 (20 U.S.C. 4357(h)) is amended in paragraphs (1) and (2) by striking ''fiscal years 1998 through 2003'' each place it appears and inserting ''fiscal years 2006 through 2011''.

(c) GENERAL AUTHORIZATION OF APPROPRIATIONS.—Section 212 of the Education of the Deaf Act of 1986 (20 U.S.C. 4360a) is amended—

(1) in the matter preceding paragraph (1) in subsection (a), by striking ''fiscal years 1998 through 2003'' and inserting ''fiscal years 2006 through 2011''; and

(2) in subsection (b), by striking ''fiscal years 1998 through 2003'' and inserting ''fiscal years 2006 through 2011''.

(d) SHORT TITLE.—

(1) IN GENERAL.—The Education of the Deaf Act of 1986 (20 U.S.C. 4301 note) is amended by striking the matter preceding title I and inserting the following:

''SEC. 1. SHORT TITLE.

''This Act may be cited as the 'Gallaudet University and National Technical Institute for the Deaf Act'.''.

(2) OTHER REFERENCES.— Any reference in a law, regulation, document, or other record of the United States to the Education of the Deaf Act of 1986 shall be deemed to be a reference to the Gallaudet University and National Technical Institute for the Deaf Act.

PART B—ADDITIONAL EDUCATION LAWS

SEC. 921. CANCELLATION OF STUDENT LOAN INDEBTEDNESS FOR SURVIVORS OF VICTIMS OF THE SEPTEMBER 11, 2001, ATTACKS.

(a) DEFINITIONS.—For purposes of this section:

(1) ELIGIBLE PUBLIC SERVANT.—The term ''eligible public sesrvant'' means an individual who, as determined in accordance with regulations of the Secretary—

(A) served as a police officer, firefighter, other safety or rescue personnel, or as a member of the Armed Forces; and

(B) died (or dies) or became (or becomes) permanently and totally disabled due to injuries suffered in the terrorist attack on September 11, 2001.

(2) ELIGIBLE VICTIM.—The term ''eligible victim'' means an individual who, as determined in accordance with regulations of the Secretary, died (or dies) or became (or becomes) permanently and totally disabled due to injuries suffered in the terrorist attack on September 11, 2001.

(3) ELIGIBLE PARENT.—The term ''eligible parent'' means the parent of an eligible victim if—

(A) the parent owes a Federal student loan that is a consolidation loan that was used to repay a PLUS loan incurred on behalf of such eligible victim; or

(B) the parent owes a Federal student loan that is a PLUS loan incurred on behalf of an eligible victim.

(4) SECRETARY.—The term ''Secretary'' means the Secretary of Education.

(5) FEDERAL STUDENT LOAN.—The term ''Federal student loan'' means any loan made, insured, or guaranteed under part B, D, or E of title IV of the Higher Education Act of 1965.

(b) RELIEF FROM INDEBTEDNESS.—

(1) IN GENERAL.—The Secretary shall provide for the discharge or cancellation of—

(A) the Federal student loan indebtedness of the spouse of an eligible public servant, as determined in accordance with regulations of the Secretary, including any consolidation loan that was used jointly by the eligible public servant and his or her spouse to repay the Federal student loans of the spouse and the eligible public servant;

(B) the portion incurred on behalf of the eligible victim (other than an eligible public servant), of a Federal student loan that is a consolidation loan that was used jointly by the eligible victim and his or her spouse, as determined in accordance with regulations of the Secretary, to repay the Federal student loans of the eligible victim and his or her spouse;

(C) the portion of the consolidation loan indebtedness of an eligible parent that was incurred on behalf of an eligible victim; and

(D) the PLUS loan indebtedness of an eligible parent that was incurred on behalf of an eligible victim.

(2) METHOD OF DISCHARGE OR CANCELLATION.—A loan required to be discharged or canceled under paragraph (1) shall be discharged or canceled by the method used under section 437(a), 455(a)(1), or 464(c)(1)(F) of the Higher Education Act of 1965 (20 U.S.C. 1087(a), 1087e(a)(1), 1087dd(c)(1)(F)), whichever is applicable to such loan.

(c) FACILITATION OF CLAIMS.—The Secretary shall—

(1) establish procedures for the filing of applications for discharge or cancellation under this section by regulations that shall be prescribed and published within 90 days after the date of enactment of this Act and without regard to the requirements of section 553 of title 5, United States Code; and

(2) take such actions as may be necessary to publicize the availability of discharge or cancellation of Federal student loan indebtedness under this section.

(d) AVAILABILITY OF FUNDS FOR PAYMENTS.—Funds available for the purposes of making payments to lenders in accordance with section 437(a) for the discharge of indebtedness of deceased or disabled individuals shall be available for making payments under section 437(a) to lenders of loans as required by this section.

(e) APPLICABLE TO OUTSTANDING DEBT.—The provisions of this section shall be applied to discharge or cancel only Federal student loans (including consolidation loans) on which amounts were owed on September 11, 2001. Nothing in this section shall be construed to authorize any refunding of any repayment of a loan.

SEC. 922. AMENDMENT TO HIGHER EDUCATION AMENDMENTS OF 1998.

(a) REPEALS OF EXPIRED AND EXECUTED PROVISIONS.—The following provisions of the Higher Education Amendments of 1998 are repealed:

(1) STUDY OF MARKET MECHANISMS IN FEDERAL STUDENT LOAN PROGRAMS.—Section 801 (20 U.S.C. 1018 note).

(2) STUDY OF FEASIBILITY OF ALTERNATE FINANCIAL INSTRUMENTS FOR DETERMINING LENDER YIELDS.—Section 802.

(3) STUDENT RELATED DEBT STUDY.—Section 803 (20 U.S.C. 1015 note).

(4) STUDY OF OPPORTUNITIES FOR PARTICIPATION IN ATHLETIC PROGRAMS.—Section 805 (20 U.S.C. 1001 note).

(5) COMMUNITY SCHOLARSHIP MOBILIZATION.—Part C of title VIII (20 U.S.C. 1070 note).

(6) INCARCERATED YOUTH.—Part D of title VIII (20 U.S.C. 1151).

(7) IMPROVING UNITED STATES UNDERSTANDING OF SCIENCE, ENGINEERING, AND TECHNOLOGY IN EAST ASIA.—Part F of title VIII (42 U.S.C. 1862 note).

(8) WEB-BASED EDUCATION COMMISSION.—Part J of title VIII.

(b) EXTENSIONS OF AUTHORIZATIONS AND STUDIES.—

(1) TRANSFER OF CREDIT.—Section 804(b) of such Act (20 U.S.C. 1099b note) is amended—

(A) by striking ''one year after the date of enactment of this Act'' and inserting ''September 30, 2007''; and

(B) by inserting ''and policies of institutions of higher education'' after ''agencies or associations''.

(2) COHORT DEFAULT RATE STUDY.—Section 806 of such Act is amended—

(A) in subsection (a), by striking ''higher education at which less'' and inserting ''higher education. The study shall also review the effect of cohort default rates specifically on institutions of higher education at which less''; and

(B) in subsection (c), by striking ''September 30, 1999,'' and inserting ''September 30, 2007,''.

(3) VIOLENCE AGAINST WOMEN.—Section 826 of such Act (20 U.S.C. 1152) is amended—

(A) in subsection (g), by striking ''for each of the fiscal years 2001 through 2005'' and inserting ''fiscal year 2006 and each of the 5 succeeding fiscal years''; and

(B) by redesignating subsections (f) and (g) as subsections (e) and (f), respectively.

(4) UNDERGROUND RAILROAD.—Subsection (c) of section 841 (20 U.S.C. 1153(c)) is amended to read as follows:

''(c) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section $3,000,000 for fiscal year 2006 and such sums as may be necessary for each of the 5 succeeding fiscal years.''.

SEC. 923. TRIBALLY CONTROLLED COLLEGE OR UNIVERSITY ASSISTANCE ACT OF 1978.

(a) TITLE I AUTHORIZATION.—Section 110(a) of the Tribally Controlled Community College or University Assistance Act of 1978 (25 U.S.C. 1810(a)) is amended—

(1) by striking ''1999'' each place it appears and inserting ''2006''; and

(2) by striking ''4 succeeding'' each place it appears and inserting ''5 succeeding''.

(b) TITLE III REAUTHORIZATION.—Section 306(a) of the Tribally Controlled Community College or University Assistance Act of 1978 (25 U.S.C. 1836(a)) is amended—

(1) by striking ''1999'' and inserting ''2006''; and

(2) by striking ''4 succeeding'' and inserting ''5 succeeding''.

(c) TITLE IV REAUTHORIZATION.—Section 403 of the Tribal Economic Development and Technology Related Education Assistance Act of 1990 (25 U.S.C. 1852) is amended—

(1) by striking ''1999'' and inserting ''2006''; and

(2) by striking ''4 succeeding'' and inserting ''5 succeeding''.

(d) ADDITIONAL AMENDMENTS.—The Tribally Controlled Community College or University Assistance Act of 1978 is further amended—

(1) in section 2(a)(6) (25 U.S.C. 1801(a)(6)), by striking ''in the field of Indian education'' and inserting ''in the field of Tribal Colleges and Universities and Indian higher education'';

(2) in section 2(b), by striking paragraph (5) and inserting the following:

''(5) Eligible credits earned in a continuing education program shall be determined as one credit for every 10 contact hours for institutions on a quarter system, and 15 contact hours for institutions on a semester system, of participation in an organized continuing education experience under responsible sponsorship, capable direction, and

qualified instruction, as described in the criteria established by the International Association for Continuing Education and Training, and may not exceed 20 percent of an institution's total Indian student count.''; and

(3) in section 103 (25 U.S.C. 1804), by striking ''and'' at the end of paragraph (2), by striking the period at the end of paragraph (3) and inserting ''; and'', and by inserting after paragraph (3) the following new paragraph:

''(4) has been accredited by a nationally recognized accrediting agency or association determined by the Secretary of Education to be a reliable authority as to the quality of training offered, or is, according to such an agency or association, making reasonable progress toward accreditation.''.

SEC. 924. NAVAJO COMMUNITY COLLEGE ACT.

Section 5(a)(1) of the Navajo Community College Act (25 U.S.C. 640c–1(a)(1)) is amended—

(1) by striking ''1999'' and inserting ''2006''; and

(2) by striking ''4 succeeding'' and inserting ''5 succeeding''.

SEC. 925. EDUCATION AMENDMENTS OF 1992.

Section 1543(d) of the Education Amendments of 1992 (20 U.S.C. 1070 note) is amended—

(1) by striking ''1999'' and inserting ''2006''; and

(2) by striking ''4 succeeding'' and inserting ''5 succeeding''.

SEC. 926. STUDY OF STUDENT LEARNING OUTCOMES AND PUBLIC ACCOUNTABILITY.

(a) STUDY REQUIRED.—The Secretary shall provide for the conduct a study of the best practices of States in assessing undergraduate postsecondary student learning, particularly as such practices relate to public accountability systems.

(b) CHARACTERISTICS OF THE ASSOCIATION.—Such study shall be conducted by an association or organization with specific expertise and knowledge in state practices and access to necessary state officials (in this section referred to as the ''association''). The association responsible for the study under this section shall be a national, non-partisan or bi-partisan entity representing States or State officials with expertise in evaluative and qualitative policy research for best practice models, the capacity to convene experts, and to formulate policy recommendations.

(c) REQUIRED SUBJECTS OF STUDY.—In performing the study, the association shall, at a minimum, examine the following:

(1) The current status of institutional and state efforts to embed student learning assessments into the state-level public accountability frameworks.

(2) The extent to which there is commonality among educators and accrediting agencies on learning standards for the associates and bachelors degrees.

(3) The reliability, rigor, and generalizability of available instruments to assess general education at the undergraduate level.

(4) Roles and responsibilities for public accountability for student learning.

(d) CONSULTATION.—

(1) NATIONAL COMMITTEE.—The association shall establish and consult with a national committee. The committee shall meet not less than twice a year to review the research, identify best practice models, and review recommendations.

(2) MEMBERSHIP.—The national advisory committee shall consist of a representative of the Secretary of Education and individuals with expertise in—

(A) State accountability systems;

(B) student learning assessments;

(C) student flow data;

(D) transitions between K–12 and higher education; and

(E) Federal higher education policy.

(3) ADDITIONAL EXPERTISE.—The association may augment this committee with other expertise, as appropriate.

(e) CONGRESSIONAL CONSULTATION.—The association shall consult on a regular basis with the Committee on Education and the Workforce of the House of Representatives and the Committee on Health Education Labor and Pensions of the Senate in carrying out the study required by this section.

(f) REPORT.—The association shall, not later than two years after the date of enactment of this Act, prepare and submit a report on the study required by this section to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

SEC. 927. STUDY OF MINORITY GRADUATION RATES.

(a) STUDY REQUIRED.—The Secretary of Education shall—

(1) commission a national study on the decreasing numbers of underrepresented minority males, particularly African American males, entering and graduating from colleges and universities; and

(2) make specific recommendations to the Congress on new approaches to increase minority male graduation rates and the number of minority males going into careers where the population is underrepresented.

(b) SUBMISSION OF REPORT.—Not later than one year after the date of the enactment this Act, the Secretary shall submit a report on the study required by subsection (a)(1), together with the recommendations required by subsection (a)(2), to the Committee on Health, Education, Labor and Pensions of the Senate and the Committee on Education and the Workforce of the House of Representatives.

SEC. 928. STUDY OF EDUCATION-RELATED INDEBTEDNESS OF MEDICAL SCHOOL GRADUATES.

(a) STUDY REQUIRED.—The Secretary of Education shall conduct a study to evaluate the higher education-related indebtedness of medical school graduates in the United States at the time of graduation.

(b) DEADLINE.—Not later than one year after the date of enactment of this Act, the Secretary shall submit a report on the study required by subsection (a) to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor and Pensions of the Senate, and shall make the report widely available to the public. Additional reports may be periodically prepared and released as necessary.

SEC. 929. STUDY OF ADULT LEARNERS.

The Secretary of Education shall conduct a study of the developing trends in older adult learners attending college and how institutions of higher education are addressing the needs of this specific population in terms of outreach, accessibility, financing, and student support services, including online education. The Secretary shall submit a report on the study to the Committee on Education and the Workforce of the House of Representatives that includes recommendations on measures the Federal Government can take to address the needs in regards to education and job training for the aging population and the changing demographics of our country.

SEC. 930. INCREASE IN COLLEGE TEXTBOOK PRICES.

(a) FINDINGS.—The Committee on Education and the Workforce of the House of Representatives makes the following findings:

(1) The rising costs of higher education are making a postsecondary education inaccessible for many individuals.

(2) The rise in college textbook pricing contributes to the overall costs of higher education, and many factors have contributed to the rise in textbook pricing.

(b) SENSE OF THE COMMITTEE ON EDUCATION AND THE WORKFORCE.—It is the sense of the Committee on Education and the Workforce of the House of Representatives that in order to make a higher education more accessible for all students, the following should occur to make college textbooks more affordable for students:

(1) The Congress encourages textbook publishers to provide students with the option of buying materials such as textbooks, CD–ROMs, access to websites, and workbooks, ''a la carte'' or ''unbundled''.

(2) Textbook publishers should work with faculty to understand the cost to students of purchasing the recommended textbooks.

(3) College bookstores should work with faculty to review timelines and processes for ordering and stocking selected textbooks, and disclose textbook costs to faculty and students.

(4) Colleges and universities should be encouraged to implement numerous options to address textbook affordability.

The Acting CHAIRMAN. No amendment to that amendment is in order except those printed in House Report 109–399. Each amendment may be offered only in the order printed in the report; or as permitted under the order of the House by unanimous consent; by a Member designated in the report; shall be considered 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.

AMENDMENT NO. 1 OFFERED BY MR. MCKEON

Mr. MCKEON. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 printed in House Report 109–399 offered by Mr. MCKEON:

Page 15, line 12, insert ''or had'' after ''has''.

Page 15, line 14, after ''1992'' insert the following: '', and continues to operate a clinical training program in at least one State, which is approved by that State''

Page 23, line 10, strike '' '2012' '' and insert '' '2013' ''.

Page 23, line 14, strike '' '2006' '' and insert '' '2007' ''.

Page 23, line 21, strike ''2006 and'' and insert ''2007 and''.

Page 25, line 9, strike ''Secretary'' and insert ''Commissioner of Education Statistics''.

Page 26, line 13, strike ''assure'' and insert ''ensure''.

Page 26, beginning on line 10, strike ''to institutions of higher education''.

Page 26, line 12, insert ''from institutions of higher education'' after ''useful data''.

Page 26, line 22, strike ''assuring that data is'' and insert ''ensuring that data are''.

Page 27. line 7, strike ''Secretary'' and insert ''Commissioner of Education Statistics''.

Page 27, line 25, insert '', full-year'' before ''undergraduate''.

Page 28, beginning on line 1, strike ''for such a student'' and insert ''for a first-time, full-time, full-year undergraduate student''.

Page 28, line 3, strike ''cost'' and insert ''price''.

Page 28, line 4, insert '', full-year'' before ''undergraduate''.

Page 28, beginning on line 7, strike ''first-time full-time undergraduate'' and insert ''first-year, full-time, full-year undergraduate''.

Page 28, line 15, insert '', full-year undergraduate'' after ''full-time''.

Page 28, beginning on line 18, strike subparagraph (F) (and redesignate the succeeding paragraphs accordingly).

Page 29, line 8, insert ''of undergraduate students'' after ''rates''.

Page 30, line 1, strike ''Secretary'' and insert ''Commissioner of Education Statistics''.

Page 30, line 2, strike ''make available, at a minimum, the data collected'' and insert ''collect and publish data submitted by each institution''.

Page 30, beginning on line 5, strike the sentence beginning with ''Such data'' and insert ''Such data shall be selected in accordance with the requirements of section 131(b).''.

Page 30, line 10, stike ''typical full-time'' and insert ''typical first-time, full-time, full-year''.

Page 30, line 12, insert ''Such data may be presented in combination with forms and information from the Free Application for Federal Student Aid (FAFSA) website.'' before ''The Secretary''.

Page 31, line 22, strike ''2009'' and insert ''2010''.

Page 32, line 5, strike ''students;'' insert ''students and the steps by which the institution is and will be taking to reduce its college affordability index; and''.

Page 32, beginning on line 6, strike subparagraphs (B) and (C) (and redesignate the succeeding subparagraph accordingly).

Page 32, beginning on line 19, strike paragraph (2) (and redesignate the succeeding paragraph accordingly).

Page 32, strike line 25 and insert the following:

(3) QUALITY EFFICIENCY TASK FORCES.—Each institution subject to paragraph (1) that has a college affordability index that is in the highest 10 percent of such indexes of all classes of institutions subject to paragraph (1) shall establish a quality-efficiency task force to review the costs and expenditures on tuition and fees charged to students and the operations of such institution.

Page 33, beginning on line 1, strike subparagraph (A) (and redesignate the succeeding subparagraphs accordingly).

Page 34, beginning on line 3, strike ''has failed'' and all that follows through ''submission of such plans, and'' on line 7.

Page 34, beginning on line 10, strike subparagraph (A); on line 15, redesignate subparagraph (B) as subparagraph (A); on line 18, insert ''and'' after the semicolon; on line 19, redesignate subparagraph (C) as subparagraph (B); on line 20, strike ''; and'' and insert a period; and beginning on line 21, strike subparagraph (D).

Page 35, line 2, strike ''(1)(C)'' and insert ''(1)(B)''.

Page 36, line 5, strike ''(B) or (C)'' and insert ''(A)''.

Page 36, beginning on line 14, strike ''the actions required by subparagraph (B) or (C)'' and insert ''the explanation of how the institution plans to address its cost increase as required by subparagraph (A)''.

Page 37, after line 2, insert the following new paragraph:

''(8) DATA REJECTION.—Nothing in this subsection shall be construed as allowing the Secretary to reject the data submitted by an individual institution of higher education.

Page 37, after line 2, insert the following new subsection (and redesignate the succeeding subsections accordingly):

''(g) INFORMATION TO THE PUBLIC.—Upon receipt of an institution's report required under subsection (f), the Secretary shall make the information in the report available to the public in accordance with subsection (d) on the COOL website under subsection (b).

Page 37, beginning on line 6, strike ''described in'' and insert ''required by''.

Page 37, beginning on line 9, strike ''on the cost and price of higher education under this section'' and insert ''under subsections (c) and (j)''.

Page 37, beginning on line 22, strike '', as determined under subsectiom (f)(6)(A),''.

Page 38, after line 14, insert the following new subparagraph (and redesignate the succeeding subparagraphs accordingly):

''(H) if the institution is a public institution, the relationship between State and local appropriations and the institution's tuition and fees;

Page 40, line 12, strike ''Secretary'' and insert ''Commissioner of Education Statistics''.

Page 42, after line 8, insert the following new section:

SEC. 111. TREATMENT OF TERRITORIES AND TERRITORIAL STUDENT ASSISTANCE.

Section 113 (20 U.S.C. 1011b) is amended—

(1) by striking ''**TREATMENT OF TERRITORIES AND TERRITORIAL STUDENT ASSISTANCE**'' in the heading of such section and inserting ''**TERRITORIAL WAIVER AUTHORITY**'';

(2) by striking ''(a) WAIVER AUTHORITY.—''; and

(3) by striking subsection (b).

Page 69, line 6, insert ''of 1965'' after ''Act''.

Page 70, line 14, strike ''203(b)'' and insert ''203(b)(1)''.

Page 70, beginning on line 4, strike ''made available'' and insert ''authorized''.

Page 73, line 20, strike ''shall use'' and insert ''may, subject to apppropriations, use''.

Page 78, line 1, insert ''Education'' after ''Disabilities''.

Page 91, line 16, strike ''2006'' and insert ''2007''.

Page 92, line 17, strike ''2006'' and insert ''2007''.

Page 93, line 18, strike ''defined'' and insert ''listed''.

Page 97, line 20, strike ''2006'' and insert ''2007''.

Page 103, line 24, strike ''2006'' and insert ''2007''.

Page 104, lines 21 and 22, insert ''the'' after ''listed in'', and strike ''Land Grant'' and insert ''Land–Grant''.

Page 105, line 19, strike ''O'Odham'' and insert ''O'odham''.

Page 105, line 23, insert ''of higher education'' after ''institution''.

Page 106, line 25, insert ''in'' after ''or''.

Page 108, line 16, strike ''at'' and insert ''awarded by''.

Page 108, line 21, strike ''$400,000'' and insert ''$500,000''.

Page 110, line 17, strike ''Alaska Native'' and insert ''Alaska Native-serving institution''.

Page 111, strike lines 11 through 13, and insert the following:

(c) APPLICATION PROCESS.—Section 317(d)(2) is amended by striking everything after the first sentence.

Page 111, line 22, after ''including'' insert the following: ''development or improvement of facilities for Internet use or other distance learning academic instruction capabilities and''.

Page 112, line 4, after ''326(c)'' insert ''(20 U.S.C. 1063b(c))''.

Page 112, line 14, after ''323(a)'' insert ''(20 U.S.C. 1062(a))''.

Page 113, line 10, strike ''services''.

Page 113, line 12, strike ''SERVICES''.

Page 113, line 13, strike ''services''.

Page 113, beginning on line 20, strike subsection (c), and redesignate the succeeding subsections accordingly.

Page 114, line 5, strike ''required'' and insert ''needed''.

Page 115, line 13, strike ''and''; on lines 15, strike the period, the close quotation marks, and the following period and insert a semicolon, and after such line insert the following new subparagraphs:

''(W) Langston University qualified graduate program;

''(X) West Virginia State University qualified graduate program; and

''(Y) Fayetteville State University qualified graduate program.''.

Page 115, line 19, strike '' '2005' '' and insert '' '2006' ''.

Page 115, line 21, strike '' '(S), (T), (U), and (V)' '' and insert '' '(S) through (Y)' ''.

Page 116, beginning on line 10, strike '' '(S), (T), (U), and (V)' '' and insert '' '(S) through (Y)' ''.

Page 116, line 15, strike '' '(V)' '' and insert '' '(Y)' ''.

Page 118, line 1, strike ''301(b)(2)'' and insert ''301(b)(5)''.

Page 118, line 23, strike ''399(a)(2)'' and insert ''399(a)(2)(A)''.

Page 120, line 18, strike '' '2006' '' and insert '' '2007' ''.

Page 121, line 16, strike '' '2012' '' and insert '' '2013' ''.

Page 122, line 3, strike ''2006–2007 through 2012–2013'' and insert ''2007–2008 through 2013–2014''.

Page 122, line 20, strike ''two Pell grants during a single award year'' and insert ''not more than two Pell grants during an award year''.

Page 123, line 3, strike ''in a single award year''.

Page 124, line 6, insert ''forcible or nonforcible'' before ''sexual offense''.

Page 124, lines 7 and 8, strike ''under regulations of the Secretary'' and insert ''in accordance with the Federal Bureau of Investigation's Uniform Crime Reporting Program''.

Page 125, line 8, after subsection (h) insert the following new subsection (and redesignate the succeeding subsection accordingly):

(i) ACADEMIC COMPETITIVENESS GRANT ELIGIBILITY.—Section 401A(c)(3) (as added by section 8003 of the Higher Education Reconciliation Act of 2005) is amended by striking ''established by a State or local educational agency and recognized as such by the Secretary'' each place it appears and inserting ''beyond the basic graduation requirements and recognized as such by the designated State official, or with respect to any private school or home school, the designated school official for such school''.

Page 125, beginning on line 11, strike ''section 401 (20 U.S.C. 1070a)'' and insert ''section 401A (as added by section 8003 of the Higher Education Reconciliation Act of 2005)''.

Page 125, line 13, strike ''**401a**'' and insert ''**401b**''.

Page 125, line 15, strike ''From sums appropriated to carry out section 401, the Secretary shall'' and insert ''Beginning in academic award year 2007–2008, the Secretary is authorized to''.

Page 126, line 2, before the semicolon insert ''after earning a high school diploma or its recognized equivalent''.

Page 126, beginning on line 12, strike ''other student financial assistance available'' and insert ''estimated financial assistance not received under this title (as described in section 480(j))''.

Page 127, lines 17 and 18, strike ''described in section 484(c)'' and insert ''as determined under the institution's standards developed in accordance with regulations prescribed by the Secretary''.

Page 127, line 25, strike the close quotes and the period at the end.

Page 127, after line 25, insert the following new subsection:

''(e) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated to carry out this section such sums as may be necessary for fiscal year 2007 and each of the 5 succeeding fiscal years.''.

Page 128, after line 3, insert the following new subsection:

(j) EFFECTIVE DATE.—The amendments made by this section shall be effective with respect to academic years beginning on or after July 1, 2007.

Page 129, beginning on line 13, strike subsection (c) through page 130, line 8, and redesignate the succeeding subsections accordingly.

Page 130, strike lines 9 through 11 and insert the following:

(d) APPLICATION STATUS; FOSTER CARE COORDINATION.—Paragraph (7) of section 402A(c) (20 U.S.C. 1070a–11(c)(7)) is amended to read as follows:

''(7) COORDINATION.—Each applicant for funds under the programs authorized by this chapter shall identify services to foster care youth as a permissible service in those programs, and ensure that such youth receive supportive services, including mentoring, tutoring, and other services provided by those programs.''.

Page 131, line 5, strike ''2006'' and insert ''2007''.

Page 134, beginning on line 13, strike ''and, as appropriate, their parents''.

Page 137, after line 7, insert the following new subsection:

(n) GAO STUDY OF ALLOCATION OF FUNDS.—

(1) STUDY REQUIRED.—The Comptroller General shall conduct a study of the Federal TRIO Programs under chapter 1 of subpart 2 of part A of title IV of the Higher Education Act of 1965 (20 U.S.C. 1070a-11 et seq.) to examine the allocation of funds procedures for such programs. Such study shall—

(A) examine the consideration of prior experience of service delivery and its impact on grant applicants who have prior experience as compared to those who do not have prior experience; and

(B) examine the impact of the prior experience consideration in distribution of funds across programs and the impact of maintaining continuation of older programs on the success rate of accomplishing the goals of the program.

(2) REPORT.—The Comptroller General shall submit a report on the study required by paragraph (1) within one year of the date of enactment of this Act to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

Page 137, beginning on line 21, strike ''the services provided'' and all that follows through ''college students'' on line 25 and insert the following: ''these programs in supporting the attainment of higher education for students from disadvantaged backgrounds, particularly low-income individuals, prospective first-generation college students, and individuals with disabilities''.

Page 138, line 2, after ''shall'' insert ''consider demographic and geographic variation and''.

Page 139, line 24, strike ''as amended by section 402(c) and''.

Page 143, lines 17 and 18, strike ''such activities available after the then most recent report'' and insert ''based on the most recent report available''.

Page 144, beginning on line 5, strike subsection (h) through page 146, line 5, and insert the following:

(h) EXPECT PROGRAM OUTCOMES.—

(1) Section 402B (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

''(c) EXPECTED PROGRAM OUTCOMES.—For the purposes of assessing an applicant's performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider—

''(1) the rate of college enrollment of students served by the program;

''(2) the continued secondary school enrollment of participating students;

''(3) the graduation of participating students from secondary school;

''(4) the delivery of services described in the application approved by the Secretary; and

''(5) other such outcomes the Secretary may require.''.

(2) Section 402C (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

''(f) EXPECTED PROGRAM OUTCOMES.—For the purposes of assessing an applicant's performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider—

''(1) the rate of college enrollment of students served by the program;

''(2) the persistence of students in postsecondary education;

''(3) the delivery of services described in the application approved by the Secretary;

''(4) the academic achievement of participating students; and

''(5) other such outcomes the Secretary may require.''.

(3) Section 402D (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

''(e) EXPECTED PROGRAM OUTCOMES.—For the purposes of assessing an applicant's performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider—

''(1) the persistence in postsecondary education of all students served by the program;

''(2)(A) in the case of a grant recipient that is an institution of higher education offering a baccalaureate degree, the number of participating students who completed degree programs in which such students were enrolled; or

''(B) in the case of a grant recipient that is an institution of higher education not offering a baccalaureate degree, the number of participating students who—

''(i) completed degree or certificate programs; and

''(ii) transferred to institutions of higher education offering baccalaureate degrees;

''(3) the delivery of services described in the application approved by the Secretary; and

''(4) other such outcomes the Secretary may require.''.

(4) Section 402E (20 U.S.C. 1070a-12) is amended by striking subsection (f) and inserting the following:

''(f) EXPECTED PROGRAM OUTCOMES.—For the purposes of assessing an applicant's performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider—

''(1) the rate of graduate school enrollment of participating students;

''(2) the attainment of doctoral degrees by participating students;

''(3) the delivery of services described in the application approved by the Secretary; and

''(4) other such outcomes as required by the Secretary.''.

(5) Section 402F (20 U.S.C. 1070a-12) is amended by adding at the end the following new subsection:

''(d) EXPECTED PROGRAM OUTCOMES.—For the purposes of assessing an applicant's performance under section 402A(c)(1), and prior experience under section 402A(d)(3), the Secretary shall consider—

''(1) the rate of college enrollment of participating students;

''(2) the provision of assistance to students served by the program in completing financial aid applications and college admission applications;

''(3) the delivery of services described in the application approved by the Secretary; and

''(4) other such outcomes as required by the Secretary.''.

Page 150, after line 21, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(c) FOSTER CARE COORDINATION.—Section 404B(c) (20U.S.C. 1070a–22(c)) is amended by adding at the end the following new sentence:

''Each applicant for funds under the programs authorized by this chapter shall identify services to foster care youth as a permissible service in those programs, and ensure that such youth receive supportive services, including mentoring, tutoring, and other services provided by those programs.''.

Page 152, line 19, strike ''2006'' and insert ''2007''.

Page 153, line 2, strike '' '2006' '' and insert '' '2007' ''.

Page 153, beginning on line 20, strike subsection (c) and insert the following:

(c) ELIGIBILITY FOR ADDITIONAL ALLOCATIONS.—Section 413D(a)(4) (20 U.S.C. 1070b-3(a)(4)) is amended by striking subparagraph (B) and inserting the following:

''(B) An otherwise eligible institution may receive a portion of the allocation described in subparagraph (A) if—

''(i) not less than 10 percent of the undergraduate, degree- or certificate-seeking students attending the institution receive Federal Pell Grants; and

''(ii)(I) in the case of an institution that offers programs of at least 4 years in duration, if its graduation rate for Federal Pell Grant recipients attending the institution and graduating within the period of time equal to normal duration of the longest undergraduate program offered by the institution, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(7)(C)); or

''(II) in the case of an institution that offers programs of at least 2, but less than 4, years in duration, if its rate for Federal Pell Grant recipients attending the institution and graduating or transferring to an institution that offers programs of at least 4 years in duration within the period of time equal to the normal duration of the program offered, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(7)(C)).''.

Page 157, line 14, strike '' '2006' '' and insert '' '2007' ''.

Page 159, line 16, strike ''2006'' and insert ''2007''.

Page 159, line 23, strike ''2006'' and insert ''2007''.

Page 159, line 10, strike ''and''; on line 25, strike the period and insert ''; and''; and after line 25, insert the following new paragraph:

(11) by redesignating subsection (h) as subsections (i) and inserting before such subsection the following new subsection:

''(h) TECHNICAL ASSISTANCE.—The Secretary may reserve up to one-half of one percent of funds appropriated under subsection (i) for technical assistance activities for program improvement, including data collection and evaluation.''.

Page 168, strike lines 1 and 2 and insert ''to the field in which the student obtained the degree.''.

Page 172, line 3, insert ''(as defined in section 9101 of the Elementary and Secondary Education Act of 1965)'' after ''teacher''.

Page 178, line 24, strike ''made available'' and insert ''authorized''.

Page 179, line 22, strike ''as it pertains'' and insert ''pertaining''.

Page 183, line 5, strike ''2006'' and insert ''2007''.

Page 183, line 10, strike '' '2006' '' and insert '' '2007' ''.

Page 184, line 13, strike ''pursuant'' and insert ''subject''.

Page 185, beginning on line 3, strike ''pursuant to the designation under subsection (c)'' and insert ''on behalf of borrowers employed in an area of national need described in subsection (c)''.

Page 186, line 8, strike ''as a teacher'' and insert ''as a highly qualified teacher (as such term is defined in section 9101 of the Elementary and Secondary Education Act of 1965)''.

Page 190, line 5, strike ''The Secretary'' and insert ''Subject to subsection (b)(2), the Secretary''.

Page 192, beginning on line 21, strike subparagraph (A) and insert the following:

''(A) The nurse graduated from an accredited school of nursing (as those terms are defined in section 801 of the Public Health Service Act (42 U.S.C. 296)).''.

Page 193, line 7, insert before the period the following: ''or from an accredited school of nursing (as those terms are defined in section 801 of the Public Health Service Act (42 U.S.C. 296))''.

Page 194, beginning on line 8, strike ''accredited by an agency or association recognized by the Secretary pursuant to section 496(a) of this Act''.

Page 194, line 17, strike ''2006'' and insert ''2007''.

Page 195, line 20, strike ''July 1, 2007'' and insert ''the date of enactment of this Act''.

Page 199, after line 11, insert the following new subsection (and redesignate the succeeding subsections accordingly):

(h) STUDENT LOAN INFORMATION.—Section 435(m) (20 U.S.C. 1085(m)) is amended by adding at the end the following new paragraph:

''(5) STUDENT LOAN INFORMATION.—

''(A) Notwithstanding any other provision of law or regulation, a lender, secondary market, holder, or guaranty agency shall provide, free of charge and in a timely and effective manner, any student loan information maintained by that entity that is requested by an institution of higher education and any third-party servicer (as defined in section 481(c)) working on behalf of that institution to prevent student loan defaults.

''(B) An institution and any third-party servicer obtaining access to information under subparagraph (A) shall safeguard that information in order to prevent potential abuses of that information, including identity theft.

''(C) Any third party servicer that obtains information under this subparagraph shall only use the information in a manner directly related to the default prevention work the servicer is performing on behalf of the institution of higher education.''.

Page 200, line 14, strike '' '2006' '' and insert '' '2007' ''.

Page 200, beginning on line 23, strike subsection (a) and insert the following:

(a) ELIGIBILITY FOR ADDITIONAL ALLOCATIONS.—Section 442(a)(4) (42 U.S.C. 2752(a)(4)) is amended by striking subparagraph (B) and inserting the following:

''(B) An otherwise eligible institution may receive a portion of the allocation described in subparagraph (A) if—

''(i) not less than 10 percent of the students attending the institution receive Federal Pell Grants; and

''(ii)(I) in the case of an institution that offers programs of at least 4 years in duration, if its graduation rate for Federal Pell Grant recipients attending the institution and graduating within the period of time equal to normal duration of the longest undergraduate program offered by the institution, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(7)(C)); or

''(II) in the case of an institution that offers programs of at least 2, but less than 4, years in duration, if its rate for Federal Pell Grant recipients attending the institution and graduating or transferring to an institution that offers programs of at least 4 years in duration within the period of time equal to the normal duration of the program offered, as measured from the first day of their enrollment, exceeds the median rate for the class of institution (as defined in section 131(f)(7)(C)).''.

Page 206, line 9, strike ''2006 and'' and insert ''2007 and''.

Page 206, line 24, strike '' '2006' '' and insert '' '2007' ''.

Page 207, lines 4 and 9, strike '' '2012' '' each place it appears and insert '' '2013' ''.

Page 207, line 9, strike ''and''; on line 12, strike '' '2011.' '' and insert '' '2012'; and''; and after line 12 insert the following:

(C) by striking ''2012'' in subsection (b) and inserting ''2013''.

Page 207, beginning on line 13, strike subsection (b) and redesignate the succeeding subsection accordingly.

Page 211, beginning on line 15, strike paragraph (2), and redesignate the succeeding paragraphs accordingly.

Page 216, beginning on line 14, strike clause (i) and insert the following:

''(i) IN GENERAL.—The Secretary shall—

''(I) develop a form that uses skip logic to simplify the application process for applicants; and

''(II) make all efforts to encourage applicants to utilize the electronic forms described in paragraph (4).''.

Page 221, line 11, after ''Secretary,'' insert the following: ''and an expected family contribution has been calculated by the Secretary,''.

Page 221, beginning on line 16, strike ''without a signature, if a signature is subsequently submitted by the applicant'' and insert ''with an electronic signature''.

Page 228, line 2, insert ''by any entity'' after ''charged a fee''.

Page 228, line 14, insert '', worksheet, or other document'' after ''form''.

Page 232, strike lines 9 through 12 and insert the following:

(b) REPUBLIC OF PALAU.—Section 484 (20 U.S.C. 1091) is amended —

(1) in subsection (a)—

(A) in paragraph (4), by striking ''the Republic of the Marshall Islands, the Federated States of Micronesia, or''; and

(B) in paragraph (5), by striking ''a citizen of any one of the Freely Associated States'' and inserting ''or, to the extent described in subsection (j), a citizen of the Republic of Palau''; and

(2) by amending subsection (j) to read as follows:

''(j) ASSISTANCE UNDER SUBPART 1 OF PART A FOR STUDENTS FROM PALAU.—Notwithstanding any other provision of law, a student shall be eligible until September 30, 2007, for assistance under subpart 1 of part A if the student is otherwise qualified and—

''(1) is a citizen of the Republic of Palau and attends an institution of higher education in a State or a public or nonprofit private institution of higher education in the Freely Associated States; or

''(2) meets the requirements of subsection (a)(5) and attends a public or nonprofit private institution of higher education in any one of the Freely Associated States.''.

Page 232, beginning on line 13, strike section 483 and insert the following:

SEC. 483. INSTITUTIONAL REFUNDS.

Section 484B(a)(1) (20 U.S.C. 1091b(a)(1)) is amended in subsection (a)(1), by inserting ''subpart 4 of part A or'' after ''received under''.

Page 241, line 20, strike ''make, keep,'' and insert ''establish''.

Page 247, line 15, strike ''insure'' and insert ''ensure''.

Page 248, beginning on line 14, strike subparagraph (E), and redesignate the succeeding subparagraphs accordingly.

Page 250, line 25, strike ''by virtue of'' and insert ''resulting from''.

Page 251, line 4, strike ''virtue of''.

Page 251, beginning on line 7, strike ''virtue of participation'' and insert ''participating''.

Page 253, line 6, strike ''2011'' and insert ''2012''.

Page 253, line 23, strike ''for'' and insert ''with respect to''.

Page 257, line 6, strike ''under'' and insert ''established pursuant to''.

Page 262, line 6, strike '' '2011' '' and insert '' '2012' ''.

Page 262, after line 14, insert the following new section:

SEC. 489. PELL GRANT ELIGIBILITY PROVISION.

Section 484 is amended by adding at the end the following new subsection:

''(s) PELL GRANT ELIGIBILITY PROVISION.—A student who does not have a certificate of graduation from a school providing secondary education may be eligible for assistance under subpart 1 of Part A of this title for no more than two academic years, if such student—

''(1) meets all eligibility requirements for such assistance (other than not being enrolled in an elementary or secondary school) and is an academically gifted and talented student, as defined in section 9101 of the Elementary and Secondary Education Act;

''(2) is in the junior or senior year of secondary school, and has not received any assistance under this title;

''(3) is selected for participation and is enrolled full-time and resides on campus in a residential college gifted student program for early enrollment, leading to fully transferable college academic credit;

''(4) does not and will not participate in any secondary school course work during or after such program; and

''(5) has entered into an agreement that, if the student fails to complete the entirety of the academic program for which assistance under subpart 1 of Part A of this title was received, or participates in secondary school course work after participating in such program, the student will repay all funds received under such subpart pursuant to this subsection to the Federal Government in accordance with regulations promulgated by the Secretary.''.

Page 262, after line 18, insert the following new paragraph (and redesignate the succeeding paragraphs accordingly):

(1) in paragraph (2), by striking subparagraph (B) and inserting the following:

''(B) is a State agency approved by the Secretary for the purpose described in subparagraph (A) and the State does not, for purposes of this title, directly or indirectly—

''(i) require any institution of higher education to obtain accreditation by such State agency, rather than another accrediting agency or association approved by the Secretary for the purpose described in subparagraph (A); or

''(ii) provide any exemption or other privilege or benefit to any institution of higher

education by reason of its accreditation by such State agency rather than another accrediting agency or association approved by the Secretary for the purpose described in subparagraph (A); or'';

Page 263, beginning on line 4, strike ''missions of institutions of higher education, including such missions as inculcation of religious values'' and insert ''mission of the institution of higher education, including religious missions''.

Page 267, line 13, strike ''subparagraph (H)'' and insert ''subparagraph (L)''.

Page 272, line 22, strike ''programs identified under'' and insert ''programs that were identified pursuant to''.

Page 273, beginning on line 8, strike subparagraph (B) and insert the following:

(B) in subparagraph (B)—

(i) by striking ''at the time of application,''; and

(ii) by inserting ''at the end of the award year immediately preceding the date of application'' after ''Hispanic students'';

Page 280, lines 4 and 9, strike ''2006'' each place it appears and insert ''2007''.

Page 289, line 15, strike '' '2006' '' and insert '' '2007' ''.

Page 290, line 22, and page 291, line 8, insert '', as determined by the Secretary'' after ''reduction'' each place it appears.

Page 291, line 12, strike '' '2006' '' and insert '' '2007' ''.

Page 294, line 15, strike '' '2006' '' and insert '' '2007' ''.

Page 305, line 6, insert ''grantee under this title,'' after ''from any''.

Page 305, line 10, insert ''grantee,'' after ''each such''.

Page 310, line 8, strike '' '2006–2007' '' and insert '' '2007–2008' ''.

Page 310, line 23, strike ''2006–2007'' and insert ''2007–2008''.

Page 310, beginning on line 25, strike ''2005–2006 adjusted for 2006–2007'' and insert ''2006–2007 adjusted for 2007–2008''.

Page 311, line 8, strike ''2006'' and insert ''2007''.

Page 313, lines 3 and 4, strike ''for a grant by'' and insert ''from''.

Page 313, line 5, strike ''contain'' and insert ''provide''.

Page 313, line 6, strike ''collaborates'' and insert ''will collaborate''.

Page 313, line 8, strike ''assure'' and insert ''ensure''.

Page 313, line 13, strike ''2006–2007'' and insert ''2007–2008''.

Page 313, line 23, strike '' '2006–2007' '' and insert '' '2007–2008' ''.

Page 313, line 25, strike '' '2005–2006' '' and insert '' '2006–2007' ''.

Page 314, line 6, strike ''2006'' and insert ''2007''.

Page 315, line 22, strike ''2006 and'' and insert ''2007 and''.

Page 317, line 16, strike ''and'' at the end of the line; on line 25, strike the period, close quotation marks, and following period and insert ''; and''; and after such line insert the following new paragraph:

''(11) supporting efforts to establish pilot programs and initiatives to help college campuses to reduce illegal downloading of copyrighted content, in order to improve the security and integrity of campus computer networks and save bandwidth costs.''.

Page 318, line 22, strike ''timeless'' and insert ''timely''.

Page 320, line 13, strike ''2006'' and insert ''2007''.

Page 323, line 4, strike ''2006'' and insert ''2007''.

Page 332, line 5, strike ''and''.

Page 332, line 9, strike the period and insert ''; and''.

Page 332, after line 9, insert the following new subparagraph:

(C) in paragraph (4)(C)—

(i) in clause (i), by striking ''(6)'' and inserting ''(8)''; and

(ii) in clause (vi), by striking ''(m)'' and inserting ''(o)''.

Page 333, after line 8, insert the following new section (and redesignate the succeeding sections accordingly):

SEC. 902. AGREEMENT WITH GALLAUDET UNIVERSITY.

Section 105(b)(4) of the Education of the Deaf Act of 1986 (20 U.S.C. 4305) is amended—

(1) by striking ''the Act of March 3, 1931 (40 U.S.C. 276a–276a–5)'' and inserting ''sections 3141 through 3148 of title 40, United States Code,''; and

(2) by striking ''section 2 of the Act of June 13, 1934 (40 U.S.C. 276c)'' and inserting ''section 3145 of title 40, United States Code''.

Page 333, line 9, redesignate section 902 as section 903.

Page 333, line 15, redesignate section 903 as section 904.

Page 334, line 18, strike ''and''.

Page 335, line 10, strike the period and insert ''; and''.

Page 335, after line 10, insert the following new paragraph:

(3) in paragraph (5)—

(A) by striking ''the Act of March 3, 1931 (40 U.S.C. 276a–276a–5)'' and inserting ''sections 3141 through 3148 of title 40, United States Code,''; and

(B) by striking ''section 2 of the Act of June 13, 1934 (40 U.S.C. 276c)'' and inserting ''section 3145 of title 40, United States Code,''.

Page 335, strike line 11 and all that follows through line 15 and insert the following:

(c) LIMITATION.—Section 112(c) of the Education of the Deaf Act of 1986 (20 U.S.C. 4332(c)) is amended—

(1) in paragraphs (1) and (2), by striking ''institution'' each place it appears and inserting ''Rochester Institute of Technology''; and

(2) in the matter following paragraph (2), by striking ''the applicant'' and inserting ''RIT''.

Page 335, line 16, redesignate section 904 as section 905.

Page 336, line 1, redesignate section 905 as section 906.

Page 336, strike line 18 and all that follows through line 23 and insert the following:

(c) COMPLIANCE.—Section 203(b)(2) of the Education of the Deaf Act of 1986 (20 U.S.C. 4353(b)(2)) is amended by striking ''sections'' and all that follows and inserting ''sections 102(b), 105(b)(4), 112(b)(5), 203(c), 207(b)(2), subsections (c) through (f) of section 207, and subsections (a), (b), and (c) of section 209.''.

Page 337, line 19, redesignate section 906 as section 907.

Page 338, after line 12, insert the following new paragraph:

(1) in paragraph (1), by striking ''preparatory,'';

Page 338, line 13, redesignate paragraph (1) as paragraph (2).

Page 338, line 16, redesignate paragraph (2) as paragraph (3).

Page 338, after line 21, insert the following new section:

SEC. 908. MONITORING, EVALUATION, AND REPORTING.

Section 205(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4305) is amended in the first sentence by striking ''preparatory,''.

Page 338, line 22, redesignate section 907 as section 909.

Page 339, line 3, redesignate section 908 as section 910.

Page 339, line 11, redesignate section 909 as section 911.

Page 339, after line 23, insert the following new sections:

SEC. 912. INTERNATIONAL STUDENTS.

(a) ENROLLMENT.—Section 209(a) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359a(a)) is amended by striking ''preparatory, undergraduate,'' and inserting ''undergraduate''.

(b) TUITION SURCHARGE.—Section 209(b) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359a(b)) is amended by striking ''preparatory, undergraduate'' and inserting ''undergraduate''.

(c) DEFINITION.—Section 209(d) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359a(d)) is amended by striking ''1990 per capita income'' and all that follows and inserting ''per-capita income of not more than $5,125, measured in 2002 United States dollars and adjusted by the Secretary to reflect inflation since 2002.''.

SEC. 913. RESEARCH PRIORITIES.

Section 210(b) of the Education of the Deaf Act of 1986 (20 U.S.C. 4359b(b)) is amended by striking ''Committee on Labor and Human Resources'' and inserting ''Committee on Health, Education, Labor, and Pensions''.

Page 340, line 1, redesignate section 910 as section 914.

Page 340, beginning on line 5, strike ''2006 through 2011'' and insert ''2007 through 2012''.

Page 340, line 13, strike ''2006 through 2011'' and insert ''2007 through 2012''.

Page 340, beginning on line 19, strike ''2006 through 2011'' and insert ''2007 through 2012''.

Page 340, line 23, strike ''2006 through 2011'' and insert ''2007 through 2012''.

Page 345, beginning on line 22, strike paragraph (4) and redesignate the succeeding paragraphs accordingly.

Page 347, beginning on line 6, strike paragraph (3) and redesignate the succeeding paragraph accordingly.

Page 347, line 19, strike ''2006'' and insert ''2007''.

Page 348, lines 2, 9, and 17, strike '' '2006' '' each place it appears and insert '' '2007' ''.

Page 350, lines 6 and 13 , strike '' '2006' '' each place it appears and insert '' '2007' ''.

At the end of the Amendment, add the following new sections:

SEC. 931. INDEPENDENT EVALUATION OF DISTANCE EDUCATION PROGRAMS.

(a) INDEPENDENT EVALUATION.—The Secretary of Education shall enter into an agreement with the National Academy of Sciences to conduct a scientifically correct and statistically valid evaluation of the quality of distance education programs, as compared to campus-based education programs, at institutions of higher education. Such evaluation shall include—

(1) identification of the elements by which the quality of distance education, as compared to campus-based education, can be assessed, including elements such as subject matter, interactivity, and student outcomes;

(2) identification of distance and campus-based education program success, with respect to student achievement, in relation to the mission of the institution of higher education; and

(3) identification of the types of students (including classification of types of students based on student age) who most benefit from distance education programs, the types of students who most benefit from campus-based education programs, and the types of students who do not benefit from distance education programs, by assessing elements including access to higher education, job placement rates, undergraduate graduation rates, and graduate and professional degree attainment rates.

(b) SCOPE.—The National Academy of Sciences shall select for participation in the evaluation under subsection (a) a diverse group of institutions of higher education with respect to size, mission, and geographic distribution.

(c) INTERIM AND FINAL REPORTS.—The agreement under subsection (a) shall require that the National Academy of Sciences submit to the Secretary of Education, the Committee on Health, Education, Labor and Pensions of the Senate, and the Committee on Education and the Workforce of the House of Representatives—

(1) an interim report regarding the evaluation under subsection (a) not later than December 31, 2007; and

(2) a final report regarding such evaluation not later than December 31, 2009.

SEC. 932. STUDY OF CAMPUS-BASED PROGRAM ALLOCATION OF FUNDS.

(a) STUDY REQUIRED.—The Comptroller General shall conduct a study of the Federal Supplemental Educational Opportunity Grant program, the Federal Work-Study program, and the Federal Perkins Loan program (authorized by subpart 3 of part A, and parts C and E, respectively, of title IV of the Higher Education Act of 1965)—

(1) to examine the procedure for allocating funds to institutions;

(2) to compare among participating institutions the amount of funds allocated and the amount of aid awarded to students on a per-student basis under these programs; and

(3) to suggest any modifications to the allocation procedures to ensure appropriate distribution of funds under these programs

(b) REPORT.—The Comptroller General shall submit a report on the study required by subsection (a)within one year of the date of enactment of this Act to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from California (Mr. MCKEON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. MCKEON. Mr. Chairman, I rise in support of this amendment to the College Access and Opportunity Act, and I would like to take a few moments to identify and clarify for Members a few points regarding the manager's amendment.

The process that we go through here is, somebody, after many hearings, writes a bill, and then it goes to our committee by direction of the Speaker, and then generally the subcommittee holds a markup giving all members a chance to participate and amend the bill, and then the full committee, and we go through the process again with all members on the committee able to add amendments, change the bill. It goes through a series of debate. And then, after that, between the time it goes to the committee and the time it comes to the floor, we continue working on the process, and the changes that are worked out at that time are added to a final manager's amendment, which we are now presenting on the floor.

And with respect to the College Affordability Index provisions of H.R. 609, which aim to shine a spotlight on hyperinflation and college costs, the manager's amendment, after this process, makes a couple of very important changes. First, it requires institutions whose affordability index ranking falls in the highest 10 percent nationwide to establish a quality, efficient task force charged with comparing the operating costs of its institution with those of others. This is down from the highest 25 percent in the underlying bill, so we have reduced that 25 percent of the colleges that have increased their costs the most over the period of the 8 years that it affects, to be highlighted, and we have cut that from 25 down to 10 percent.

Furthermore, under the manager's amendment, one of the things that we had in the original bill was we could call on the Inspector General to do an audit of the school. We have removed that, and there will be nothing more than the reporting provisions that the schools will have to comply with connected to the College Affordability Index.

On accreditation, the manager's amendment explicitly clarifies that a State cannot require colleges and universities within its borders to be accredited by that State. There has been some misinformation out on that. We have clarified that in the manager's amendment.

Moreover, this amendment provides colleges and universities a clear choice regarding whose accreditation they seek.

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It forces no accreditation decisions on any school or any State, period. If the State wants to get into the accrediting business, they have to go through the requirements that are offered for all other accreditors. They have to be approved by the Department of Education, and then the school picks what accrediting body they want to work with.

Finally, the manager's amendment retains current law with respect to campus-based aid programs, as well as the TRIO Federal college access programs. It requires new studies that will allow us to take a deeper look into these programs and determine what steps need to be taken in the future to ensure they are running as effectively and as efficiently as possible.

Mr. Chairman, the manager's amendment contains several other changes including many that are the products of negotiations with my friends on the other side of the aisle. I urge my colleagues to support both this amendment and the underlying bill.

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

Mr. GEORGE MILLER of California. Mr. Chairman, we have seen the amendment and discussed it with the chairman, and we have no objections to the amendment.

The Acting CHAIRMAN (Mr. DENT). The question is on the amendment offered by the gentleman from California (Mr. MCKEON).

The amendment was agreed to.

AMENDMENT NO. 9 OFFERED BY MR. FOSSELLA

Mr. FOSSELLA. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 9 printed in House Report 109–399 offered by Mr. FOSSELLA:

Page 317, line 16, strike ''and'' after the semicolon; on line 25, strike the period, close quotation marks, and following period and insert ''; and''; and after line 25, insert the following new paragraph:

''(11) support increased fire safety in student housing—

''(A) by establishing a demonstration incentive program for qualified student housing in institutions of higher education;

''(B) by making grants for the purpose of installing fire alarm detection, prevention, and protection technologies in student housing, dormitories, and other buildings controlled by such entities; and

''(C) by requiring, as a condition of such grants—

''(i) that such technologies be installed professionally to technical standards of the National Fire Protection Association; and

''(ii) that the recipient shall provide non-Federal matching funds in an amount equal to the amount of the grant.''.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from New York (Mr. FOSSELLA) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from New York.

Mr. FOSSELLA. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, according to the nonprofit Center for Campus Fire Safety, between January 2000, and January 2006, 82 people from 25 States have been killed in student-housing fires. Common factors in these fatal fires are a lack of fire prevention technologies. Each year, an estimated 1,800 fires occur in dormitories and other college-owned houses. These fires are responsible for over $8 million in property damage.

In New York alone, there was an average of more than 300 campus fires per year between 1997 and 2000, with roughly 160 of them annually in dormitories.

Mr. Chairman, more people are alive today because of fire detection and prevention technologies, and this amendment, I think, is an important one that can benefit both colleges and universities around the country. The amendment I offer does not create a new program or any additional cost to the Federal Government. It simply allows fire alarm detection, prevention and protection systems to be eligible for funding under the Fund for the Improvement of Post-Secondary Education. Fire detection plus fire suppression equals fire safety. I urge my colleagues to support this amendment.

As many know, and especially those who may have young sons or daughters at colleges or universities, the last thing you want to hear is a call that perhaps one of your children was injured or, even worse, lost their life in a tragic fire at a dorm or campus housing. We know of many colleges not just in New York but across the country

who would love to install and have in place fire prevention and detection systems given the new technology, and we would think that this is an amendment that could be supported to allow these colleges and universities to become eligible for these grants and also leverage those public grants with private resources.

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

Mr. KILDEE. Mr. Chairman, I rise in support of the amendment and urge its adoption.

The Acting CHAIRMAN. Without objection, the gentleman will control 5 minutes.

There was no objection.

Mr. MCKEON. Mr. Chairman, I would also like to say that we appreciate the gentleman's amendment. We think it makes the bill stronger. We thank him for his support and work on this issue.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. FOSSELLA).

The amendment was agreed to.

AMENDMENT NO. 12 OFFERED BY MR. PORTER

Mr. PORTER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 12 printed in House Report 109–399 offered by Mr. PORTER:

Page 189, after line 12, insert the following new subparagraph (and redesignate the succeeding subparagraph accordingly):

''(I) PUBLIC SERVICE EMPLOYMENT.—An individual who is employed full time in by a qualified public service employer.

Page 193, after line 23, insert the following new paragraph (and redesignate the succeeding paragraph accordingly):

''(7) PUBLIC SERVICE EMPLOYMENT.—The term `qualified public service employer' means any State, local government, Federal agency, or other organization (as such terms are defined by section 3371 of title 5, United States Code), any other office or entity of the legislative branch, and any employer that is exempt from taxation under section 501(c)(3) or section 501(c)(4) of title 26, United States Code.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Nevada (Mr. PORTER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Nevada.

Mr. PORTER. Mr. Chairman, I yield myself such time as I may consume.

I would first like to thank my colleagues, Mr. ANDREWS from New Jersey and Mr. RENZI from Arizona, for joining me in offering this commonsense, bipartisan amendment.

Many students graduate from college and professional schools, including those of social work, nursing, medicine, teaching and law, with crushing debt burdens. With the median entry-level public service law salary at $35,000, a mortgage-size debt will bar most graduates from pursuing public service jobs, such as those with government agencies or legal services programs.

Among the graduates who take such positions, many are forced to leave after 2 or 3 years of employment due to financial constraints. The Porter-Andrews-Renzi amendment amends section 421, the Loan Forgiveness for Service in Areas of National Need, of H.R. 609, by allowing public service employees to access funds in the loan forgiveness program.

Specifically, the language expands section 428K of the Higher Education Act to provide up to $5,000 in loan forgiveness for individuals who have completed a baccalaureate or advanced degree and served for 5 consecutive years in areas of public service. This amendment will help encourage highly trained individuals to enter and continue in areas of public service by reducing the burden of student debt for Americans who dedicate their careers in areas of public service.

This amendment is especially important in rapidly growing communities like Southern Nevada. In my district, we have over 5,000 new people moving into our State each month, and it is critical that we ensure our workforce staff is equipped to handle our population growth.

For example, Federal agencies such as the Department of Justice, Social Security Administration, and the U.S. Attorney's office are continually faced with staffing needs to address the increased growth in our communities. By providing these incentives, we can help our communities staff positions for which there are significant needs such as public service employees.

This is an opportunity for Congress to make an existing Federal program more useful by providing an incentive for students to enter the fields of public service. It is a fiscally responsible solution that will support individuals who choose to enter areas of public service without imposing costly new mandates that will eat into our ability to provide other student benefits through higher education.

Mr. Chairman, I yield such time as he may consume to the gentleman from Arizona (Mr. RENZI).

Mr. RENZI. Mr. Chairman, I thank the gentleman from Nevada, my good friend, for yielding me this time. And I want to thank especially the chairman, Mr. MCKEON, for his hard work and belief in this effort; Majority Leader BOEHNER, who helped us early on; and I have got to give credit to a good professor and doctor, Philip Schrag, over at Georgetown University, who for years has been fighting and championing this cause.

This amendment to the underlying bill provides much needed loan forgiveness for individuals involved in the public sector. Specifically, the language expands section 428 of the Higher Education Act to provide up to $5,000 in loan forgiveness for individuals that have completed a baccalaureate or an advanced degree and are willing to serve 5 consecutive years in public service. This will make a huge impact on our Native American reservations around America who need young people to come out in the field of doctors and lawyers and nurses to provide for our Native Americans, provide for many of our poorer communities. It is an opportunity for Congress to improve on an existing Federal program and provides incentives for students to enter the field of public service.

I urge my colleagues to support this amendment and help us attract and retain the best and brightest of America by providing them a little bit of an incentive.

Again, I want to thank my colleague, Mr. PORTER of Nevada, and our chairman so very much. I appreciate it.

Mr. PORTER. Mr. Chairman, I yield such time as he may consume to the gentleman from California (Mr. MCKEON).

Mr. MCKEON. Mr. Chairman, I would like to thank the gentleman for this amendment. It again makes the bill stronger, and I appreciate their working together in a bipartisan method to make this happen.

Mr. ANDREWS. Mr. Chairman, I claim the time in opposition to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from New Jersey will control 5 minutes.

There was no objection.

Mr. ANDREWS. Mr. Chairman, I rise to claim the time in opposition, although I am obviously in favor of the amendment.

I want to thank the chairman from California; my colleagues from Nevada and Arizona; our ranking member, Mr. GEORGE MILLER; and our subcommittee ranking member, Mr. KILDEE, for their cooperation.

This is really an unsung heroes amendment. It is for people who administer inoculation shots to children in health clinics. It is for people that work in senior centers serving meals to senior citizens. It is for lawyers who go to court and represent people who are too poor to otherwise afford a lawyer on their own when they are facing an eviction or a bankruptcy or domestic violence crisis. It is a modest way to encourage people to enter and stay in those fields.

If a person makes a long-term commitment, a minimum of 5 years, for public service fields, this amendment makes it possible that there will be a $5,000 amount of forgiveness on the student loans that they owe.

Now, I wish, frankly, we could include more people. I wish that we could have a greater level of forgiveness. Some of the issues that Mr. MILLER was talking about earlier today really go to that point as to why there are not more resources available in this bill.

Having said that, this is a modest improvement. The average debt for a person graduating from a 4-year program is about $18,000 a year now. So a $5,000

loan forgiveness is quite relevant to a person in one of those fields and could be quite helpful. Frankly, although the help is welcome, it falls short for those who have gone beyond the baccalaureate degree to a graduate or professional school because their debt usually tends towards six figures, and although any little bit helps, this is most decidedly only a very little bit. Nevertheless, it is an improvement over the existing situation. It does help those unsung heroes.

I again thank the leadership of the committee on both sides for making this a possibility. And I would urge my colleagues to vote ''yes'' on this amendment.

Mr. TOM DAVIS of Virginia. Mr. Chairman, I applaud the amendment offered by congressman JON PORTER and others today that would add Federal employees and other public servants to a Department of Education program that helps people in certain jobs pay off their student loans.

I am a longtime supporter of student loan relief programs for our valuable Federal workforce. The programs are an effective recruitment and retention tool, helping to keep the Federal Government competitive with the higher salaries of the private and non-profit sectors.

We have to take proactive steps to ensure the best and the brightest will be attracted to public sector employment. The average Federal worker is over 50—more has to be done to appeal to younger workers. Offering up to $5,000 a year for student loan repayments, as this amendment does, is an obvious way to attract the attention of recent graduates and those with remaining educational balances.

As chairman of the House Government Reform Committee and as a representative from northern Virginia, I am keenly aware of the need to safeguard the health of the Federal workforce. These are talented, well educated people with a strong sense of duty. We likely will never be able to compete on a dollar-for-dollar basis with the private sector, but we do have to take steps to make government service a viable option.

We are debating the Higher Education Act today; the recurring theme of this legislation is the fact that tuition costs for college degrees are skyrocketing. For that young man or woman considering a civil service career, we have to make tools available that will allow them to forgo the higher salaries they could otherwise command.

Mr. Chairman, I am proud to support this amendment today, but we should go even further. Under current law, agencies can repay student loans on behalf of their employees—up to $10,000 a year with a $60,000 total cap per employee. My bill, the Generating Opportunity by Forgiving Educational Debt for Service, GOFEDS, Act, which I have introduced in the last two Congresses, would improve these benefits by making them tax free.

I encourage my colleagues to join with me in ensuring the American taxpayer has the benefit of a vibrant Federal workforce—truly the best and the brightest. You can start today by support this amendment.

Mr. WILSON of South Carolina. Mr. Chairman, I am pleased to rise today in support of the Porter Amendment, which would extend student loan forgiveness to individuals employed full-time by a qualified public service employer.

In order to receive this loan forgiveness, individuals would commit to serving in areas of national need for 5 years. The underlying bill extends teacher loan forgiveness to select other groups who play critical roles in bettering the lives of millions of America's youth. From social workers and nurses to medicine specialists and lawyers, thousands of America's roll models will benefit from this vital provision. By removing the burden of student loan debt, this amendment will encourage trained professionals to seek careers in public service fields.

In South Carolina, I am specifically impressed by the tremendous dedication of speech language pathologists. Fortunately, speech language pathologists are included in the underlying bill and would also be eligible to receive the crucial student loan forgiveness. These talented and caring professionals dedicate their lives to helping children throughout our community who struggle with speech, language, or hearing disorders. As American schools struggle to recruit teaching professionals, we must do more to help promote these important careers to our Nation's best and brightest. My friend Congressman PORTER's amendment is an important way to increase the incentive for students to enter public service fields. Please join me in supporting this amendment today.

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

Mr. ANDREWS. Mr. Chairman, I yield back the balance of my time.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Nevada (Mr. PORTER).

The amendment was agreed to.

AMENDMENT NO. 14 OFFERED BY MRS. WILSON OF NEW MEXICO

Mrs. WILSON of New Mexico. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 14 printed in House Report 109–399 offered by Mrs. WILSON of New Mexico:

Page 177, line 24, strike ''and'' after the semicolon.

Page 178, line 5, insert ''and'' after the semicolon.

Page 178, after line 5, insert the following new paragraph:

''(4) supporting regional workshops designed to permit the sharing of successful research-based strategies to improve the achievement of students in mathematics and science.

Page 179, after line 24, insert the following new paragraph:

''(4) Supporting regional workshops designed to permit educators, administrators responsible for professional development and curriculum development, and faculty of teacher preparation programs to share successful research based strategies for—

''(A) carrying out the activities described in section 2202(c) of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6662(c)) (as amended by the No Child Left Behind Act of 2001); and

''(B) otherwise improving student achievement in mathematics and science instruction in elementary and secondary schools.

Page 180, line 5, insert '', which may include a plan for establishing a regional working group to conduct regional workshops to share research-based information and approaches to improving the achievements of students in mathematics and science'' after ''funds''.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentlewoman from New Mexico (Mrs. WILSON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from New Mexico.

Mrs. WILSON of New Mexico. Mr. Chairman, I yield myself such time as I may consume.

I wanted to thank the chairman for bringing this bill forward today. There are several provisions of it that are very important to our colleges and universities and the students that they serve, particularly in our Hispanic Serving Institutions, and the base bill strengthens those programs substantially.

The amendment that I am offering today deals with the teaching of math and science. In the bill there are provisions for education coordinating councils, which are educators, business, and community leaders at the local level that develop strategies to improve math and science education, drawing on the resources in the community. Not just the public funding that comes for the schools but things like universities, national laboratories, high-tech industry, giving kids the opportunity to see mathematics and science in action and connect them with the possibility of a career in science or mathematics.

What my amendment does is add to the kinds of things that can be used with these funds for these councils. It is based on legislation that I introduced in November of 2005, and what it really does is allow these councils to fund regional workshops of teachers and university professors and curriculum developers so that people can share information about the best techniques and the resources available for the teaching of mathematics and science and strengthening our ability to teach math and science, particularly in the elementary and secondary levels.

Sometimes teaching can be an isolating thing, particularly if you are in a rural community and maybe you are the only science teacher that serves all of one particular middle school. Certainly practice is important for teaching, but also interaction with one's colleagues is important. And that is why allowing these regional interactions for professional development is particularly important.

If I have a choice about the kind of school that I want my kids to go to, if I have a choice between the best, newest, most well-equipped school and a good teacher standing under a cottonwood tree, for my kids, I choose the good teacher standing under the cottonwood tree.

□ 1330

This amendment that I am offering today will help teachers become better teachers through interaction with their peers in the teaching of mathematics and science.

Mr. Chairman, I would ask my colleagues to support this amendment today.

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

Mr. GEORGE MILLER of California. Mr. Chairman, we have read the amendment. We support the amendment. We urge passage.

The Acting CHAIRMAN (Mr. DENT). Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield back the balance of my time.

Mrs. WILSON of New Mexico. Mr. Chairman, I have no more speakers, and I yield back the balance of my time.

The Acting CHAIRMAN (Mr. DENT). The question is on the amendment offered by the gentlewoman from New Mexico (Mrs. WILSON).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. BLUMENAUER

Mr. BLUMENAUER. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 2 printed in House Report 109–399 offered by Mr. BLUMENAUER:

At the end of title IX of the Amendment add the following new section:

SEC. _____. SUMMIT ON SUSTAINABILITY.

No later than May 2007, the Secretary of Education shall convene a summit of higher education experts working in the area of sustainable operations and programs, representatives from the agencies of the Federal Government, and business and industry leaders to focus on efforts of national distinction that—

(1) encourage faculty, staff, and students at institutions of higher education to establish both administrative and educational sustainability programs on campus;

(2) enhance research by faculty and students at institutions of higher education in sustainability practices and innovations that assist and improve sustainability;

(3) encourage institutions of higher education to work with community partners from the business, government, and nonprofit sectors to design and implement sustainability programs for application in the community and workplace; and

(4) identify opportunities for partnerships involving higher education institutions and the Federal Government to expand sustainable operations and academic programs focused on environmental and economic sustainability.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Oregon (Mr. BLUMENAUER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Oregon.

Mr. BLUMENAUER. Mr. Chairman, I yield myself 3 minutes.

Mr. Chairman, I am pleased to offer this amendment on behalf of my colleagues, Congressman EHLERS and Congressman WU, that would bring about a national summit on sustainability.

There is a quiet revolution that is occurring in communities across the country. Hospitals, businesses, local governments, many educational institutions are all involved with pioneering efforts to promote sustainable development, energy efficiency.

There is local produce that is being used by businesses and universities in their cafeterias. People are more sensitive to landscaping, carpet supplies, transportation alternatives. Time does not allow me to even list the programs in just my community, at Portland State University, the University of Portland, Lewis & Clark College, Nike, Intel, Kaiser Permanente. These institutions are putting into practice groundbreaking procedures that allow us to live more lightly on the land.

This is a great opportunity for the Department of Education to spotlight these best practices around the country, ways to save money, ways to live and practice our environmental values. And one wonders whether there is any better way for students to learn than to actually explore ways to put these elements into practice. I am confident that ultimately this process can help lead to more leadership, more investment, and stronger policies.

Mr. Chairman, I yield 2 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. Mr. Chairman, the need for developing innovative and successful, sustainable development is becoming more critical as our population in urban areas grows. The higher education system is in a unique position to foster new knowledge, evaluate policies, and develop new technologies addressing sustainability and its benefits to our society.

I am very proud that my home State of Oregon is exhibiting, once again, independent, effective leadership on sustainability. Oregon is leading the Nation on sustainable architecture, the production of environmentally certified wood products, sustainable energy, nanotech, biotech, sustainable agriculture, and wind, hydroelectricity and solar energy.

Portland State University, in my congressional district, has undertaken the sustainability initiative featuring new educational offerings such as green capital construction, multidisciplinary research, public forums and community outreach projects on sustainability. I recently toured a brand-new building there, exhibiting energy efficiencies and rainwater and other recycling programs that lead the Nation.

For several years now, Portland State has been active in these efforts. In 2003, PSU launched a new program which draws on faculty and community expertise to teach 40 students the theory and practice of developing effective sustainability programs for their organizations.

In fact, this year, Portland State University is expected to save an additional $275,000 in energy costs alone on campus simply by installing more energy-efficient equipment and lighting and adjusting temperature settings. These savings are equivalent to the tuition of 80 students at PSU. This is independent, effective leadership.

The amendment that I am offering today with Congressman EHLERS and Congressman BLUMENAUER would call on the Secretary of Education to convene a summit of higher education experts working in the area of sustainability to encourage the development of sustainability programs on campuses; research in this area; and to identify opportunities for partnerships.

Educating and training the next generation of scientists, engineers, planners, and business professionals can help in the development of new tools and strategies for environmental and resource conservation, energy efficiency and more sustainable development.

I look forward to folks following Oregon's independent, effective leadership and supporting this important amendment.

Mr. BLUMENAUER. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I appreciate my colleague's comments and his spotlighting Portland State University.

Mr. Chairman, if this amendment is adopted, no later than May of next year, the Secretary of Education is to convene a summit of higher education experts working in these areas. We have a vast array of people available around the country.

As my colleague pointed out, this is cost effective. This is what America needs to do to face its energy challenges, clean air, clean water. And what better way than to have higher education lead and being able to model and employ some of the best practices that we see in local communities, in the business community, and in the pioneering leadership on behalf of students themselves?

Mr. Chairman, we respectfully hope that the House will not only adopt this amendment, but that we will find ways in other legislative vehicles to advance the principles that are involved here, not just for higher education. One longs for the day when the Federal Government itself models those important principles.

Mr. EHLERS. Mr. Chairman, I rise in support of the Blumenauer-Ehlers-Wu amendment, which calls for the Secretary of Education to convene a summit on sustainability. I would like to thank Chairman MCKEON and his staff for working with us to make this amendment in order for consideration.

Simply put, sustainability is meeting the needs of the present generation without compromising the ability of future generations to meet their needs. As population growth, urban development and growing energy use place stress on our ecosystem, it is imperative that we develop innovative and successful sustainable operations and programs.

For many years, businesses and universities in Michigan and throughout the nation have engaged in sustainability initiatives. The West

Michigan Sustainable Business Forum, a diverse group of 90 companies, academic institutions and government agencies works toward achieving the triple bottom line of environmental stewardship, economic vitality and social responsibility.

Universities are in a unique position to foster new knowledge, evaluate policies and discover new technologies to address sustainability. In fact, the University of Michigan, Michigan State University and Aquinas College have sustainability centers that have provided innovative research and have engaged students in sustainability thinking. Sustainable operations and programs on university campuses include water and energy conservation and recycling, as well as academic programs such as engineering courses that encourage innovative product designs, e.g., alternative fuels for cars and new types of packing that use fewer natural materials.

This amendment would convene a summit of higher education experts working in the area of sustainable operations and programs. It would encourage the Federal Government and university and business leaders to identify best practices in sustainability by encouraging current efforts, enhancing research and identifying opportunities for partnerships to expand sustainable operations and academic programs.

I respectfully urge Members to support this very important amendment.

Mr. BLUMENAUER. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Oregon (Mr. BLUMENAUER).

The amendment was agreed to.

AMENDMENT NO. 15 OFFERED BY MISS MCMORRIS

Miss McMORRIS. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 15 printed in House Report 109–399 offered by Miss MCMORRIS:

Page 56, after line 2, insert the following new paragraph:

''(16) ADVANCED PLACEMENT.—Implementing strategies to increase the number of teachers qualified to teach advanced placement and pre-advanced placement courses in mathematics, science, and critical foreign languages, and other strategies to increase the availability of those courses, particularly for low-income students.

Page 69, after line 9, insert the following new paragraph:

''(16) ADVANCED PLACEMENT.—Implementing strategies to increase the number of teachers qualified to teach advanced placement and pre-advanced placement courses in mathematics, science, and critical foreign languages, and other strategies to increase the availability of those courses, particularly for low-income students.

Page 160, line 5, strike ''**Honors Scholarship**'' and insert ''**American Competitiveness**'' .

Page 162, line 18, and page 178, line 25, strike ''419D'' and insert ''419F''.

Page 183, line 3, redesignate section 419D as section 419F, and before such line insert the following new sections:

''SEC. 419D. ADJUNCT TEACHER CORPS.

''(a) PURPOSE.—It is the purpose of this section to create opportunities for professionals and other individuals with subject-matter expertise to teach secondary school courses in mathematics, science, and critical foreign languages, on an adjunct basis.

''(b) PROGRAM AUTHORIZED.—The Secretary is authorized to award grants to eligible entities to recruit and place well-qualified individuals to serve as adjunct teachers in secondary school mathematics, science, and critical foreign language courses.

''(c) ELIGIBLE ENTITY.—For the purpose of this section, an eligible entity is—

''(1) a local educational agency;

''(2) a public or private educational organization (which may be a State educational agency); or

''(3) a partnership consisting of a local educational agency and a public or private educational organization.

''(d) DURATION OF GRANTS.—The Secretary may award grants under this section for a period of not more than five years.

''(e) PRIORITIES.—In awarding grants under this section, the Secretary shall give priority to eligible entities that propose to—

''(1) serve local educational agencies that have a large number or percentage of students performing below grade level in mathematics, science, and critical foreign language courses;

''(2) serve local educational agencies that have a large number or percentage of students from families with incomes below the poverty line; and

''(3) recruit adjunct faculty to serve in schools that have an insufficient number of teachers in mathematics, science, and critical foreign languages.

''(f) APPLICATIONS.—

''(1) APPLICATION REQUIRED.—To be considered for a grant under this section, an eligible entity shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may reasonably require.

''(2) CONTENTS.—The Application shall, at a minimum, include a description of—

''(A) the need for, and expected benefits of using, adjunct teachers in the participating schools, which may include information on the difficulty participating schools face in recruiting qualified faculty in mathematics, science, and critical foreign language courses;

''(B) measurable objectives for the project, including the number of adjunct teachers the eligible entity intends to place in classrooms and gains in academic achievement intended to be achieved;

''(C) how the eligible entity will recruit qualified individuals and public or private educational organizations to participate in the program;

''(D) how the eligible entity will use funds received under this section, including how the eligible entity will evaluate the success of its program;

''(E) how the eligible entity will support and continue the program after the grant has expired, including how it will seek support from other sources, such as State and local government, foundations, and the private sector;

''(F) how the eligible entity will address legal, contractual, or administrative barriers to employment of adjunct faculty in the participating State or local educational agency or agencies; and

''(G) how the eligible entity will provide pre-service training to selected adjunct teachers, including the on-going mentoring of such teachers by highly qualified teachers.

''(g) USES OF FUNDS.—An eligible entity that receives a grant under this section is authorized to use grant funds to carry out one or more of the following activities:

''(1) To develop the capacity of the local educational agency or the State educational agency, or both, to identify, recruit, and train qualified individuals outside of the elementary and secondary education system (including individuals in business and government, and individuals who would participate through distance-learning arrangements) to become adjunct teachers in mathematics, science, and critical foreign language courses.

''(2) To provide signing bonuses and other financial incentives to encourage individuals to become adjunct teachers in mathematics, science, and critical foreign language courses.

''(3) To provide pre-service training to adjunct teachers, including the on-going mentoring of such teachers by highly qualified teachers.

''(4) To reimburse outside entities for the costs associated with allowing an employee to serve as an adjunct teacher, except that these costs shall not exceed the total cost of salary and benefits for teachers with comparable experience or expertise in the local educational agency.

''(h) MATCHING REQUIREMENT.—Each eligible entity that receives a grant under this section shall provide, from non-Federal sources, an amount equal to 100 percent of the amount of the grant (in cash or in kind) to carry out the activities supported by the grant.

''(i) PROGRAM PERFORMANCE.—Each eligible entity receiving a grant under this section shall prepare and submit to the Secretary a final report on the results of the project that contains such information as the Secretary may require including improvements in academic achievement as a result of instruction from adjunct teachers.

''(j) EVALUATION.—The Secretary shall evaluate the activities funded under this section including the impact of the program on student academic achievement and shall report the results of the evaluation to the appropriate Committees of Congress.

''(k) DEFINITIONS.—As used in this section:

''(1) ADJUNCT TEACHER.—The term 'adjunct teacher' means a teacher who

''(A) possesses, at a minimum, a bachelor's degree;

''(B) has demonstrated expertise in mathematics, science, or a critical foreign language by having met the requirements of section 9101(23)(B)(ii) of the Elementary and Secondary Education Act of 1965; and

''(C) is not required to meet the other requirements of section 9101(23) of the Elementary and Secondary Education Act of 1965.

''(2) CRITICAL FOREIGN LANGUAGE.—The term 'critical foreign language' has the same meaning given such term under section 428K(h).

''SEC. 419E. FOREIGN LANGUAGE PARTNERSHIPS.

''(a) PURPOSE.—The purpose of this section is to increase the number of highly qualified teachers in, and the number of United States' students who achieve the highest level of proficiency in, foreign languages critical to the security and competitiveness of the Nation.

''(b) PROGRAM AUTHORIZED.—The Secretary is authorized to award grants to institutions of higher education, in partnership with one or more local educational agencies, to establish teacher preparation programs in critical foreign languages, and activities that will enable successful students to advance from elementary school through college to achieve proficiency in those languages.

''(c) APPLICATIONS.—

''(1) APPLICATION REQUIRED.—Any institution of higher education that desires to receive a grant under this section shall submit an application to the Secretary at such time, in such manner, and containing such information as the Secretary may require.

''(2) CONTENTS.—Each Application shall—

''(A) identify each local educational agency partner and describe each such partner's responsibilities (including how they will be involved in planning and implementing the program, what resources they will provide, and how they will ensure continuity of student progress from elementary school to the postsecondary level); and

''(B) describe how the applicant will support and continue the program after the grant has expired, including how it will seek support from other sources, such as State and local government, foundations, and the private sector.

''(d) USES OF FUNDS.—Funds awarded under this section shall be used to develop and implement programs consistent with the purpose of this section by carrying out one or more of the following activities:

''(1) To recruit highly qualified teachers in critical foreign languages and professional development activities for such teachers at the elementary through high school level.

''(2) To provide innovative opportunities for students that will allow for critical language learning, such as immersion environments, intensive study opportunities, internships, and distance learning.

''(e) MATCHING REQUIREMENT.—Each grantee under this section shall provide, from non-Federal sources, an amount equal to 100 percent of the amount of the grant (in cash or in kind) to carry out the activities supported by the grant.

''(f) EVALUATION.—The Secretary shall evaluate the activities funded under this section and report the results of the evaluation to the appropriate Committees of Congress.

''(g) DEFINITION.—As used in this section the term 'critical foreign language' has the same meaning given such term under section 428K(h)(2).

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentlewoman from Washington (Miss MCMORRIS) and a Member opposed each will control 10 minutes.

The Chair recognizes the gentlewoman from Washington.

Miss MCMORRIS. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today to support the McMorris-Holt-Dreier American Competitiveness amendment to H.R. 609.

We are pleased to offer this amendment that follows up on the President's State of the Union proposal to enhance America's leadership in science and technology. I applaud his American Competitiveness Initiative which recognizes the need for a well-educated and skilled workforce.

This amendment offers us the ability to grow our economy while retaining our cutting-edge placement as a leader in science and technology. I praise the President for his leadership on this issue, and my colleagues, and look forward to continuing to work on these issues that strengthen America and America's future.

The McMorris-Holt-Dreier amendment is an important step in promoting that educational achievement and economic productivity. This amendment is very much a collaboration between business and education, Republicans and Democrats. It is supported by numerous groups, including the U.S. Chamber of Commerce, National Association of Manufacturers, the Business Roundtable and the Information Technology Industry Council.

They all recognize the need to enhance America's competitiveness. Today, over half of China's undergraduate degrees are in math, science technology and engineering, yet only 16 percent of America's undergraduates pursue these schools.

In 2002, foreign nationals accounted for over half of all engineering and math doctorates, and almost half of all computer science doctorates. If current trends continue, by 2010, more than 90 percent of all scientists and engineers will be living in Asia, not the United States.

To meet the demands of an increasingly advanced global market, we must better train and equip our Nation's workforce. As we consider the College Access and Opportunity Act, H.R. 609, we will have the chance to take a critical step in that direction.

This amendment supports the College Access and Opportunity Act by allowing existing funds to be used to increase the number of teachers qualified to teach advanced placement courses. It also customizes the Byrd Honors Scholarship Program, which provides scholarships to students pursuing an undergraduate or graduate degree in science, mathematics or engineering, by authorizing adjunct teacher opportunities and critical foreign language activities.

The amendment we have submitted would build on these activities by authorizing the Secretary of Education to award grants to recruit and place well-qualified individuals to serve as adjunct teachers in secondary school mathematics, science, and critical foreign language courses.

We need to tap the resource of current and retiring science and math professionals that have both content mastery and the practical experience to serve as effective teachers. We need to ensure that our rural and small schools have the support they need to train and equip our young people.

In eastern Washington, our high-tech companies, such as ISR in Liberty Lake, have stressed that they must have access to a trained workforce in order to remain competitive in the global economy. Rural schools in my district also face difficulties in obtaining qualified teachers to teach math, science and foreign language courses.

Jenkins High School in Chewelah received national recognition as a Blue Ribbon School, the only high school in Washington State to receive this national award for academic achievement. This school is still working toward the goal of ensuring that highly qualified teachers are in the classroom, and this amendment will help them meet that need.

The Adjunct Teachers Corps will draw on the skills of well-qualified individuals with subject matter expertise to help meet specialized teaching needs in our Nation's secondary schools.

Math and science fields are not the only areas where we see the United States lagging behind. Less than 1 percent of American high school students study the critical foreign languages of Arabic, Chinese, Japanese, Korean or Russian, combined. This amendment meets this need by authorizing the Secretary to award grants for teacher preparation programs in critical foreign languages and activities that will enable successful students to advance from elementary school through college to achieve proficiency in those languages.

I believe, by offering our students access to well-qualified teachers and encouraging them to participate in math, science and foreign language, our country and our 21st-century workforce will be better prepared to compete in the global marketplace.

Join us in supporting legislation to increase America's competitiveness. We urge you to vote ''yes'' on this amendment and ''yes'' on H.R. 609.

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

Mr. HOLT. Mr. Chairman, I ask to claim time in opposition.

The Acting CHAIRMAN. Does the gentleman oppose the amendment?

Mr. HOLT. No, Mr. Chairman.

The Acting CHAIRMAN. Without objection, the gentleman will control the time in opposition.

There was no objection.

The Acting CHAIRMAN. The Chair recognizes the gentleman from New Jersey.

Mr. HOLT. Mr. Chairman, indeed I am not opposing this amendment. In fact, I am joining the gentlewoman in this amendment and working with her, and I hope we will continue to work to perfect the amendment. It is particularly important that we do this.

The National Academy of Science's report, for example, ''Rising Above the Gathering Storm''; the Glenn Commission's report, ''Before It's Too Late''; and many others point out the need for greater content knowledge in the areas of math and science.

There are also reports that make it clear that we need greater content knowledge in foreign languages. Our national deficiency in foreign languages is affecting the ability of American businesses to compete overseas and really compromising our very national security.

□ 1345

I think we hardly need spend time arguing the need for content knowledge in math, science and foreign languages.

The question is, what are we going to do about it? Well, this amendment seeks to address that. It seeks to bring content specialists. In the amendment, we call them adjunct teachers. These are content specialists who will come to the classroom to make up for some of that deficiency that is all too real in schools across the country.

The amendment also establishes something that is in the legislation

that I had introduced separately known as a K–16 Critical Language Pipeline. It will provide for instruction in foreign languages from kindergarten through university, a course across the curriculum.

Having been a teacher, a science teacher myself, I am well aware that the knowledge of a subject is only one part of helping students learn. Being an effective teacher is much more than that. This bill, this amendment to the bill, intends to bring experts into the classroom, but it recognizes these are not yet full-fledged teachers.

An adjunct teacher cannot be pulled from the job and immediately placed into the classroom and expect to do as well as an experienced teacher. They will need supervision. They will need training, first of all, and then supervision by experienced teachers, but it will raise the level of achievement in the classroom. These content specialists, with appropriate training, appropriate supervision and preparation, will be, I think, an important way of addressing this content need.

I want to emphasize that the adjunct teacher core program is not about replacing teachers. Schools that are in need of applying for these grants will design their program to suit their local needs, and the applications require that stakeholders in education participate as well.

I look forward to working with the author of this bill and the Chair of the committee as this legislation moves through a process to perfect it.

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

Miss MCMORRIS. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. DREIER).

Mr. DREIER. Mr. Chairman, I thank my friend from Washington for yielding. I would like to congratulate her on her great commitment when it comes to this issue of America's competitiveness. We all know that President Bush stood right here in this Chamber and, in his State of the Union message, talked about the need to ensure that the United States of America remains competitive.

I believe that, frankly, that vision that the President put forward is really one of the underlying priorities and the reason for us with this legislation to continue to pursue it.

If we look at the economic standing that the United States of America has today with a 4.8 percent unemployment rate, GDP growth last year that was at 3.5 percent, 4.8 percent projected GDP growth for the first quarter of this year, and the fact that household net worth has jumped 8 percent in the last calendar year, that being in 2005, to a level of $52 trillion and recognition contrary to what we often hear around here, prosperity has improved in virtually every single demographic bracket.

What does it say? It says that we as a country are doing something that is right.

One of the things that we learned throughout our Nation's history and one of the things that we clearly learn with the vision that is put forth with this amendment that Miss MCMORRIS is offering is we cannot sit on our laurels. We cannot as a Nation be complacent with all of those great things that we are able to point to, that we have accomplished in the last several years when it comes to economic growth and our competitiveness in the world.

What we need to do is we need to make sure that we have policies that keep us on the cutting edge. Nothing is more important in pursuit of that policy than our ensuring that we have the best quality education, the best teachers, and that we pursue science, technology, engineering and math, the so-called ''stem package.'' I believe that is exactly what we are trying to do with this amendment. I hope very much that we are able to see strong bipartisan support for this.

As I said when I stood here earlier today, I hope very much that we will be able to see strong bipartisan support for this underlying legislation. I congratulate my friend for her fine work.

Miss MCMORRIS. Mr. Chairman, I yield 1½ minutes to the gentleman from Virginia (Mr. CANTOR).

Mr. CANTOR. Mr. Chairman, I thank the gentlewoman and I would like to commend her, too, on her leadership in bringing this amendment forward along with the gentleman from New Jersey as well as the Rules Chairman from California.

I think it is important to note that there is a cry of unison here that we all must stand for the continued expansion of our American economy, the continued leadership of this country. It is my opinion we should hold as a goal that we should double this economy of ours in the next 10 years.

The way to do that is to promote math and science education. We have all seen the evidence of the fact that our competition is leaping ahead of us in terms of graduating math and science PhDs and other graduate students. We have got to get back in the game. This amendment will allow us to do just that. It will strengthen our ability to compete in the 24–7 global economy. I am glad to hear the other side, and the gentleman from New Jersey indicate that this will increase the level of discourse and discussion in the classroom by the participation of adjunct faculty.

This amendment does not create a new program. Rather, it is an innovative, fiscally responsible approach that overhauls and updates an existing program.

Over time, it will increase the number of science, technology, engineering and math graduates in America. I commend the gentlewoman for her leadership.

Mr. HOLT. Mr. Chairman, I yield 4 minutes to the gentleman from Wisconsin (Mr. KIND).

Mr. KIND. Mr. Chairman, I thank my friend from New Jersey (Mr. HOLT). I want to rise to speak in favor of this amendment and commend my colleagues for coming together in a bipartisan fashion to recognize one of the more urgent needs that we have as a Nation to prepare for the global competition that our children and grandchildren will face in the 21st Century.

I think this is a very responsible amendment in light of recent reports that we have had a chance to decipher and analyze, as members of the education committee, from virtually all sectors of business in this country, the National Academy of Sciences have weighed in on an extensive study about the need for us to ramp up our investment in math, science, engineering, technology.

What this amendment also recognizes is the critical link between foreign language studies and those entering the fields of math and science, which is growing even more critical given the complex, interdependent economic relationship that we have with so many people and so many countries and so many businesses throughout the world.

This is a critical need that this amendment recognizes and speaks to. I want to especially commend my friend from New Jersey for the leadership that he has provided, not only to those of us on the committee but for the entire Congress, given his background and qualifications and expertise to speak on the subject of content knowledge in math, science and engineering.

He can correct me if I am wrong, but I think one of his campaign bumper stickers that his volunteers and supporters were fond of handing out was that their Congressman is a rocket scientist. And we have had the pleasure of benefiting from that knowledge on the committee. And he along with Mr. EHLERS have been tireless in their advocacy for us to do more as an institution to ramp up the fields of study of math and science and engineering.

This is, as Mr. DREIER indicated, consistent with one of the calls the President made in the State of the Union address with the American Competitiveness Initiative. That is something that I hope we all can come together in a bipartisan fashion to support and move forward on, not just in a passing authorizing language but also the important appropriation in the funds to back up these programs.

The other issue that Mr. HOLT spoke to that I think is very important too is in regards to the adjunct teachers envisioned under this legislation. Teaching is different from private life. You just cannot pluck someone off the street no matter how good and no matter how knowledgeable they are in the realm of business or in the research labs, put them in a classroom and expect them to work miracles with the students. We are hoping as we move forward with this legislation, if it is accepted, that there be pre-in-service training and screening with these adjunct teachers before they enter the classroom, before they start working with these kids at such a crucial developmental age.

We have a long way to go as a Nation in light of the current trends around the globe. Many of us on the Education Committee last year had a chance for a couple of weeks to do a higher education tour of China to see where they are going. China and India are clearly two nations that are going to be very significant and influential in world events in the 21st century. We are already starting to see that influence today.

China is a country that is not content with just being good at copying and mass producing. They want be on the cutting edge of scientific and medical and technological discoveries. We need to recognize that in light of the competition it will pose to our students in the 21st century and be willing to support bipartisan amendments like this in order to makes these steps to advance the cause of critical content knowledge in these critical fields that will hopefully enable us to retain our leadership in being the most innovative and creative nation in the world.

Again, I commend my colleagues for their leadership and vision on this amendment. I hope the rest of our colleagues will support it.

Miss MCMORRIS. Mr. Chairman, I reserve the balance of my time.

Mr. HOLT. Mr. Chairman, I yield 1½ minutes to the gentleman from Michigan (Mr. EHLERS) who, with me, comprises the Bipartisan Physicist Caucus.

Mr. EHLERS. Mr. Chairman, I thank my fellow physicist for yielding.

I rise with great pleasure to support this amendment. For 12 years I have been fighting within this chamber for improved math and science education, and I am delighted to see other individuals offering similar amendments, and that I am not the only one doing so.

I congratulate the gentlewoman from Washington State. This is precisely what we need. We must address this issue if we are going to remain competitive. I recognize full well that we are at this time quite competitive; but the Chinese and the Indians 20 years ago started a program to teach their children math and science. They did it well, and they have now become major competitors of us. If we do not get on the ball and once again get to the top in competing with them on math and science education, so that we are producing scientists, engineers, technicians, and mathematicians who can compete worldwide, then we will lose the competitiveness battle.

I am absolutely delighted the President had proposed the American Competitiveness Initiative. This amendment will be an important component of the President's initiative, along with the other things we have done in this bill and in other bills to improve math and science education in this country.

So thank you again to the gentleman from New Jersey for yielding me time. I commend him and the gentlewoman from Washington for initiating this amendment.

Mr. HOLT. Mr. Chairman, I yield myself the balance of my time.

I thank the gentlewoman from Washington for working with me on this amendment. It does address an important need that you have heard over and over again. It hardly bears repeating that we have a need in the schools for content specialists in science, in mathematics, in foreign languages. This will go part way toward addressing this need. And I think it will be an important test of the K–16 Language Pipeline Program and I think it will be an important exercise in seeing how we can bring this expertise into the schools without disrupting the schools, without displacing the trained teachers. We will do it in a way so that the specialists will learn the pedagogy and will be drawn into the full system so that the students will benefit, not just in the subject matter but in the pedagogy.

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

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Miss MCMORRIS. Mr. Chairman, I yield myself the balance of the time.

Mr. Chairman, I want to thank Mr. HOLT for working with me on this amendment. It is an important issue that we are addressing in this country in a bipartisan fashion. I also want to recognize Mr. EHLERS and his work as the math-science expert in Congress and his tremendous leadership in this area.

We need to be working together to make sure that America remains competitive.

Miss MCMORRIS. Mr. Chairman, I would like to enter the following letters from the Chamber of Commerce of the United States, the Business Roundtable, TechNet, the Information Technology Industry Council, and the American Chemical Society which state support for the McMorris-Holt-Dreier American Competitiveness Initiative, into today's CONGRESSIONAL RECORD.

TECHNET,
Washington, DC, March 29, 2006.

Hon. CATHY MCMORRIS,
House of Representatives,
Washington DC.

Hon. RUSH HOLT,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVES MCMORRIS AND HOLT: TechNet is proud to lend its support to the ''American Competitiveness Amendment'' you will offer to the College Access & Opportunity Act, H.R. 609, this week. Maintaining our competitive edge is largely dependent upon a highly educated and skilled workforce, and your efforts to improve teaching and learning in our Nation's classrooms will help prepare today's students to be tomorrow's innovators.

As you know, TechNet is the bipartisan, political network of chief executive officers promoting the growth of technology and the innovation economy. TechNet's members represent more than one million employees in the fields of information technology, biotechnology, e-commerce and finance. TechNet is committed to working with Congress and the Administration to ensure the United States remains the world leader in economic and technological innovation.

Today, we face the reality that the demand for the best and brightest minds has become highly competitive and global in scope. With Congress and the Administration offering numerous proposals for tapping America's potential and maintaining our competitive edge, your amendment to H.R. 609 is a timely and critical supplement to private sector investments for improving educational opportunities for students and teachers.

The ''American Competitiveness Amendment'' to H.R. 609 not only authorizes resources to improve teacher quality, it helps address the long term challenge of encouraging more young people here in the U.S. to pursue careers in science, technology, engineering and math, STEM. In short, with so many countries beginning to recognize their own economic development potential, the United States can no longer take its current leading position for granted.

We look forward to working with you and your staff to advance our shared goals of ensuring our nation's economic strength, growth and vitality.

Sincerely,

LEZLEE WESTINE,
President & CEO.

INFORMATION TECHNOLOGY INDUSTRY COUNCIL,
Washington, DC, March 27, 2006.

Hon. DENNIS HASTERT,
Office of the Speaker,
Washington, DC.

DEAR MR. SPEAKER, On behalf of the Information Technology Industry Council, I would like to thank you for your leadership in bringing H.R. 609, the College Access and Opportunity Act to the floor for consideration. It is our understanding Representative Cathy McMorris intends to offer an amendment that will drive improvements in math and science education and, ultimately, strengthen America's competitive position in the global economy. ITI strongly supports the McMorris amendment and we anticipate scoring it in our 109th Congress High-Tech Voting Guide.

The United States is the most technologically and scientifically advanced country in the world, and our distinction as the global leader in innovation is driven by the ingenuity of our American scientists and engineers. The McMorris amendment will help sustain our position as the world leader by incorporating portions of the President's American Competitive Initiative to encourage advanced placement classes in high schools, create an adjunct teacher corps for middle and high schools, and enhance loan forgiveness programs.

We applaud your efforts to strengthen math and science education, and we encourage you to contact us if we may be of any assistance.

Best Regards,

RHETT DAWSON,
President, Information Technology Industry Council.

AMERICAN CHEMICAL SOCIETY,
Washington, DC, March 29, 2006.

Hon. CATHY MCMORRIS,
House of Representatives,
Washington, DC.

DEAR CONGRESSWOMAN MCMORRIS: On behalf of the American Chemical Society, ACS, I am writing to thank you for your leadership in offering a bi-partisan floor amendment, the McMorris Amendment, to the College Access and Opportunity Act, H.R. 609, that would authorize the Department of Education to conduct the Adjunct Teacher Corps and Advanced Placement programs proposed by the President's American Competitiveness Initiative. The innovative, fiscally responsible approach your amendment would take comes at a time when the math and science education are a central focus of a vigorous national debate about future U.S. capacity for innovation and global competitiveness.

As you may know, the ACS is a nonprofit scientific and educational organization, chartered by Congress in 1938, with more than 158,000 chemical scientists and engineers as members. The world's largest scientific society, ACS advances the chemical enterprise, increases public understanding of chemistry, and brings its expertise to bear on state and national matters.

Throughout our Nation's history, American economic and technological strength has been built upon a large and highly-skilled domestic workforce of scientists, technicians, engineers, and mathematicians—the STEM workforce. A strong and growing consensus has emerged in the business, education, and scientific communities that our Nation's future economic prosperity and national security will increasingly depend on our ability to better educate our young people in math and science and to attract more of our best and brightest students into technological careers. To keep with our global competitors, we must step up our investment in math and science education.

We applaud your efforts to improve math and science education and your leadership on this issue. The American Chemical Society stands ready to work with you and others to make sure our children have the math and science skills that will enable our Nation to remain the world's most innovative.

Sincerely,

E. ANN NALLEY.

CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA,
Washington, DC, March 27, 2006.

Hon. CATHY MCMORRIS,
House of Representatives,
Washington, DC.

DEAR REPRESENTATIVE MCMORRIS: On behalf of the U.S. Chamber of Commerce, the world's largest business federation representing more than three million businesses and organizations of every size, sector and region, I write to express the Chamber's support of your American Competitiveness Amendment to H.R. 609, the College Access and Opportunity Act of 2006, which would reauthorize the Higher Education Act, HEA, of 1965. Your amendment and the enactment of this bill are critical in strengthening U.S. education performance and workforce competitiveness in the worldwide economy.

The U.S. Chamber of Commerce has long recognized the important role of quality education and workforce investment in keeping business successful and the American economy competitive. Yet the demographics of the impending retirements of the baby-boom generation and the current recognized skill shortage in the American workforce cause us to raise the priority of these issues to a new level. In the knowledge-based, global economy of the 21st century, the U.S. Chamber acknowledges that, working together, educators, business, and government at all levels must do better.

The Chamber's goals, and we believe, our Nation's goals, must be to prepare our students to be ''college ready and workforce ready''. Many new jobs will require more technical skills and a greater understanding of math and science—subjects in which American students fail to show a suitable level of competence or even interest. If America is to remain competitive, we need to expand the workforce and restore excellence in education and science. As a result, several months ago, the U.S. Chamber, along with other business organizations, began an initiative called Tapping America's Potential, which calls for the doubling of America's number of science, technology, engineering and math graduates by 2015. We believe that to succeed in today's economy, there must be a collaborative effort among government, education institutions, employers and business.

In its commitment to reducing the education achievement gap, the Chamber supports your amendment and the goals behind it, and we look forward to working with you on this issue and in the future.

Sincerely,

R. BRUCE JOSTEN.

BUSINESS ROUNDTABLE,
Washington, DC, March 29, 2006.

Hon. CATHY MCMORRIS,
House of Representatives,
Washington, DC.

DEAR CONGRESSWOMAN MCMORRIS: On behalf of Business Roundtable, I commend you for introducing your American Competitiveness Amendment to the College Access and Opportunity Act, H.R. 609. Business Roundtable, www.businessroundtable.org, is an association of chief executive officers of leading U.S. companies with over $4.5 trillion in annual revenues and more than 10 million employees. They are technology innovation leaders, with $86 billion in annual research and development spending—nearly half of the total private R&D spending in the U.S.

Maintaining U.S. scientific and technological leadership is essential to our national security, economic growth and high standard of living. Innovation has fueled America's economic growth and extraordinary productivity gains of the last several decades. Although our capabilities are strong today, we are not making the strategic investments needed to keep pace with the rapidly improving capacity of our foreign competitors.

A world-class workforce is critical to our future success. Especially important are the scientists and engineers who will develop the next generation of technologies, push the frontiers of new discoveries and make critical scientific breakthroughs. But we face real challenges:

Fewer students are pursuing degrees in these critical disciplines;

The retirement of the baby boom generation will deplete the current science and engineering workforce by more than 50 percent; and

U.S. high school students perform near the bottom in international assessments of math skills.

For precisely this reason, 15 national business organizations, led by Business Roundtable, issued the ''Tapping America's Potential'', TAP, report in July 2005. The report included five overall recommendations:

Build public support for making science, technology, engineering and math improvement a national priority;

Motivate U.S. students and adults to study and enter science, technology, engineering and mathematics careers, with a special effort geared to those in currently underrepresented groups;

Upgrade K–12 math and science teaching to foster higher student achievement;

Reform visa and immigration policies to enable the U.S. to attract and retain the best and brightest science, technology, math and engineering students from around the world to study for advanced degrees and stay to work in the U.S.; and

Boost and sustain funding for basic research, especially in the physical sciences and engineering.

The McMorris Amendment updates Federal student aid and teacher training provisions by enabling funds to be used for training advanced placement teachers and creating adjunct teacher positions in order to strengthen math and science instruction in our schools. It makes sense for Congress to ensure that existing Federal education programs are enhancing national competitiveness as well as students' opportunities to succeed in the 21st century.

Business Roundtable urges all Members of Congress to support the McMorris Amendment to H.R. 609.

Sincerely,

JOHN J. CASTELLANI.

Mr. WILSON of South Carolina. Mr. Chairman, as the global economy becomes increasingly competitive, Americans must have the skills and knowledge necessary to compete against workers throughout the world.

Preparing American workers begins in American schools. If our students fail to excel at math, science, and foreign languages, tomorrow's generation of workers will simply not be able to overcome the challenges of the international workforce.

My friend Congresswoman CATHY MCMORRIS is addressing this issue by offering fiscally responsible legislation to update the current Higher Education Act provisions and adapt them to meet the needs of the 21st century workforce. Specifically, this amendment will: Increase the number of Advanced Placement teachers; recruit well-qualified Americans to serve as adjunct teachers in high school math, science, and critical foreign language classes; and establish competitive teacher preparation programs to encourage students to advance from elementary school through college while achieving proficiency in foreign languages.

I encourage all of my colleagues to support this visionary legislation which will help American students, workers, and our economy.

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

Miss MCMORRIS. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mr. DAVIS of Kentucky). The question is on the amendment offered by the gentlewoman from Washington (Miss MCMORRIS).

The question was taken; and the Acting Chairman announced that the ayes appeared to have it.

Miss MCMORRIS. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentlewoman from Washington will be postponed.

AMENDMENT NO. 3 OFFERED BY MR. BURTON OF INDIANA

Mr. BURTON of Indiana. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 3 printed in House Report 109–399 offered by Mr. BURTON of Indiana:

At the end of title VI of the Amendment, add the following new section:

SEC. _____. CONDITIONS ON PROGRAM GRANTS AND CONTRACTS.

Title VI of the Higher Education Act of 1965 (20 U.S.C. 1122) is amended by adding at the end the following new section:

''SEC. 632. GIFT REPORTS BY RECIPIENT INSTITUTIONS.

''(a) REPORTING BY INSTITUTIONS.—

''(1) REPORT REQUIRED.—The Secretary shall require, as part of the Integrated Postsecondary Education Data System (IPEDS) annual data collection, that each institution receiving funds under this title include the following data:

''(A) the total cost of establishing or operating a program or center assisted under this title;

''(B) the names and addresses of all State and private sector corporations, foundations, or any other entities or individuals that contribute cash or any other property for the institution, programs, or centers receiving funds under this title;

''(C) the amount of cash or the fair market value of the property that each contributor contributes to the institution, programs, or centers receiving funds under this title; and

''(D) the use made of each contribution by each such contributor.

''(2) DEADLINE.—Any report under paragraph (1) shall be made no later than such date as the Secretary shall require.

''(3) CONSEQUENCES OF FAILURE TO REPORT.—In the case of any institution from which a report is requested under paragraph (1), if the Secretary does not receive a report in accordance with the deadline established under paragraph (2), the Secretary shall—

''(A) make a determination that the institution of higher education has failed to make the report required by this paragraph;

''(B) transmit a notice of the determination to Congress; and

''(C) publish in the Federal Register a notice of the determination and the effect of the determination on the eligibility of the institution of higher education for contracts and grants under this title.

''(b) REPORTS BY SECRETARY.—The Secretary shall annually prepare a report summarizing the information collected from institutions of higher education under subsection (a)(1), including all of the information required by subparagraphs (A) through (D) of such subsection. The Secretary of Education shall publish such report in the Federal Register and transmit a copy of such report to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

''(c) RETROSPECTIVE INFORMATION.—The data collected from institutions of higher education under subsection (a)(1) in the first submission after the date of enactment of this section, and the Secretary's first report under subsection (b), shall include the information required by subparagraphs (B), (C), and (D) of subsection (a)(1) regarding contributions made on or after September 11, 2001, and before the end of the first reporting period under such subsection.''.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Indiana (Mr. BURTON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Indiana.

Mr. BURTON of Indiana. Mr. Chairman, I yield myself such time as I may consume.

(Mr. BURTON of Indiana asked and was given permission to revise and extend his remarks.)

Mr. BURTON of Indiana. Mr. Chairman, the war on terror goes beyond just worrying about our borders and fighting in other parts of the world against known terrorists.

Money from the Middle East has been coming into our universities in large amounts to try to indoctrinate young American students into taking a different position than our government has taken in fighting the war against terrorists and terror around the world.

One of the things that I think is extremely important is that while we are protecting first amendment rights for people to assemble and express themselves, even if they do not agree with our government, we ought to know where this money is coming from.

Millions and millions of dollars have been coming from Middle Eastern interests into colleges and universities around this country, espousing Middle Eastern positions and Middle Eastern studies. While not all of these Middle Eastern study programs are a problem, some of them are advocating the destruction of Israel and taking an opposing view to the United States Government's in dealing with the war against terror.

I think it is extremely important, Mr. Chairman, that we have a reporting policy so that we know where this money is coming from. I do not believe we should cut off people's first amendment right to assemble and discuss governmental policy, but I think we ought to know where the money is coming from.

All this amendment does is, it says very clearly that if money comes in from Middle Eastern interests or other interests around the world, the colleges and universities need to put it on a reporting form. This reporting form is also required once a year so we are not adding any additional workload to the colleges and universities.

All we are saying is, if you are getting money from Middle Eastern interests or other interests around the world, you have to report it. That gives our government the ability to watch what is going on and where the money is coming from, and if it is coming from proterrorist organizations, we can track it. We think it is extremely important for the protection of the United States and the security of the United States.

It does not cost any money. This amendment costs no money. It imposes no additional workload, and it does not violate the first amendment rights of the people of this country.

What it does do is it says we are going to find out where the money is coming from.

Mr. GEORGE MILLER of California. Mr. Chairman, will the gentleman yield?

Mr. BURTON of Indiana. I yield to the gentleman from California.

Mr. GEORGE MILLER of California. Mr. Chairman, you said several times ''Middle Eastern.'' The fact of the matter is that any money from any source would be reported; is that correct?

Mr. BURTON of Indiana. Yes.

Mr. GEORGE MILLER of California. We have read the amendment. We don't have a problem with it and we support its passage.

Mr. BURTON of Indiana. Mr. Chairman, I urge my colleagues to support this. I think it is a very important amendment.

Mr. NORWOOD. Mr. Chairman, I rise in strong support of the Burton amendment. This commonsense reform requires colleges and universities receiving Title VI funds to disclose contributions and gifts under a publicly searchable database known as the Integrated Postsecondary Education Data system.

I generally believe that institutions of higher learning ought to focus their time and energy on the business of educating young people, not complying with burdensome reporting requirements. However, this particular case demands as much sunlight as humanly possible.

Over the last several decades, American students and faculty members have been bombarded with a steady stream of rhetoric attacking American foreign policy in the Middle East and throughout the world. Many refer to this as the ''Blame America First'' philosophy that permeates throughout college campuses and takes root in small yet influential international studies programs.

And while the so-called ''intellectuals'' hired to staff these programs are well within their rights to engage in important foreign policy debates, it is important to note that much of this debate is bought and paid for by, foreign entities that do not have American interests in mind.

In fact, a wave of foreign money from oil-rich countries in the Middle East, including Saudi Arabia, is directly responsible for funding programs on college campuses that produce vicious rhetoric attacking American foreign policy in the Middle East and the War on Terrorism. These centers purportedly train teachers and professors, supply materials, and often preach a radical anti-democratic and anti-Semitic agenda in our classrooms at every level.

Allowing the American people to access information will help them discern fact from fiction in the field of ''International Studies.'' The Burton amendment accomplishes this goal by giving average Americans the ability to connect the dots. After all, if an oil-rich sheikh funds a Middle East Studies program in the U.S. with millions of dollars, it stands to reason he might have an ulterior motive.

The American people deserve a right to know.

Mr. BURTON of Indiana. Mr. Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana (Mr. BURTON).

The question was taken; and the Acting Chairman announced that the noes appeared to have it.

Mr. BURTON of Indiana. Mr. Chairman, I demand a recorded vote.

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Indiana will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. BOUSTANY

Mr. BOUSTANY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 4 printed in House Report 109–399 offered by Mr. BOUSTANY:

At the end of part B of title IX add the following new section:

SEC. _____. STUDY OF RESIDENCY APPLICATIONS.

(a) GAO STUDY REQUIRED.—The Comptroller General shall conduct a study to evaluate the decline, and any causes thereof, in the number of individuals who have been accepted into, or currently participate in, a

graduate medical education program or fellowship (or both) to provide health care services that—

(1) requires more than 5 years of total graduate medical training; and

(2) has fewer United States medical school graduate applicants than total number of training and fellowship positions.

(b) DEADLINE.—Not later than one year after the date of enactment of this Act, the Comptroller General shall submit a report on the study required by subsection (a) to the Committee on Education and the Workforce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate, and shall make the report widely available to the public. Additional reports may be periodically prepared and released as necessary.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Louisiana (Mr. BOUSTANY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. BOUSTANY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am proposing an amendment to H.R. 609, the College Access and Opportunity Act of 2005, along with the gentleman from New Jersey (Mr. ANDREWS), my good friend.

The amendment that I am proposing would require a GAO study to evaluate and determine the reasons for the decline in the number of medical school graduates entering residency programs lasting more than 5 years.

This amendment complements a study currently in H.R. 609 that the gentleman from Georgia (Mr. PRICE) has already offered. The gentleman from Georgia's proposal looks at student indebtedness. My amendment looks beyond that, and I am interested in identifying other primary reasons that students pick certain medical specialties.

In my experience and conversations with medical students, I found that student loan debt is certainly an important consideration, but other factors that might include length of residency training, locations to obtain training, salary issues, shortages or surpluses in certain medical specialties also play a role.

The concern among many health professionals is that certain specialties or subspecialties will have shortages in health professionals in the coming years. This could create a significant health access crisis that could take years to overcome because of workforce shortage.

Mr. Chairman, I believe this study that I am proposing, along with my colleague from New Jersey, and with Representative PRICE's study will help provide evidence and alternatives for Congress to consider to ensure that we are taking steps to support education for critically needed health care professionals.

At this time, I also want to thank the Rules Committee and Chairman MCKEON for considering this amendment, and I urge my colleagues to support the amendment.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I claim the time in opposition, even though I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I thank my friend for yielding me the time. I thank him, Mr. KILDEE, Chairman MCKEON, and Chairman BOEHNER before him, for their help in bringing this legislation to the floor. It is a pleasure to work with my friend from Louisiana on this issue.

I think this issue addresses a poorly thought-up health care policy we have in this country, which is to say that we want to discourage people from going into certain aspects of health care professions because we have a mismatch between the amount of debt they need to earn their education in that area and the amount of money they are going to make to pursue that area. A lot of critical specialties in the health care field, in the physician field especially, are underserved because the students cannot make that mismatch work in their lives.

The choice between incurring six-figure debt, which is typical of medical students, and then spending 5 years or more in a residency program that thoroughly underpays you and thoroughly overworks you is a policy which is driving people out of some very important, needed specializations.

My friend and I bring this to the floor as a hypothesis. What we want the GAO to do is to test that hypothesis and to look at the reasons why people are underenrolling in long-term residency programs. Mr. Chairman, I would be very surprised if the finding was anything other than the fact that the amount of debt that students are incurring is a major factor in their decision to avoid these longer-term residencies.

This is particularly important at a time when pediatric health and geriatric health are such huge issues in this country. Many of these specialties overlap with the care of our very young, prenatal and pediatric patients, and our elderly who are dealing with increasing issues of Alzheimer's, dementia and other problems.

So at a time when we most need people in these areas of specialization and when their residency, by definition, must be extended so we can truly learn the field, we are driving young physicians out of these fields because of this mismatch between student debt and the relatively meager income.

I thank my friend from Louisiana for working with us on this measure. I look forward to the GAO finishing its work; and hopefully, Mr. Chairman, we can have a bipartisan effort down the road to make loan programs more robust and more reasonable from the point of view of students, so that we can proceed with that.

I thank my friend from California for the time.

Mr. BOUSTANY. Mr. Chairman, I yield myself such time as I may consume.

I thank my colleague again for bringing up some very important issues that will relate to access, particularly as we see an aging population who will require these specialty services, and certainly, we are going to have some projected shortages.

I believe this GAO study will play an instrumental role in helping to define why we are looking at some of these shortages over and beyond indebtedness, but also help us clarify what that degree of indebtedness would be.

Mr. Chairman, I am very pleased to yield 1 minute to my friend from Florida (Mr. KELLER).

Mr. KELLER. Mr. Chairman, I thank the gentleman for yielding.

Two of the specialties that we are talking about, really, are neurosurgery and thoracic surgery. There certainly is a shortage of neurosurgeons in my area in central Florida, and that is a big deal for someone who is in a car crash, for example, and is taken to a trauma center and needs appropriate and immediate assistance from a neurosurgeon within the first key hour.

Now, why is it that we have fewer neurosurgeons? Is it that it is so expensive? Is it that the specialty is so difficult? Is it that the insurance premiums they pay are too high? I do not have the answers today, but I do know this is a problem worth studying, and so I strongly support Dr. BOUSTANY'S amendment and urge my colleagues to also support it.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield back the balance of my time.

Mr. BOUSTANY. Mr. Chairman, I yield back.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Louisiana (Mr. BOUSTANY).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MR. BOUSTANY

Mr. BOUSTANY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 5 printed in House Report 109–399 offered by Mr. BOUSTANY:

Page 189, after line 12, insert the following new subparagraph (and redesignate the succeeding subparagraph accordingly):

''(I) MEDICAL SPECIALISTS.—An individual who—

''(i) has received his or her degree from an accredited medical school (as accredited by the Liaison Committee on Medical Education or as defined by this title IV); and

''(ii)(I) has been accepted to, or currently participates in, a graduate medical education training program or fellowship (or

both) to provide health care services (as recognized by the Accreditation Council for Graduate Medical Education); or

''(II) has been accepted into, or currently participates in, a graduate medical education program or fellowship (or both) to provide health care services that—

''(aa) requires more than 5 years of total graduate medical training; and

''(bb) has fewer United States medical school graduate applicants than the total number of training and fellowship positions available in the programs specified in subclause (I) of this clause.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Louisiana (Mr. BOUSTANY) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Louisiana.

Mr. BOUSTANY. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I am offering an amendment, along with the gentleman from New Jersey (Mr. ANDREWS), again to the bill H.R. 609, and this would add language to section 421, the Loan Forgiveness for Service in Areas of National Need.

Currently, this section makes eligible for student loan forgiveness workers in several important jobs and one health care-related field, nursing. My amendment would make eligible for loan forgiveness those medical residents that are entering a program lasting more than 5 years and are entering a field that is facing a shortfall in filling those residency positions.

This amendment will provide medical students with a reason to consider other medical specialties that require more training. Many medical specialties require 3 or 4 years of training. However, there are certain specialties and subspecialties that require more training after the initial program. For instance, in my case, as a thoracic surgeon, I trained 5 years in general surgery and then another 3 years in thoracic surgery to become a cardiothoracic surgeon.

Current law only provides loan deferment for 3 years. For certain medical specialties, that means while students are in the middle of their residency they are paying back student loans. For many medical students, this is a concern and a reason to not pursue certain medical careers.

In the case of cardiothoracic surgery, there are currently about 20 open slots in these residency programs this year, and as each year goes by, we see fewer and fewer of these positions being filled.

The situation is similar in other specialties, as mentioned earlier with neurosurgery and certain subspecialties of plastic surgery.

□ 1415

These are specialties that provide vital care to seniors, critically ill patients, and other vulnerable populations. If this trend continues, it will lead to a lack of health care access for seniors, critically ill patients and other vulnerable populations. These patients may see a doctor but not necessarily one that has the experience and adequate training to provide the latest and most effective care. My amendment aims to prevent this decline in health care access by providing a small incentive for medical students to enter these professions with a critical need.

Again, I want to thank the Rules Committee and Chairman MCKEON for considering this amendment. I urge my colleagues to support this, and I also want to thank my colleague from New Jersey who has offered his support as well.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I ask unanimous consent to claim the time, but I am not opposed to the amendment.

The Acting CHAIRMAN (Mr. DAVIS of Kentucky). Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield such time as he may consume to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Thank you, Mr. MILLER. I appreciate your help, I appreciate your yielding the time, and I thank Mr. KILDEE, Chairman MCKEON, Chairman BOEHNER before him, and I thank my friend from Louisiana for offering this amendment.

This amendment recognizes that there is a public service value to the work of residents who go into a complex and long-term residency in the health care field. There is a recognition that these are individuals who are contributing to the public good in two very important ways: the first is the specialization with which they come out of school, which is incredibly important for the health of our population. The second is that in order to achieve those skills they are deferring their higher earning years for a very, very considerable period of time, in excess of 5 years.

These are people with families and household obligations who are working very long hours, working at a very intense occupation and specialization, and giving up a significant amount of wealth and economic opportunity to do so. This is a public service, and it is important to recognize the public benefit that comes from this.

So I think that Mr. BOUSTANY's idea, in which I heartily join, of requiring more than 5 years in the residency program in medical specialties that have shortages recognizes the public service that these men and women are providing and falls into the other categories of occupations that are already recognized in the existing section 421 of the law.

I believe that this amendment will result in more talented young men and women stepping forward and serving in critical and underserved areas of health care in the country. This will result in an increase in the quality of our health care in our system and a more moderate degree of fairness in terms of loan forgiveness for the young men and women who do so. These are folks who work very, very long hours and incur a huge amount of debt and are foregoing and giving up benefits that other families are receiving, and I think it is a worthy consideration for us to extend this modest loan forgiveness under the right circumstances to these men and women.

So I would urge a ''yes'' vote on this amendment.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield back the balance of my time.

Mr. BOUSTANY. Again, I thank my friend and colleague for his comments. I just want to add some statistics with regard to cardiothoracic surgery, for the record.

Currently, we have 3,500 practicing cardiothoracic surgeons in the country. Last year, there were a total of 104 applicants for 139 residency positions. This year, as of this past Friday, there were only 76 applicants for these 139 positions. Current survey data indicates that over the next decade we will have a 50 percent reduction in the current cardiovascular surgery workforce as the workforce hits retirement age.

Again, as we hit this aging population, the demographic tidal wave that we are facing, we are not going to have heart surgeons that can back up cardiologists in these hospitals providing life-preserving care.

So, again, I believe this amendment is a very important addition to H.R. 609. I appreciate my colleagues on the other side of the aisle supporting this.

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

The Acting CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from Louisiana (Mr. BOUSTANY).

The amendment was agreed to.

AMENDMENT NO. 6 OFFERED BY MR. CASTLE

Mr. CASTLE. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 6 printed in House Report 109–399 offered by Mr. CASTLE:

Page 104, after line 2, insert the following new section (and redesignate the succeeding section accordingly):

SECTION 205. NATIONAL TEACHER CORPS.

Title II (20 U.S.C. 1021 et seq.), as amended by section 204 of this Act, is further amended by adding at the end the following:

''PART E—NATIONAL TEACHER CORPS

''SEC. 251. PURPOSES.

''The purposes of this part are—

''(1) to raise the number of highly accomplished recent college graduates teaching in underserved urban and rural communities in the United States;

''(2) to increase the number of school districts and communities served by a nationally recruited corps of outstanding new teachers; and

''(3) to build a broader pipeline of talented and experienced future leaders in public education and education reform.

''SEC. 252. DEFINITIONS.

''In this part:

''(1) IN GENERAL.—The terms 'highly qualified', 'local educational agency', and 'Secretary' have the meanings given the terms in section 9101 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7801).

''(2) HIGH NEED.—The term 'high need', when used with respect to a local educational agency, means a local educational agency experiencing a shortage of highly qualified teachers, as determined by the Secretary.

''SEC. 253. GRANT PROGRAM AUTHORIZED.

''The Secretary is authorized to award a grant to a highly-selective national teacher corps to implement and expand its program of recruiting, selecting, training, and supporting new teachers. The grantee shall be a highly-selective national teacher corps that—

''(1) focuses a national recruitment effort on recent college graduates from all academic majors;

''(2) trains such graduates through intensive summer institutes;

''(3) places such graduates as teachers in public schools in school districts of high need local educational agencies in urban and rural communities across multiple States; and

''(4) supports and measures the progress of such teachers through intensive professional development.

''SEC. 254. GRANT REQUIREMENTS.

''In carrying out the grant program under this part, the Secretary shall enter into an agreement with the grantee under which the grantee agrees to use the grant funds—

''(1) to provide highly qualified teachers to high need local educational agencies in urban and rural communities;

''(2) to pay the cost of recruiting, selecting, training, and supporting new teachers; and

''(3) to serve a substantial number and percentage of underserved students.

''SEC. 255. AUTHORIZED ACTIVITIES.

''Grant funds provided under this part shall be used by the grantee to carry out each of the following activities:

''(1) Recruiting and selecting teachers through a highly-selective national process.

''(2) Providing preservice training to selected teachers through a rigorous summer institute that includes hands-on teaching experience and significant exposure to education coursework and theory.

''(3) Placing selected teachers in schools and positions in high need local education agencies that serve a high percentage of low-income students.

''(4) Providing ongoing professional development activities for the selected teachers in the classroom, including regular classroom observations and feedback, and ongoing training and support.

''SEC. 256. EVALUATION.

''(a) ANNUAL REPORT.—The grantee shall provide to the Secretary an annual report that includes—

''(1) data on the number and quality of the teachers provided to local educational agencies through the grant under this part;

''(2) an externally conducted analysis of the satisfaction of local educational agencies and principals with the teachers so provided; and

''(3) comprehensive data on the background of the selected teachers, the training such teachers received, the placement sites of the teachers, the professional development of the teachers, and the retention of the teachers.

''(b) STUDY.—The Secretary shall provide for a study comparing the academic achievement of students taught by the teachers selected, trained, and placed under this part with the academic achievement of students taught by other teachers in the same schools and positions. The Secretary shall provide for such a study not less than once every 3 years, and each such study shall include multiple local education agencies. Each such study shall meet the peer-review standards of the education research community.

''SEC. 257. AUTHORIZATION OF APPROPRIATIONS.

''There are authorized to be appropriated to carry out this part $12,000,000 for fiscal year 2007 and such sums as may be necessary for each succeeding fiscal year.''.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Delaware (Mr. CASTLE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Delaware.

Mr. CASTLE. Mr. Chairman, I yield myself such time as I may consume.

I am offering my amendment today with the cosponsorship of Congressmen REGULA, OSBORNE, VAN HOLLEN, and FORD. I support H.R. 609, and I believe with passage today we will be making some good reforms for our institutions of higher learning, parents, and students.

This amendment is intended to build upon these reforms and extend them into our Nation's elementary and secondary schools. Specifically, our amendment would authorize funding to recruit, select, train and support a national corps of outstanding recent college graduates of all academic majors who commit to teach in low-income communities and who hopefully become lifelong leaders for education.

An example of a national teach corps that would be eligible for this funding would be Teach for America. This past summer I introduced legislation which authorizes Teach for America. Currently, funding for the program has been consistent but piecemeal. The purpose of the bill and amendment, should the organization be awarded a grant, would be to provide an efficient funding stream. Ultimately, this will help the organization grow from its current membership of 3,500 corps members in over 1,000 schools in 22 regions to 8,000 corps members teaching across 35 high-need communities.

The Teach for America legislation has the support of 145 cosponsors spanning the political spectrum. The Senate has also expressed support for the program and has included language in their reauthorization of the Higher Education Act. It is my hope that today the House will show our support by including this amendment to H.R. 609.

Support extends beyond Congress. This week I spent some time with Secretary Spellings who mentioned the importance of encouraging creative avenues to the classroom and specifically referenced Teach for America. The First Lady has also taught in a Teach for America classroom.

What we know to be true is that a highly qualified teacher is imperative to the achievement of our students. This amendment will help us to make that more possible across the country. A study by Mathematica Policy Research showed that corps members effected greater gains than would typically be expected in a year, especially in math.

This year, 19,000 individuals applied to Teach for America, including, for example, 10 percent of the senior classes of Yale, Dartmouth, and Spellman, and 7 percent of the senior class of Caltech. A majority of these students then stay on in the classroom.

As we as a Nation continue to focus on closing the achievement gap, I see no better complement than a national teacher corps. I encourage all my colleagues to join me in supporting the Castle-Regula-Osborne-Van Hollen-Ford amendment.

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

Mr. GEORGE MILLER of California. Mr. Chairman, I ask unanimous consent to claim the time, but I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. Mr. Chairman, I yield 4 minutes to the gentleman from Maryland (Mr. VAN HOLLEN).

Mr. VAN HOLLEN. Mr. Chairman, I thank my colleague, the ranking member of the committee, and I am pleased to join with Mr. CASTLE and my other colleagues in supporting this amendment, and I want to commend the gentleman from Delaware for his leadership on this very, very important issue.

I think it is vital in our Nation that we encourage more and more young people graduating from college to go into the teaching profession, to teach throughout our communities, but also to encourage many of them to go into those communities where they are most needed, where you have many more at-risk youth than others. That is what this particular amendment does, and the Teach for America program is a great example of this idea in action. If you look at their history, you see it is one of making sure that we do do a better job of getting into communities with these young teachers.

By 2010, Teach for America will increase the number of highly accomplished recent college graduates teaching in underserved urban and rural communities in the United States from 3,500 to 8,000 reaching nearly 700,000 underserved kindergarten-12th grade students every day. It recruits at over 500 colleges and universities across the country, and this year 19,000 individuals of all academic majors applied for the Teach for America program. They come from colleges all over the country and are represented with the full geographic diversity of our Nation. I am personally proud to say that 138

seniors from the University of Maryland system applied for the Teach for America program.

And they do a great job of encouraging more people, as I said, to get into the classroom. If you take a survey, and they did, 10 percent of those who were accepted to the Teach for America program stated that they would not have considered a career in education if they had not participated in this program.

Currently, 60 percent of Teach for America's 10,000 alumni are working within education to effect fundamental change. Last year's 2005 National Teacher of the Year was a Teach for America alum and is still teaching math in the District of Columbia public school system, the same school system he began in 8 years ago. So we want to encourage these students as they graduate and become teachers to go into these communities and then stay in those communities.

So I think, Mr. Chairman, in closing, I just want to again commend my colleagues on both sides of the aisle for their efforts in this area. I think it is a very, very important initiative and one that I commend to all our colleagues in this House.

Mr. GEORGE MILLER of California. Reclaiming my time, Mr. Chairman, I want to thank my colleagues for this amendment. I have had wonderful experience with the Teach for America teachers in my congressional district.

This past week I was up in the Lakota Nation on the reservations of Rosebud and Pine Ridge, and met a number of Teach for America teachers there and the coordinators. And I think in that case, we always talk about them being for 2 years, I think almost 30 percent of the teachers are planning to extend themselves for another year on those reservations, in Indian and public schools on the Indian reservations, and they are doing a magnificent job.

So I would urge the passage of this amendment and thank Mr. CASTLE, Mr. OSBORNE, Mr. FORD, Mr. REGULA and Mr. VAN HOLLEN for offering this amendment.

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

Mr. CASTLE. Mr. Chairman, I yield 1½ minutes to the distinguished gentleman from Ohio (Mr. REGULA), the chairman of the appropriations subcommittee on Labor, HHS, and Education.

(Mr. REGULA asked and was given permission to revise and extend his remarks.)

Mr. REGULA. Mr. Chairman, I thank the gentleman for yielding me the time, and I want to give great credit to Mr. CASTLE and the other sponsors of this amendment because this is an important program. I also want to mention Wendy Kopp. She was the person who had the vision to start Teach for America, and it has had a tremendous impact. I won't go over the same things you have heard already, but it is one of those things that is making a difference in classrooms across this Nation.

As chairman of the Labor, HHS and Education, I have visited classrooms with Teach for America teachers, and their enthusiasm, their involvement has been terrific. I think it will be a great asset to our Nation's education program to expand this and get more young people involved. I am just a totally strong supporter of the whole program.

Mr. Chairman, I rise in strong support of this amendment. I believe an investment in education is an investment in human capital.

Teachers are the heart and soul of education, and we must ensure that every classroom has a good teacher. This amendment would authorize funding to recruit, select, train and support a national corps of outstanding recent college graduates of all academic majors who commit two years to teach in low-income communities and become lifelong leaders of education reform. This year, 19,000 individuals applied to Teach for America and roughly 4,000 were selected to teach in schools.

As many of you know, America faces a growing shortage of qualified math and science teachers. In a recent international assessment of 15-year-olds' math problem skills, the United States had the smallest percentage of top performers and the largest percentage of low performers compared to the other participating countries.

I've long been a supporter of Teach for America and it is worth noting that a highly regarded study by Mathematica Policy Research showed that students taught by Teach for America corps made greater gains than those of veteran, fully certified teachers.

As the U.S. economy becomes even more reliant on workers with greater knowledge and technological expertise, it is incumbent upon us to prepare our students to meet the future demands of the workforce.

As a former teacher, I am very impressed by the Teach for America program and would urge strong support of my colleagues for this amendment.

Mr. CASTLE. Mr. Chairman, I yield such time as he may consume to the distinguished gentleman from Nebraska (Mr. OSBORNE), who in many ways has probably taught more students, more young people than any of us.

Mr. OSBORNE. Thank you, Mr. Chairman, and I too urge support of this important amendment.

As we have learned from implementation of No Child Left Behind, in many cases school districts with the greatest needs have the most trouble attracting highly qualified teachers to their communities. This is true particularly in the inner cities, urban areas, and then in a district like mine, which is almost entirely rural. So to have more teachers available, a larger pool, is critical.

As has been mentioned, Teach for America currently has 3,500 members. And the thing I do not think has been mentioned is that they are serving roughly 300,000 students around the country. So this is one program that enables us to capture some of our best and our brightest young people coming out of college.

This has been a tremendously successful program, and I am very pleased that the chairman and other members of the committee have chosen to offer this amendment. I also appreciate Mr. REGULA's support. That is also very important.

Mr. CASTLE. Mr. Chairman, I yield the balance of my time to the distinguished gentleman from California (Mr. DREIER).

(Mr. DREIER asked and was given permission to revise and extend his remarks.)

Mr. DREIER. I thank my friend for yielding and, Mr. Chairman, I would simply like to rise in strong support of this amendment.

I believe that the whole concept of Teach for America, which is designed to incentivize the top men and women who are gaining their educations to get out and provide education in communities where it is desperately needed, is the right thing to do.

And I want to congratulate my good friend from California, Don Fisher, who has been a driving force behind this, and Wendy Kopp, who has been working very hard on it. I have met with her and a number of other people, and I believe this is the kind of model program that will help us deal with this challenge of ensuring that the United States of America maintains its competitive edge.

□ 1430

The Acting CHAIRMAN (Mr. DAVIS of Kentucky). The question is on the amendment offered by the gentleman from Delaware (Mr. CASTLE).

The amendment was agreed to.

AMENDMENT NO. 7 OFFERED BY MR. CUELLAR

Mr. CUELLAR. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 7 printed in House Report 109–399 offered by Mr. CUELLAR:

Page 272, after line 25, insert the following new section:

SEC. 497. REPORT TO CONGRESS ON COMPLIANCE WITH THE PAPERWORK REDUCTION ACT OF 1995.

Title IV is further amended by adding after section 499, as added by section 496 of this Act, the following new section:

"SEC. 499A. REPORT TO CONGRESS ON THE COMPLIANCE OF THE STUDENT AID APPLICATION PROCESS WITH THE REQUIREMENTS OF THE PAPERWORK REDUCTION ACT OF 1995.

''(a) STUDY AND REPORT.—The Secretary shall commission a nonpartisan, comprehensive study on the degree to which the student aid application process under title IV complies with the requirements of the Paperwork Reduction Act of 1995 (44 U.S.C. 101 note). Not later one year after the date of the enactment of the College Access and Opportunity Act of 2006, the Secretary shall report the results of such study to the Congress.

''(b) SCOPE.—The study and report to the Congress under subsection (a) shall thoroughly identify and address the following:

''(1) The impact of the technical and computer literacy of prospective college students on the existing electronic capabilities offered by the student aid application process under title IV, including the Free Application for Federal Student Aid System (FAFSA).

''(2) The effectiveness of the policies and requirements of the FAFSA system that are intended to reduce the need for paper and ease the application process.

''(3) Areas in which the electronic system can be improved to help facilitate a 'one-stop shopping' goal for students seeking financial assistance.''.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CUELLAR. Mr. Chairman, I yield myself such time as I may consume.

First of all, I want to thank Mr. KELLER and Mr. MILLER for the work they have been doing on this particular bill, H.R. 609.

My amendment is a very straightforward amendment that allows the student aid application process to be simple and straightforward and make sure that it complies with the Paperwork Reduction Act of 1995, to make sure that it meets the expectations of today's students.

We want to make sure that we reduce the paperwork, and when we talk about student aid, that we minimize the amount of paperwork involved; and especially when we work on trying to get the free application for Federal student aid paperwork and the other work to make sure that when a student is trying to get this information, we reduce the paperwork and make it as simple as possible.

The second part of the amendment calls for a one-stop center for finding financial aid for students. As Members know, in order to get this information, whether you are talking about students, parents, or counselors across the Nation, it is sometimes difficult to get this information. The more we can enhance the one-stop center so the information is in one place, this will make it easier on the students and make sure that we do one thing, and that is, make student aid opportunities as accessible and as simple as possible for the students, the parents and the counselors.

I believe this amendment is acceptable to both Mr. GEORGE MILLER and Mr. KELLER.

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

Mr. KELLER. Madam Chairman, I claim the time in opposition, although I am not in opposition to the amendment.

The Acting CHAIRMAN (Mrs. MILLER of Michigan). Without objection, the gentleman is recognized for 5 minutes.

There was no objection.

Mr. KELLER. Madam Chairman, I yield myself such time as I may consume.

Simplifying the financial aid process and applying for Pell Grants is such a worthy objective, something we have been working on very closely, and we have made a lot of progress in this underlying legislation to simplify the process.

This amendment makes it an even better bill, and I wholeheartedly support the amendment and urge my colleagues to do so as well.

Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. CUELLAR).

The amendment was agreed to.

AMENDMENT NO. 8 OFFERED BY MR. CUELLAR

Mr. CUELLAR. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 8 printed in House Report 109–399 offered by Mr. CUELLAR:

Page 125, line 25, insert ''or a certification program'' after ''education''.

Page 126, line 2, insert ''or a certification program'' after ''education''.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Texas (Mr. CUELLAR) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. CUELLAR. Madam Chairman, I yield myself such time as I may consume.

Again, I thank Mr. KELLER and Mr. MILLER for allowing me to present this particular amendment. This amendment is very simple. It deals with the Pell Grant Plus. The Pell Grant Plus is an excellent program that allows extra financial aid to students that take the extra recommended courses or the college preparatory courses.

Studies show that students who take the college preparatory courses, two things are going to happen: one, their success rate in college increases, and the second part is that the probability or the possibility of those students going off to college will increase. So providing this incentive through Pell Grant Plus to make sure that they take the college preparatory courses is good for all students across the Nation.

This amendment, what it does is instead of just allowing the academic courses from universities, this allows students to take the certificates from universities or colleges across the Nation to be allowed to take this Pell Grant Plus and to be eligible to receive Federal student aid.

Examples of certificate programs from my district and across the United States, Palo Alto College provides certificate programs in accounting and electromechanical technology. Texas A&M International University in Laredo allows education certificates in early, middle school and high school education, and other universities also do this. This allows the students who take those certificate programs to be eligible for the Pell Grant Plus.

Again, the Pell Grant Plus is an excellent incentive, and what I am trying to do is make sure that students across the board take those college preparatory courses. This will be good for education in general.

Again, I believe this amendment is acceptable to Mr. KELLER and to Mr. MILLER also.

Madam Chairman, I yield back the balance of my time.

Mr. KELLER. Madam Chairman, I claim the time in opposition, although I am not in opposition.

The Acting CHAIRMAN. Without objection, the gentleman from Florida is recognized for 5 minutes.

There was no objection.

Mr. KELLER. Madam Chairman, I yield myself such time as I may consume.

I was proud to offer the Pell Grant Plus section that was included in the underlying legislation which is going to reward those high-achieving, low-income students with a few extra dollars to encourage them to continue their education.

I support this amendment to also allow those folks who are getting a certificate as part of their education because that would include, for example, people studying to be skilled nurses. We have a dramatic nursing shortage throughout the country, and particularly in my home State of Florida.

Again, this is a good amendment. I would urge my colleagues to support it.

Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. CUELLAR).

The amendment was agreed to.

AMENDMENT NO. 10 OFFERED BY MS. HART

Ms. HART. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 10 printed in House Report 109–399 offered by Ms. HART:

Page 317, line 16, strike ''and'' after the semicolon; on line 25, strike the period, close quotation marks, and following period and insert ''; and''; and after line 25, insert the following new paragraph:

''(11) establishing and operating pregnant and parenting student services offices that—

''(A) will serve students who are pregnant or parenting, prospective parenting students who are anticipating a birth or adoption, and students who are placing or have placed a child for adoption; and

''(B) will help students with locating and utilizing child care, family housing, flexible academic scheduling such as telecommuting programs, parenting classes and programs, and post-partum counseling and support groups.''.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentlewoman from Pennsylvania (Ms. HART) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Pennsylvania.

Ms. HART. Madam Chairman, I yield myself such time as I may consume.

I rise in support of the amendment and ask that my colleagues support it as well, because this amendment would encourage institutions of higher education to establish and operate pregnant and parenting student services offices for pregnant students, parenting students, prospective parenting students who are anticipating a birth or adoption, and also students who are placing or who have placed their children up for adoption.

The student servicing center will help students with locating and utilizing child care, family housing, flexible academic scheduling such as telecommuting programs, parenting classes, and programs in postpartum counseling and support groups.

This language will be added as an additional authority under the Fund for the Improvement of Post-Secondary Education, the FIPSE, which was established to improve post-secondary education activities.

Madam Chair, 27 percent of all undergraduates are parents; 34 percent of all graduate students are parents; one-half of undergraduate students are single parents; and about a third of graduate students are single parents. This means that approximately 4.5 million undergraduate and graduate students are parents.

Forty-five percent of the women who have abortions are college-age women. Many, unfortunately, have them because they fear that they cannot complete their study. They fear they cannot support the child, and there are no resources to help them continue their education while having their child. They also lack the financial resources to afford child care. The amendment is an important step in providing much-needed services for these students so they will bear their children and also finish their education.

Right now there is a lack of campus necessary resources for pregnant and parenting students. This amendment will be an important first step in providing these students with these much-needed services, including family housing; affordable on-campus child care; babysitters; co-ops; telecommuting options; on-campus parking; maternity coverage in the student health plans; desks accessible to pregnant women; diaper decks in men's and women's restrooms; clean, comfortable places for women to breast feed in private if they choose to do so; and also financial aid, especially for women living independently from their parents.

This amendment is especially important because families are profoundly impacted by the education attainment level of the parents. No other single indicator has the same ability to predict social, economic and educational outcomes for the children and the families as the parental education. Education improves the quality of life for these families, providing increased financial security and socioeconomic mobility, as well as directly impacting the K–12 performance and post-secondary education attainment rates of their children.

If we want to move Americans forward, this is something we need to support. Higher education increases the workplace competitiveness of these parents in the increasingly complex job market that they face today and ensures a better educated and diverse workforce.

It also shows that we value our families and we also value meaningful workplace and school place policies. We believe that by empowering parents to go to college, we can directly impact the children and effect social change in families and the larger community in a positive way.

Student parents face enormous challenges in balancing the demands of school with family responsibilities. As a result, these parents suffer high dropout rates, particularly during the first year. In fact, the U.S. Department of Education studies indicate that when student parents are able to persevere through the first critical year of school, their chances of completion are similar to other student groups. These parents need specialized resources to help them succeed.

The programs that I have outlined are included in this amendment. For these reasons, I ask my colleagues to support this amendment.

Madam Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Chairman, I ask unanimous consent to claim the time, although I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. Madam Chairman, we support the amendment, and I yield back the balance of my time.

Ms. HART. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. The question is on the amendment offered by the gentlewoman from Pennsylvania (Ms. HART).

The amendment was agreed to.

AMENDMENT NO. 11 OFFERED BY MRS. MUSGRAVE

Mrs. MUSGRAVE. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 11 printed in House Report 109–399 offered by Mrs. MUSGRAVE:

Page 165, line 4, strike ''and''; on line 9, strike the period and insert ''; and''; and after line 9, insert the following:

''(7) shall not develop a criteria that discriminates against a student based on the type of program in which the student completed his or her secondary education.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentlewoman from Colorado (Mrs. MUSGRAVE) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Colorado.

Mrs. MUSGRAVE. Madam Chairman, I yield myself such time as I may consume.

My amendment ensures that all home school students will be considered as eligible applicants for the Robert C. Byrd Honors Scholarship Program. The Robert Byrd Honors Scholarship Program recognizes high school seniors who show the promise of continued excellence in post-secondary education.

Currently, only those students who were graduates of a public or private school are eligible for this prestigious scholarship. Students graduating from alternative programs such as home schools are ineligible for this scholarship. All graduates should be able to compete for this scholarship regardless of what type of secondary program the student has completed.

Studies show that home school students are excellent students. In recent independent studies, home-schooled students consistently scored, on average, in the 80th percentile on standard achievement tests. And yet these excellent students are regularly denied the opportunity to compete for the Byrd scholarship.

During Senate consideration of the higher education bill several months ago, this matter was brought to the attention of Senator BYRD from West Virginia. The Senate acted, with Senator BYRD's support, approving an amendment to the Byrd scholarship that would make home school graduates eligible to apply for this important scholarship program.

This amendment I offer today ensures that under the House's new Robert Byrd Scholarship proposal, managing agents may not discriminate against students based upon the type of program in which the student completed his or her secondary education, including a public school, private school or home school.

I urge my colleagues to support this amendment.

Mr. MCKEON. Madam Chairman, will the gentlewoman yield?

Mrs. MUSGRAVE. I yield to the gentleman from California.

Mr. MCKEON. Madam Chairman, I rise to thank the gentlewoman for her amendment.

One of my daughters has home schooled some of her children, and we have many friends who home school their children and do a fantastic job, and I am really happy that they will be able to participate in this scholarship. I think this improves the bill.

Mr. GEORGE MILLER of California. Madam Chairman, I ask unanimous consent to claim the time, although I am not opposed to the amendment.

The Acting CHAIRMAN. Without objection, the gentleman from California is recognized for 5 minutes.

There was no objection.

Mr. GEORGE MILLER of California. Madam Chairman, we support the

amendment, and I yield back the balance of my time.

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Mrs. MUSGRAVE. Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN (Mrs. MILLER of Michigan). All time having expired, the question is on the amendment offered by the gentlewoman from Colorado (Mrs. MUSGRAVE).

The amendment was agreed to.

AMENDMENT NO. 13 OFFERED BY MR. SESSIONS

Mr. SESSIONS. Madam Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 13 printed in House Report 109–399 offered by Mr. SESSIONS:

Page 206, after line 11, insert the following new section:

SEC. 447. WORK ASSISTANCE FOR STUDENTS IN COMPREHENSIVE POSTSECONDARY PROGRAMS FOR STUDENTS WITH MENTAL RETARDATION.

(a) AMENDMENT.—Part C of title IV (42 U.S.C. 2751 et seq.) is further amended by adding at the end thereof the following new section:

"SEC. 449. WORK ASSISTANCE FOR STUDENTS IN COMPREHENSIVE POSTSECONDARY PROGRAMS FOR STUDENTS WITH MENTAL RETARDATION.

''(a) PURPOSE.—It is the purpose of this section to enable an institution participating under this part that offers a comprehensive postsecondary program for students with mental retardation to provide work assistance to such students enrolled in that program in order to assist these students with the costs of postsecondary education and improve their academic and personal skills, independence, and employability.

''(b) PROGRAM AUTHORITY.—(1) An institution of higher education participating under this part may, pursuant to a plan developed in accordance with subsection (c) and approved by the Secretary, transfer funds allocated under section 442 for use under this section to award work assistance to students with mental retardation who are enrolled and maintaining satisfactory progress in a comprehensive postsecondary program for students with mental retardation at that institution.

''(2)(A) Notwithstanding any other provisions of this Act, the following requirements do not apply to students seeking work assistance under this section:

''(i) Student eligibility requirements relating to enrollment in a program leading to a recognized education credential under section 484(a)(1).

''(ii) Satisfactory progress requirements under sections 484(a)(2) and (c).

''(iii) Student eligibility requirements relating to the satisfaction of secondary education standards under section 484(d).

''(iv) Determination of need in accordance with part F.

''(v) The common financial reporting form developed and processed pursuant to section 483, and any related aid processing, disbursement, and delivery requirements as the Secretary may specify.

''(vi) Any reporting requirements that the Secretary may specify.

''(B) Notwithstanding any other provisions of this Act, the requirement that a program lead to a degree or certificate, or meet the requirements of section 481(b), shall not apply to comprehensive postsecondary programs for students with mental retardation at institutions of higher education that are otherwise eligible to participate under this part.

''(c) AGREEMENT WITH THE SECRETARY.—An institution of higher education that wishes to provide work assistance under this section shall prepare, and submit to the Secretary for approval, a plan describing how work assistance will be awarded under this section to students with mental retardation who are enrolled in a comprehensive postsecondary program for students with mental retardation at that institution. That plan shall include—

''(1) a description of how the institution will determine which students in the program will receive work assistance, including what criteria will be used for determining the student's financial need for the assistance in lieu of a determination under part F;

''(2) a description of the types of jobs in which students in the program will be employed, at what rates of compensation, and the number of hours that a student may work;

''(3) the maximum dollar amount of assistance that the institution may award to a student in the program; and

''(4) a requirement that the Federal share of the compensation of a student in the program shall not exceed 75 percent.

''(d) DEFINITIONS.—For the purpose of this section:

''(1) COMPREHENSIVE POSTSECONDARY PROGRAM FOR STUDENTS WITH MENTAL RETARDATION.—The term 'comprehensive postsecondary program for students with mental retardation' means a degree, certificate, or nondegree program offered by an institution of higher education that—

''(A) is designed for students with mental retardation who seek to continue academic, vocational, and independent living instruction at the institution to prepare for gainful employment;

''(B) includes an advising and curriculum structure; and

''(C) includes enrollment by the student (through regular enrollment, auditing courses, participation in internships, or enrollment in noncredit, nondegree courses) in the equivalent of not less than half-time enrollment, as defined by the institution.

''(2) STUDENT WITH MENTAL RETARDATION.—The term 'student with mental retardation' means a student with significantly subaverage general intellectual functioning, existing concurrently with deficits in adaptive behavior and manifested during the developmental period, that adversely affects a student's educational performance.

''(3) SATISFACTORY PROGRESS.—A student with mental retardation enrolled in a comprehensive postsecondary program for students with mental retardation is maintaining satisfactory progress if—

''(A) the institution at which that student is enrolled reviews the progress of the student at the end of each academic year, or its equivalent, as determined by the institution; and

''(B) the institution determines that the student is meeting or exceeding the program requirements and adequately progressing toward program completion.''.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall be effective for academic year 2007–2008 and succeeding academic years.

The Acting CHAIRMAN. Pursuant to House Resolution 741, the gentleman from Texas (Mr. SESSIONS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Texas.

Mr. SESSIONS. Madam Chairman, I would like to, before I really begin my remarks, thank the gentleman, the chairman of the committee and his staff who have been very helpful not only in working with me on this amendment but being supportive of it. I would like to thank the gentleman from California.

Madam Chairman, I rise today to offer my amendment that would grant students with intellectual disabilities access to Federal work study funds for enrollment in comprehensive post-secondary educational programs. The reauthorization of the Individuals With Disabilities Education Act, known as IDEA, in 2004 helped ensure that students with intellectual disabilities are provided every resource necessary to address their elementary through high school education goals.

However, education for people with disabilities should not end in high school, which is why this amendment is so important. My amendment provides these young adults with an opportunity to participate in post-secondary education programs along with their peers.

Madam Chairman, approximately 94 universities and colleges currently offer programs for students with intellectual disabilities, enabling these students to lead productive and independent lives. For example, Laura Lee, a student with Downs Syndrome, is a junior at George Mason University's LIFE program, or known as the Learning into the Future Environments program. She is one of the first students in this innovative post-secondary program for young adults with intellectual disabilities, providing these students with not only the experience of college life in a supportive environment, but also with important life and employment skills. Laura is taking courses in computers, banking, employment skills and other subjects that will help her to become as self-sufficient as possible and to use her future education for employment endeavors.

I am very proud of Laura's success in the LIFE program at George Mason University. While Laura is fortunate enough to have the financial resources to enroll in this program, many students with intellectual disabilities do not. These students are unable to assess Federal financial aid because these programs typically do not lead to a post-secondary degree, or the student may not have a traditional high school diploma. This amendment recognizes the unique nature of these programs and removes the barriers in current law from providing work study funds to each of these students.

My amendment would allow these students to assess work study funds without creating a new program and, therefore, adding no additional cost to the government.

This amendment provides flexibility to institutions, granting them the power to decide if it is appropriate to award work study funds to students

with intellectual disabilities enrolled in comprehensive programs on their campus.

Madam Chairman, I have seen firsthand how IDEA has benefited my own son, Alex, who is a student at Lakewood Elementary School in Dallas, Texas. Alex, who is 12 years old, has Downs Syndrome, and he has made significant academic progress and has been provided with many of the same educational opportunities as his peers as a result of IDEA. I know that IDEA will serve as an incredible opportunity for Alex throughout his K–12 education.

However, I also realize that IDEA will not be there to serve his needs after high school. Therefore, I am very pleased to stand here today in recognition of those colleges and universities who are filling the post-IDEA void for so many young Americans. I am proud to offer this amendment that will provide many young adults with intellectual disabilities the ability to access the vital postsecondary programs that lead to a very fulfilling life.

Madam Chairman, I yield 2 minutes to the gentleman from California (Mr. MCKEON), the chairman of the committee.

Mr. MCKEON. Madam Chairman, I thank the gentleman for yielding. And I want to thank him for his leadership on this issue. We have worked together on this issue before. I am getting toward the end of my life. I am a lot older than a lot of the people around here. But in my youth, I remember when families that had children with Downs Syndrome used to keep them out of sight. And we have made so much progress. And I have a nephew that has Downs Syndrome, and I see the love that he has brought into their family. He is 12 also. And to think that we have come so far and yet we have an opportunity to go further. And this amendment makes that possible. And I just want to thank the gentleman for his efforts in this, and on behalf of all children with Downs Syndrome to give them the opportunity to go as far as they can, because I think that is something that, again, improves and enhances the bill. And I appreciate the gentleman's efforts.

Mr. SESSIONS. Madam Chairman, I reserve the balance of my time.

Mr. GEORGE MILLER of California. Madam Chairman, I ask unanimous consent to claim the time, but I am not opposed to the amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GEORGE MILLER of California. Madam Chairman, I yield myself such time as I may consume.

I want to thank the gentleman for offering this amendment. I think it is an important addition to this legislation, and I urge my colleagues to support it.

Madam Chairman, I yield back the balance of my time.

Mr. SESSIONS. Madam Chairman, I yield myself such time as I may consume.

In addition to the chairman's remarks, I would like to add, if I could, that from time to time, my son, Alex, is on the floor of the House of Representatives, and I believe that Alex is a fine representation, as well as the Members of this body, who take time to recognize the individual and special talents that not only Alex possesses as a result of him being a young adult with Downs Syndrome, but also his love that he extends to people. And this body has always gone out of their way to express to Alex and make him feel like he was a part of this body also.

And I would thank the gentleman, both the gentlemen from California, not only for their agreement with this bill today, but also I think it extends the knowledge that this body has with the capacity to understand that thousands of other families that have their own Alex, that they, if their children have the ability to do something when they get out of high school, that there would be a program like this. And so I would like to thank the ranking member and the chairman of our committee.

Madam Chairman, I yield back the balance of my time.

The Acting CHAIRMAN. All time having expired, the question is on the amendment offered by the gentleman from Texas (Mr. SESSIONS).

The amendment was agreed to.

Mr. MCKEON. Madam Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SESSIONS) having assumed the chair, Mrs. MILLER of Michigan, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 609) to amend and extend the Higher Education Act of 1965, had come to no resolution thereon.

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion 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.

Any record vote on the postponed question will be taken later today.

EXPRESSING SENSE OF THE HOUSE REGARDING RELIGIOUS PERSECUTION IN AFGHANISTAN

Mr. PENCE. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 736) expressing the sense of the House of Representatives that legal action in Afghanistan against citizens who have already converted or plan to convert to other religions is deplorable and unjust.

The Clerk read as follows:

H. RES. 736

Whereas the United States, at great cost in blood and treasure, helped the people of Afghanistan liberate themselves from the tyranny of the Taliban and adopt free institutions and practices, including respect for rule of law and internationally recognized human rights;

Whereas the preamble of the Constitution of the Islamic Republic of Afghanistan affirms that the people of Afghanistan are ''for creation of a civil society free of oppression, atrocity, discrimination, and violence and based on the rule of law, social justice, protection of human rights, and dignity, and ensuring the fundamental rights and freedoms of the people'';

Whereas Article 7 of the Constitution of the Islamic Republic of Afghanistan provides that ''the state shall observe the United Nations Charter, inter-state agreements, as well as international treaties to which Afghanistan has joined, and the Universal Declaration of Human Rights,'' which includes the right to freedom of thought, conscience, and religion and the freedom to change one's religion or belief;

Whereas Article 18 of the International Covenant on Civil and Political Rights, to which Afghanistan has acceded, provides that ''[e]veryone shall have the right to freedom of thought, conscience and religion . . . [t]his right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching''; and

Whereas the President of the United States has expressed his concern about the Abdul Rahman apostasy case, stating that ''[i]t is deeply troubling that a country we helped liberate would hold a person to account, because they chose a particular religion over another'': Now, therefore, be it

Resolved, That the House of Representatives—

(1) condemns, in the strongest possible terms, the enforcement of laws against apostasy;

(2) requests the President to continue to work with the Government of Afghanistan to establish better protections for religious minorities, including converts to minority religions, and to enhance human rights protections in Afghanistan; and

(3) calls upon the Government of Afghanistan, and especially President Hamid Karzai, to continue to conform Afghan laws to Afghanistan's international human rights treaty obligations, thereby protecting Afghan citizens who have converted or plan to convert to other religions from prosecution.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Indiana (Mr. PENCE) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from Indiana.

GENERAL LEAVE

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

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

There was no objection.

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

Madam Speaker, we come into this Chamber fresh back to work from a March recess period where Members of Congress, like millions of Americans, reeled from a story emerging from our new cherished ally, Afghanistan. It was a story that was deeply disturbing to average Americans, and even using that phrase himself, to the President of the United States of America. It was the story of a man who was facing the death penalty merely for the reason that he had converted from Islam to Christianity, and he was facing prosecution and possible execution in a nation that the American soldiers and the American people had liberated and continue to liberate in Operation Enduring Freedom.

It is about this case that, while it is resolved, still raises profound and important questions that we gather here today and bring this resolution before the Congress.

Madam Speaker, I am also very humbled today by the support of the distinguished chairman of the International Relations Committee, who gave me the privilege of managing the time today on this resolution. There has been no stronger voice for human rights and religious liberty in the world in this Congress throughout his career than Chairman Henry Hyde, and I am honored to stand in his stead today.

I am also deeply humbled by the active participation, both in this debate today and in the development of this resolution, of the ranking member of the House International Relations Committee, a man I have come to deeply admire for his passion for human rights, human dignity and religious freedom and all of the Bill of Rights liberties that we cherish being manifest around the globe, Mr. LANTOS from California. The support of these two giants of this institution, along with the support of a number of our other cosponsors, highlights the importance of this debate that we undertake today. For while in the case of Abdul Rahman, this man has been freed under circumstances that still remain somewhat opaque to the American public at this hour, while Abdul Rahman has been freed, the freedom of religion is still behind bars in Afghanistan. And so today, Madam Speaker, in H. Res. 736, this Congress, through its Members, and the American people, will condemn in the strongest terms the enforcement of laws against apostasy.

□ 1500

We will request the President to continue to work with the Government of Afghanistan to establish better protections for religious minorities, including converts to minority religions, and to enhance human rights protections in Afghanistan. And we also will respectfully call on the Government of Afghanistan and especially President Hamid Karzai to continue to conform all Afghan laws at every level to Afghanistan's international human rights treaty obligations, thereby protecting Afghan citizens who have converted or may plan to convert to other religions from prosecution.

This is an important moment. It is an important dialogue, and I am grateful to have played some small role in it.

Madam Speaker, I reserve the balance of my time.

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

I rise in strong support of this resolution. I would first like to thank my good friend and distinguished colleague, Congressman PENCE of Indiana, for introducing this critically important resolution. This is in line with his longstanding commitment to religious freedom and human rights across the globe.

I would also like to commend my friend and a champion for international religious freedom, HENRY HYDE, chairman of the House International Relations Committee, for joining us in support of this measure.

Madam Speaker, as we have turned on the evening news in recent weeks, we have been riveted by the shocking case of an Afghan citizen, Mr. Abdul Rahman, facing the death penalty for converting to Christianity. Along with my colleagues in Congress and leaders of several NATO countries, I expressed outrage that while soldiers from the United States and other NATO allies are dying in defense of a free Afghanistan, that country's government would be seeking to prosecute an Afghan citizen for acting on his inalienable right as a free human being to choose his own religion. His case was made all the more absurd because he converted well before this new government even existed.

Madam Speaker, tolerance and freedom of worship are the sine qua non of democracy. They are key principles in the protection of human rights, which must be embraced by every democratic, pluralistic government, including the Government of Afghanistan. Indeed, Madam Speaker, the founding of our own Nation and the efforts to create a more free and open society began with members of oppressed religious minorities in Europe yearning to worship as they saw fit.

Afghan authorities resolved this case by claiming that Mr. Rahman was mentally unfit and therefore was unable to stand trial. Unfortunately, this approach is totally unacceptable because what we have here is a generic, long-term problem. It is reasonable to believe that there will be other religious converts in Afghanistan, and it would be unacceptable to assume that they are all mentally unfit and need special treatment.

Madam Speaker, earlier today in a testament to its commitment to international religious freedom, the Government of Italy agreed to grant asylum to Mr. Rahman, and I understand that he has now arrived in Italy. I applaud the Government of Italy for this humanitarian gesture and for their support of international human rights.

But while Mr. Rahman's case may have come to closure, the broader issue remains. Afghanistan must live up to its own constitution which provides for the protection of religious freedom, and it is the duty of the United States, our NATO allies, and the entire international community to help Afghanistan establish better protections for religious minorities, including converts, and to enhance human rights protections for all the citizens of Afghanistan.

The United States and our friends around the globe are not sacrificing hundreds of our soldiers and committing hundreds of billions of dollars of our resources so that Afghanistan could revert to the days of the Taliban.

As the lead Democratic sponsor of this resolution, I strongly urge all of my colleagues in both political parties to support this resolution.

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

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

Madam Speaker, Congressman TOM LANTOS is a tough act to follow, and I am tempted sorely to say amen and yield back. But I will share a few brief observations on H. Res. 736.

I had the honor of traveling as an American Congressman to Afghanistan in December of 2004. Prior to my departure, I was eager to see this newly minted democracy, a democracy won by the bravery of the American soldier and coalition forces, and to meet the people of Afghanistan, to see the good work being done by their people in Kabul and beyond.

During that visit, I had the honor of meeting privately with President Hamid Karzai. He is an affable, approachable, and humble man whom I came to view, as many others have, as the indispensable man of this new, democratic Afghanistan. President Karzai proved his worth again when, as a direct result of his intervention, justice was brought to the case about which we gather today, when Abdul Rahman was released from prison. But while I am relieved that by virtue of President Karzai's personal engagement Abdul Rahman has been freed, religious freedom in Afghanistan is still behind bars.

The American people today have the luxury of looking upon recent events in Afghanistan through the eyes of people far removed from the volatile days of the beginning of our own Republic, and we must be careful what prism we look through when we seek to remove the speck from our neighbor's eye. We are far removed from the events unfolding over 3 years following ratification of the U.S. Constitution, the establishment of protections under our own Bill of Rights.

Unlike the American people today, President Karzai and the people of Afghanistan find themselves at the very beginning of a long and arduous journey of democracy, a democracy within

which I fear the value of religious freedom is still suspect by many and the protections of religious freedom are still vague. And I want to acknowledge that and acknowledge that about which we speak today; we speak with charity to a fledgling democracy that we are anxious to support.

But, Madam Speaker, when the Loya Jirga in Afghanistan approved the constitution, they were explicit in stating, as Mr. LANTOS just observed, basic human rights protections. And as stated in this resolution, the constitution of Afghanistan ''affirms that the people of Afghanistan are 'for creation of a civil society free of oppression, atrocity, discrimination, and violence and based on the rule of law, social justice, protection of human rights, and dignity, and ensuring the fundamental rights and freedoms of the people.' '' So reads the constitution of Afghanistan.

Article 7 of that same constitution of the Islamic Republic of Afghanistan provides ''the state shall observe the United Nations Charter, interstate agreements, as well as international treaties to which Afghanistan has joined, and the Universal Declaration of Human Rights,'' which does, I might add, Madam Speaker, include the right to freedom of thought, conscience, and religion and even the freedom to change one's own religion or belief.

Like House Resolution 736 says, today the Congress will call upon the Government of Afghanistan, and especially President Karzai, to continue the good work of conforming Afghanistan's laws to Afghanistan's international human rights treaty obligations, thereby protecting their citizens who have made a decision of conscience, a decision of the heart as between one religion or another, to be free from prosecution.

Madam Speaker, I implore respectfully the people of Afghanistan to continue to work through this difficult issue. It is a process through which our Nation worked for 200 years before our Nation was founded; and our struggle toward a more perfect Union remains the ongoing American struggle. Vigorous debate is important within a democracy, but recognition of fundamental, inalienable rights, especially the right to freedom of conscience and freedom of thought, is the wellspring of every other liberty.

Like many Americans fearful of the dangerous chain of events a case like Abdul Rahman's could unfurl, I see religious freedom as a clear, inalienable right and a right that is key to their success and the successful relationship between our two countries.

Thomas Paine said it well, ''That which we obtain too easily we esteem too lightly.''

I do not believe that the people of Afghanistan attained democracy too easily, and I do not suggest in this resolution that they take it too lightly. I believe the Afghan people have fought long and hard and at extraordinary personal cost in decades of struggle for their own freedom and independence. This is why I strongly believe that they should fight even more fervently to protect the rights and freedoms that so many Afghanis have died before experiencing.

Madam Speaker, those who die in the cause of freedom never die in vain, for they light the flame of freedom and instill its care to generations that follow. This generation of the people of Afghanistan is a noble generation, a generation of opportunity, and they have a solemn duty of fanning the flame by protecting the fundamental rights of their country like the freedom to believe and practice a religion of one's own choosing.

Madam Speaker, in this resolution, it is my hope that we would not send a message of condemnation but a clear message that, despite the grave concerns the American people have raised, seeking protections for religious minorities, the American people still remain committed to working in partnership and solidarity with President Karzai and the people of Afghanistan as they bring about a more perfect union for their people, a union that reflects the fundamental liberties for which the American soldier and coalition forces fought in tandem with freedom-loving people in Afghanistan to win. And it is in that spirit that we bring this resolution today.

Mr. SMITH of New Jersey. Madam Speaker, I commend President Bush, Secretary of State Condoleezza Rice and Afghan President Karzai for their quick and decisive action to save the life of Afghani Christian convert Abdul Rahman. I wish to extend my thanks to my fellow Congressmen, fellow Americans and other members of the world community who rose up to demand that the travesty of Abdul Rahman's trial and near certain death for apostasy be stopped. The actions, and the prayers, of millions helped save an innocent man and demonstrate that the world community will not tolerate such offenses against freedom of conscience.

We all dodged a bullet in Afghanistan. But the problem is not just Afghanistan, and the ultimate solution is not simply granting asylum for yet another refugee of conscience. The problem is the increased number, and increasing attempts to enforce, laws and statutes against conversion in many countries of the world, not just Afghanistan. This freedom of thought, conscience and belief is now threatened not only in places like Iran, Saudi Arabia, Egypt and Iraq. It is also threatened in countries such as Sri Lanka, India and Indonesia, where religious pluralism has long been established. It is threatened in countries like Russia and Belarus, where minority religions are denounced as ''non-traditional'' and suffer harassment and discrimination.

Freedom of religion is founded on the inherent dignity of every individual. It is a right that is not granted at the whim of governments. Freedom of religion does not mean permission for an individual to follow the religion of his ancestors, and no other. It does not mean that only established religions have the right to exist and be practiced freely. It means, rather, that:

Everyone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance.

This is not an ''American point of view.'' This is not a ''Western point of view.'' This is the Universal Declaration of Human Rights. This is fully confirmed by the International Covenant on Civil and Political Rights, to which Afghanistan has acceded.

Today's resolution condemns the enforcement of laws against apostasy. I would go further: we must condemn not just the enforcement, but the very existence of such laws. Whether enforced or not, they are an ever present threat to all believers, an ever present reminder that those who believe differently are second class citizens. They are a continuing denial of the principal of individual human dignity and freedom.

And I call upon the President to work not just with the government of Afghanistan to enhance human rights protection and religious freedom, but also with Iraq. Last year I and my colleagues pointed out that the new Iraqi Constitution also contains language which endangers individual freedom, especially religious freedom and the rights of women. The Iraqi Parliament now must adopt crucial implementing legislation for the Constitution. We must ensure that such legislation effectively protects individual freedom and freedom of conscience. Otherwise we may see countless repetitions of the appalling drama that has just been completed in Afghanistan.

I also call upon the President to work with Sri Lanka, whose government has pandered to religious extremists by introducing anticonversion laws. Sri Lanka is a recipient of Millennium Challenge grants, which are premised on progress in democracy and rule of law, not regress.

Finally, I call upon my colleagues to support this important resolution.

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

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The question is on the motion offered by the gentleman from Indiana (Mr. PENCE) that the House suspend the rules and agree to the resolution, H. Res. 736.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

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

The yeas and nays were ordered.

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.

MOTION TO INSTRUCT CONFEREES ON H.R. 4297, TAX RELIEF EXTENSION RECONCILIATION ACT OF 2005

Mr. RANGEL. Madam Speaker, I offer a motion to instruct.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. Rangel moves that the managers on the part of the House at the conference on

the disagreeing votes of the two Houses on the Senate amendment to the bill H.R. 4297 be instructed—

(1) to insist on the provisions of section 106 of the Senate amendment (relating to extension and increase in minimum tax relief to individuals),

(2) to recede from the provisions of the House bill that extend the lower tax rate on dividends and capital gains that would otherwise terminate at the close of 2008, and

(3) to the maximum extent possible within the scope of conference, to insist on a conference report which will neither increase the Federal budget deficit nor increase the amount of the debt subject to the public debt limit.

The SPEAKER pro tempore. Pursuant to clause 7 of rule XXII, the gentleman from New York (Mr. RANGEL) and a member opposed each will control 30 minutes.

The Chair recognizes the gentleman from New York.

□ 1515

Mr. RANGEL. Madam Speaker, it is of great importance that we undertake changes to the tax law with a real understanding of the current budget crisis facing our Nation.

It is simply irresponsible to contemplate tax cuts that are skewed to the very richest in our country when Americans are facing the largest deficit we have ever seen.

The Congressional Budget Office projects a Federal deficit of approximately $337 billion for this fiscal year alone. That number does not reflect the approximately $181 billion that has been borrowed from the Social Security trust funds to pay for government programs.

Unmasked, the true deficit, counting what is being pulled out of the trust funds, is well over half a trillion dollars for this year alone. The administration has cited the large deficit as an excuse for massive reductions in education and health programs, and that is for the Nation's least well-off.

Pursuing additional tax breaks for the super-wealthy would further jeopardize the remaining safety net for children, the disabled, and other vulnerable individuals in the future.

Just 2 weeks ago, Republicans in Congress voted to increase the Nation's public debt limit again. Where did the money go? One need only connect the dots to see where the Republicans' priorities lie.

Madam Speaker, this administration and congressional leaders have hit bottom. It is irresponsible and it is immoral to direct current deficit spending to tax cuts that disproportionately benefit the wealthiest 1 percent of the country; yet this is the trajectory that has been pursued by many of the Republican conferees.

Further, these Republican conferees would be willing to mortgage the cost of this gift to the wealthiest taxpayers on the back of every man, woman and child in this country, and it is evident that most of the Republicans have these misplaced priorities.

Beyond the sheer irresponsibility of enacting these skewed tax cuts, the Republican leadership has underscored its stubborn and steadfast commitment to cutting taxes on investment income and handing the bill to middle-class families that are more and more falling prey to the growing reach of the alternative minimum tax.

Madam Speaker, I think it is very important that we take stock in what is going on here and what the ramifications are of any law coming out of this conference. I urge my colleagues on the other side of the aisle to return to our values and return to a commitment to fiscal responsibility.

Madam Speaker, my motion today would instruct the conferees on the tax cut reconciliation bill to focus the relief offered in the conference agreement on helping almost 17 million Americans to avoid painful and cumbersome tax increases by extending relief from the sprawling reach of the AMT. Without this relief, American families could see an increase in taxes as large as $3,640. This relief is certainly a priority that this Congress can and should not ignore.

My motion would also instruct the conferees to exclude from the conference report provisions to extend the tax cuts on the capital gain and dividend incomes in 2009 and 2010. These reduced rates do not expire for another 2 years. There is plenty of time to extend those benefits in the future if it is determined to be appropriate and affordable.

It seems misguided at the very least to allow the extension of this very skewed tax cut to take priority over tax relief that is vital to 17 million Americans.

And finally, my motion instructs conferees to not increase the burdens on our children and grandchildren in the future by insisting on a conference report that does not increase budget deficit, and does not decrease the public debt limit.

The increase passed 2 weeks ago was the fourth such increase in the public debt limit during the Bush administration. The President's own budget envisions the debt rising to $11.5 trillion by 2011.

For too long misguided Republican policies have funded a series of lopsided tax cuts for the wealthiest of Americans by jacking up the debt, a burden that our children and grandchildren must bear. It is simply unfair to mortgage these policies on the backs of future taxpayers.

Even in normal times the Republican fiscal policies would be shocking, but these are not normal times. We are facing a war in Iraq. We have enormous deficits. We have done nothing to ensure the solvency of Social Security and Medicare programs.

Madam Speaker, I urge Members to support my motion to instruct the conferees that perhaps we can work together to get the wheels back on this fiscal wagon.

Madam Speaker, I ask unanimous consent to transfer the balance of my time to the gentleman from California (Mr. BECERRA), a member of the Ways and Means Committee.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BECERRA. Madam Speaker, I reserve the balance of our time.

Mr. CAMP of Michigan. Madam Speaker, I claim the time in opposition.

The SPEAKER pro tempore. The gentleman is recognized for 30 minutes.

Mr. CAMP of Michigan. Madam Speaker, despite all of the respect that I have for the ranking member, I have to oppose the motion to instruct.

If looked at at face value, this motion to instruct adds to the deficit. Despite all of the tax increases in the Senate version, there are not enough tax increases to cover the cost of this motion to instruct.

Let me just say the motion to instruct seeks to include AMT relief in reconciliation, even though we have already in the House passed AMT relief. The House voted 414–4 to move the alternative minimum tax outside of reconciliation.

AMT relief cannot be passed within reconciliation without raising taxes or, as I said, violating the budget. Some AMT relief for middle-income taxpayers is inside, included in reconciliation. The bill does have a provision that allows families who claim personal tax credits targeted to lower- and middle-income families to use those credits to offset their AMT liability. The House extends both forms of AMT relief without raising taxes as the Senate did.

And let me just say, this motion to instruct excludes our effort to extend the lower rates on capital gains and dividends, which provides broad-based tax relief. The motion to instruct seeks to deny that broad-based tax relief by refusing to extend the lower rates on capital gains and dividends.

The AMT extension, which my friends on the other side are so in favor of, benefits a targeted class of people in a few States. Lower rates on capital gains and dividends benefits a much broader group of taxpayers. According to the Joint Committee on Taxation, the extension of the 2001 AMT provision affects only 14 million taxpayers. In contrast, capital gains are reported by more than 26 million taxpayers and dividends are earned by more than 35 million taxpayers. Many of these taxpayers would be adversely affected when lower rates expire in 2009.

Also, Joint Committee data shows that in 2005 95 percent of taxpayers hit by the AMT had incomes above $100,000. The AMT affected less than 5 percent of taxpayers with incomes below $100,000, only one-tenth of a percent had incomes below $50,000.

In contrast, nearly 60 percent of the taxpayers with incomes less than $100,000 had income from capital gains

and dividends. One in five taxpayers with capital gains, and one in four taxpayers with dividends have incomes below $50,000.

Let me also just say that H.R. 4297 is within the current budget constraints. The congressionally approved budget allows for up to $70 billion in reconciliation tax relief, and H.R. 4297 complies with the budget.

The motion to instruct seems to indicate that my friends on the other side want no action on the tax reconciliation bill. They do nothing about the expiring provisions which would lapse, including several items many of my friends on the other side have talked about, including the R&D tax credit, Work Opportunity Tax Credit, and Qualified Zone Academy Bonds.

Also the motion implies that the conferees should accept tax increases proposed by the Senate. That would lead to raising taxes in a number of ways, which have drawn bipartisan concern.

So for these reasons, I oppose the motion to instruct.

Madam Speaker, I reserve the balance of my time.

Mr. BECERRA. Madam Speaker, I yield myself 2½ minutes.

Madam Speaker, the difficulty in this debate is that we are talking about one tax cut versus another tax cut. But what the American people should understand is that in one case, the tax cut would benefit principally the most rich in America, the 1 percent richest Americans.

And in the other case, the tax cut would benefit principally middle-class Americans, some 17 million Americans who would otherwise fall within the grasp of the alternative minimum tax.

This side of the aisle is saying, if we are going to do tax relief, let us target it towards those who need it most, and that is middle-class America. About 17 million Americans are going to fall prey to the alternative minimum tax if we do not do something this year and into the future as well. And every year there will be more and more Americans who creep up into the AMT unless we do a permanent fix.

The bill that is now being considered in conference would not take care of this problem and certainly not long term. Instead it focuses most of its money on the wealthiest Americans in this Nation. To what degree? Well, the average dividend and capital tax gains cut that would be received by a majority of Americans in this country are those folks with annual incomes below $40,000; and you are talking about 55 percent of American households below $40,000 in income.

How much would they receive in the capital gains and dividend tax cuts? About $7 this year. That would be their share of all of those billions of dollars of tax cuts. If you make $40,000 or less, get ready, you are going to get $7 back for the year, maybe enough for a couple of gallons of gas.

If you happen to be in the one-fifth of 1 percent richest Americans in this country, how much would you get back this year? On average about $32,0000. That represents about 45 percent of the entire tax cuts that would go to one-fifth of 1 percent.

Let me make sure it is clear so that no one thinks that I am making a mistake here. One-fifth of 1 percent would get 45 percent of the benefits of the dividend and capital gains tax cuts. It translates into about $32,000 per one of those households that makes over $1 million.

So that is to say this: sure, if you are supporting the capital gains and dividends tax cuts, you can say it goes to millions of Americans, but you are only giving them half the truth, because what you are not telling millions of Americans is that their share is $7 for the year, whereas the very wealthy in America will get $32,000 each.

What are our priorities? A lot of us believe that 17 million middle-class Americans should get definite relief from the AMT, the alternative minimum tax, before we go towards relieving the tax burdens on the wealthiest of Americans.

Madam Speaker, I yield 3 minutes to the gentleman from Michigan (Mr. LEVIN).

(Mr. LEVIN asked and was given permission to revise and extend his remarks.)

Mr. LEVIN. Madam Speaker, you know, the question is straightforward. Why would anybody favor a tax cut, about half of which goes to people making $1 million a year over preventing a tax increase for 17 million Americans, most of whom are middle class? Why would anybody do this?

Well, my friend from Michigan (Mr. CAMP) says that it is broad-based, the capital gains and dividend provision, more so than AMT. But most of that broad base receives very little, while a small minority of that broad base receives very much. So the broad base is really poor rhetoric.

I guess the second answer is, we will do it later, the AMT. We will do it later. I wish you would get up and tell us how you pay for that right here and now, right here and now.

I will yield to you if you want to say.

Mr. CAMP of Michigan. Madam Speaker, will the gentleman yield?

Mr. LEVIN. I yield to the gentleman from Michigan.

Mr. CAMP of Michigan. We have paid for our entire reconciliation.

Mr. LEVIN. How would you pay for AMT?

Mr. CAMP of Michigan. If the gentleman would let me finish, we have paid for our reconciliation bill, or extending our tax relief, in our budget. It is paid for in our budget. We take care of the middle-class AMT problem in our reconciliation bill.

□ 1530

Mr. LEVIN. So you are claiming that it would all be paid for through reconciliation?

Mr. CAMP of Michigan. Well, we provide for middle class taxpayers, AMT problems in reconciliation. This house voted 414 to 4 to move the entire AMT issue outside of reconciliation.

Mr. LEVIN. But you don't take care of the basic issue that we referred to here, and the answer is that you will pay for it by more deficit. That is what you are going to do.

The President's budget already projects a national debt of $11.5 trillion, it is hard to say that, $11.5 trillion. You are going to make things worse and worse and worse. Your fiscal irresponsibility sees no bounds. You come here today defending a tax cut years away from now, half of which more or less goes to people making $1 million, when 17 million people face this year a tax increase. You have blinders on. I think everybody who votes against this motion can expect this to be brought up these coming months as well as on the floor today.

Mr. CAMP of Michigan. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, My friend from Michigan said, why would anyone want a tax cut? I will tell you why. The American economy, after tax relief in 2001 and 2003, is the envy of the industrialized world. Our unemployment rate is lower than that of Canada, France, Germany, Italy and the United Kingdom. Productivity is booming. The average annual growth rate of output per worker since 2001 is 3.1 percent, the best since the 1960s.

Prices are stable. Inflation measured by the price index for personal consumption expenditures grew at a low 2.9 percent in 2005. Americans are working. The unemployment rate is at 4.8 percent, almost a 5-year lull, while initial unemployment claims are near the lowest point since 1999.

Nest eggs are growing. Average home prices rose 13 percent in 2005, a huge increase for the 69 percent of Americans who own their homes. Consumers are confident. Consumer spending rose 9 percent in January, the largest increase in 12 months. Americans are richer. Aftertax income is up 5.4 percent in the last 12 months, and the economy is stronger. Real domestic product growth has averaged 3.2 percent in 2005. That is why Americans want tax cuts.

The motion to instruct assumes the tax increases that the Senate has passed, which the House has rejected. Now, those tax increases aren't enough to cover the cost of this motion to instruct, so I urge Members to oppose that motion to instruct.

Madam Speaker, I reserve the balance of my time.

Mr. BECERRA. Madam Speaker, I yield 3 minutes to the gentleman from Maryland (Mr. CARDIN).

Mr. CARDIN. Madam Speaker, let me thank my friend from California for yielding me this time.

Let me respond to Mr. CAMP and invite him to visit communities in my State that talk with working families, where you see median income in America has not increased. Families in my

State are concerned with how they are going to make their budget, how they are going to deal with increased costs of energy, because we don't have an energy policy, how we are going to deal with the increased cost of health care that is being put on their back because we have failed to deal with the health care crisis in this country, how they are going to deal with the cost of education. Your budget took away some of their funds from the Federal Government to help finance their costs of higher education and how they are going to be able to afford college education for their children.

In short, they are falling behind. They are falling behind every month under this administration's economic policies. This motion to instruct is pretty simple. It says to the maximum extent possible, within the scope of conference, and the conference report not increase the deficit or the public debt.

The families in my congressional district are worried about who is going to pay off this debt. They know that the budget deficit this year is unsustainable, and they don't want us to have tax cuts primarily for the wealthy and ask their children and grandchildren to pick up the tab. The deficit this year is projected to be $337 billion. When you add in the Social Security money that we are borrowing, that we shouldn't be borrowing, of another $181 billion, we have a right to be concerned.

Enough is enough. We are getting the money to pay our bills from banks owned by foreign countries that are buying our bonds, not because it is a good investment. They are buying our bonds in order to manipulate currencies that will send more product into America, taking more jobs away from Americans. Enough is enough.

These tax cuts unpaid for, unpaid for, are hurting our economy, hurting our future, and hurting the ability of the typical family in America to be able to deal with economic realities. The average family won't benefit from these tax cuts, but the average family would benefit from fiscal responsibility right here. I urge my colleagues to accept this motion, and let us work for the future of America's families.

Mr. CAMP of Michigan. Madam Speaker, I would just say that this is all provided for in our budget reconciliation.

Madam Speaker, I yield 3 minutes to the gentlewoman from Pennsylvania (Ms. HART), the distinguished member of the Ways and Means Committee.

Ms. HART. Madam Speaker, I thank the gentleman for yielding me time. I rise in opposition to the motion to instruct. The motion would cause serious disruption to the economic growth that this country has experienced over the past several years. It would strip from law a key factor which resulted in that economic growth. Specifically, the gentleman wishes to increase the taxes that have been reduced for capital gains and dividends.

This rate reduction has been widely recognized as a key to that economic growth that we have seen over the past several years. Former Federal Reserve Chairman Alan Greenspan has repeatedly acknowledged the importance of these reduced tax rates in economic growth and opportunity.

Let us look at the real impact these lower rates for dividends and capital gains have had on our economy. In the last 10 quarters prior to the passage of these rates in 2003, the annual increases in GDP averaged just over 1.2 percent and never exceeded 2.9 percent. In the 10 quarters following that rate reduction, our GDP has averaged an increase of over 4 percent.

Finally, business investment had decreased for the nine consecutive quarters prior to this rate deduction and have increased in each quarter since that deduction. That business environment means new jobs. That is why since 2003 over 4 million jobs have been created and the unemployment rate in the United States, yes, has dropped, from 6.1 percent to 4.8 percent. In addition to the positive economic results I have cited, the changes in capital gains rates have begun to have a positive impact on the Treasury as well.

Contrary to the gentleman's assertions in January, the Congressional Budget Office released a report stating that capital gains realization had boosted Federal revenues and will continue to do so for the next several years. Capital gains grew by about 50 percent in 2004, and that is more than twice the 23 percent growth the CBO anticipated for the last round of budget forecasts.

Acting CBO Director David Marron said capital gains realization has been running higher recently than we originally anticipated. In fact, CBO estimated that the capital gains receipts totalled $75 billion in 2005.

In fact, the CBO estimated that capital gains receipts total $75 billion in 2005, the most since 2001. And the biggest annual percentage gain since 1997.

Why would we want to end a policy that is working?

There are a number of additional important tax provisions like the R&D tax credit included in this bill that need to be extended and it is time for us to complete our work.

Mr. BECERRA. Madam Speaker, I yield 3 minutes to the gentleman from North Dakota (Mr. POMEROY).

Mr. POMEROY. Madam Speaker, I thank the gentleman for yielding.

I have some information that the gentlewoman from Pennsylvania will be very interested in hearing. The capital gains rate, the dividend tax rate that she effuses about, well, they are secure in present law for 2006, for 2007, for 2008. And so the issue before the body is not at all whether this relief will continue as clearly implied. I can only believe that the speech she just gave is based on a profound misunderstanding of what we are talking about relative to these rates.

These rates are in present law through 2008 so no one is talking about these rates going away. What we are talking about is priorities. First things first. And first is we have got to do something about this alternative minimum tax. There will be people meeting their accountants this afternoon all across the country with April 15 coming closer, and they are going to have worked through their entire schedule, their deductions, their itemizations, and their accountant is going to tell them none of this matters because you fell under the alternative minimum tax. You are going to owe the Federal Government a higher income tax bill than you ever imagined. And as bad as this is this year, it is going to be worse next year and the year after that.

So in sharp contrast to this capital gains business that is not even before us until 2009, these alternative minimum tax rates are hitting now, and they are hitting at ever lower ranks of income coming fully into the middle class, and that is why on a first-needs-first basis we need to put this priority to the floor, and that is exactly what our motion does.

Now, our motion does something else. It says that we ought to take the savings from taking this fix they put in the outyears for 2009 and 2010 and put that to reducing the deficit now.

This afternoon is a very interesting litany of happy talk from the other side about this great economy, and it reminds me of that great commercial. This fellow, he is so self-content. He says, I have got a great car. I have got a great house. And then in a sober moment, he looks at the camera, and he says, I am in debt to my eyeballs. That is exactly the state of this country.

This is the same crowd that is presiding over the deepest deficit in the history of the country, and that is saying something because it was also record in 2003, 2004 and 2005. This is the crowd that passed the bill that increased the debt so that we can now borrow close to $9 trillion. These economy happy times they are talking about, they are paid for fair and square all right. They are paid for on debt that we are passing on to our children.

It is wrong, and I urge your support of the motion to instruct.

Mr. CAMP of Michigan. Madam Speaker, I yield 3 minutes to the gentleman from New York (Mr. REYNOLDS), a distinguished member of the Ways and Means Committee.

(Mr. REYNOLDS asked and was given permission to revise and extend his remarks.)

Mr. REYNOLDS. Madam Speaker, I thank the chairman of the subcommittee, on which I am proud to serve on the Ways and Means Committee, for yielding me time.

Madam Speaker, as the lead sponsor of the House Middle Class AMT Relief bill, I rise in opposition to the Democratic motion to instruct offered by my home State colleague, Mr. RANGEL.

Madam Speaker, the Democratic motion presents a false choice between extending the lower rates on capital gains and dividends and the need to extend middle-class AMT relief. In my view, both of these are important priorities, and we need to address each of them at the earliest possible opportunity.

With regard to AMT, many in this Chamber will recall the House passed my stealth tax relief act last year, late in the year, by an overwhelming bipartisan vote of 414–4. That legislation would prevent the alternative minimum tax from sneaking up on millions of unsuspecting middle-class taxpayers by extending the temporary AMT relief for another additional year. Together we sent a strong, unmistakable signal to our colleagues across the Capitol that extending this temporary middle-class AMT relief is a crucial priority that cannot be ignored.

Madam Speaker, we passed the AMT relief as a stand-alone measure outside of reconciliation. We did that so we could comply with the budget rules of the other body without raising taxes. At the same time, we recognized that extending the lower rates for capital gains and dividends is important, not just to the ever-growing investor class that now includes millions of seniors and other middle-class Americans, but to our economy as a whole.

Thanks in large part to these lower rates on investments, tax revenues have been streaming into the Federal Treasury at a record pace.

□ 1545

These lower rates, which are particularly important to the economy of my home State of New York, have helped our Nation in keeping this economy strong and our domestic job base growing. That is why the House tax reconciliation bill included an extension of these lower tax rates on investments.

But what does today's motion to instruct do? Yes, it urges relief from the AMT, but it does so by crowding out the other important pro-growth tax policies that have helped keep our economy strong. Even worse, by insisting that we provide AMT relief within the reconciliation process, the Democrat motion would force conferees to raise taxes somewhere else.

I would remind my colleagues that AMT was never intended to hit the middle class. Protecting middle-class taxpayers against the stealth tax should not require a tax hike somewhere else as the price of admission.

Madam Speaker, I commend Chairman THOMAS and the other conferees for their ongoing hard work on both of these important issues.

I urge my colleagues to defeat this Democratic motion.

Mr. BECERRA. Madam Speaker, I yield 3 minutes to the gentlewoman from Ohio (Mrs. JONES).

Mrs. JONES of Ohio. Madam Speaker, I rise today in support of this motion to instruct.

The Republican priorities are backwards. See, the point is that we want to help middle-class America. They say they passed an AMT bill separate from the reconciliation, but the reality is, by doing that, they would push the deficit higher. We want this motion to instruct to pass because it will be much like the Senate bill that requires the AMT to be reduced.

Some of the tax cuts that will need to be extended in this conference are important to our economy: the R&D tax credit, the Work Opportunity Tax Credit, the Welfare-to-Work Tax Credit, the expensing of brownfields environmental remediation costs, and the New Markets Tax Credit.

I do not want anybody to think that Democrats do not like capital gains and dividends. We want people to have capital gains and dividends, and we want them to have a benefit, but right now, we are talking about the poor people, the middle-class, working people in this country who are not getting the benefit from capital gains and dividends.

I think the number is $7. Let us see, right now, perhaps you could buy 2½ gallons of gas; $7, perhaps you could buy two gallons of milk; $7, you cannot buy your baby a pair of shoes; $7, you cannot buy a blouse; $7, you cannot put a ham or a steak on the table. Give me a break.

These people, the middle-class, working people of this country, need the support that we can give them through this instruction about an AMT.

Now, we want you to know that we want capital gains and dividends to be extended. We understand the importance, but we do not have to deal with it now. It is not up till 2008. Right now, AMT, you can ask anybody on the street, I get letters and calls from my constituents, help me with the AMT. Most people right now cannot even get a dividend or a capital gains because they are in such financial straits that they are unable to handle it.

I will also tell you, I heard one of my colleagues talk about how many jobs have been created. You know how they determine how many jobs have been created? By looking at how many people have been back to the unemployment bureau to determine how many jobs have been created. The problem with that concept is, there are a lot of my constituents who have stood in line and stood in line looking for a job, cannot get a job.

The jobs that have been created are nothing like the jobs that we have lost. In Ohio, we have lost some 200,000 jobs since 2001. In the city of Cleveland, we have lost 60,000 jobs since 2001. These were jobs that were paying $20-some; the jobs they have been replaced with are $5.25-an-hour jobs where they do not get health care and they cannot raise a family on $5.25.

All we are asking in this instruction is for fairness for working-class folks. Take it back where everybody gets a benefit.

In that drug bill, we gave a benefit to the drug companies. In other bills, we did a benefit to the folks who are supposed to be helping us in Iraq and they are walking off with the money.

Take care of the people in America. Pass this bill.

Mr. CAMP of Michigan. Madam Speaker, I yield myself such time as I may consume.

Our legislation does provide AMT relief for middle-income taxpayers inside of reconciliation.

Again, I go back to why would anyone want a tax cut? Obviously, lowering tax rates on capital gains and dividends helps contribute to the long-run economic growth and expansion of this country.

Sixty percent of the people who realize capital gains have incomes below $100,000. Twenty-five percent of the people with dividend income have incomes below $50,000. Capital gains tax receipts have been increasing since the 2003 tax cut, and over the past year 2 million jobs were created, and the unemployment rate is at its lowest level since July of 2001 at 4.8 percent.

Congress must continue to encourage investment and economic growth and, also, Congress must encourage Americans to plan for the long term. A 3-year tax provision does not allow for long-term financial planning, particularly for the 70 million baby boomers that are going into retirement in the near future.

So, again, I would urge Members to oppose this motion to instruct.

Madam Speaker, I reserve the balance of my time.

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

What the gentleman from Michigan does not mention is that the fix they have in their legislation takes care of $2 billion worth of a $35 billion hole for alternative minimum tax. That is not a fix for most middle-class Americans.

Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. EMANUEL).

Mr. EMANUEL. Madam Speaker, I rise in support of this motion to instruct conferees.

President Kennedy once said, ''To govern is to choose,'' and this Congress made a choice. They cut child health care, 6 million children. They cut college tuition, the largest cut in the history of the country, $12 billion. They cut child nutrition programs, child support collection, child care, all to provide a tax cut for the wealthy.

The Republican Congress gives a whole new meaning to women and children first. They cut all those investments in our children, all to give a tax cut to the very few who are being very fortunate. And I believe those very few are as patriotic as every other American; they know we have critical needs and investments we have to make here in America.

Six million children losing their health care and a few getting a capital gains tax cut is not the choice President Kennedy thought about when he

said, ''To govern is to choose.'' Cutting child support collection by $9 billion for a single mom, all the while giving a tax cut to the very wealthy, was not the choice President Kennedy imagined when he thought about investing in America's future.

President Kennedy also said, ''Leadership is a question of priorities.''

I want to demystify all these numbers flying around for you. Nineteen million American families will get a tax increase if the Republican Congress has its way, straight. That is simple. It is not more complicated than that, 19 million families.

Just a few years ago, only 1 million middle-class families were hit by the AMT. Today, 19 million. In 4 or 5 years, that number will go up to 30 million American families making $100,000 who will be hit by the AMT.

What they have decided to do, rather than deal with that problem today, ensuring those middle-class families who work hard and play by the rules, rather than get a tax cut, you are going to get a tax increase. That simple. No camouflage, no rhetoric will cover it up.

What they are trying to do is say in 2008 the capital gains/dividend tax cut is going to expire; we have got to deal with that today. Yet, today, 19 million families are going to be hit by a tax increase, and it is time that we need new priorities, a change in direction for American middle-class families who are doing right by their children.

Mr. CAMP of Michigan. Madam Speaker, I do not have any speakers at this time, and I reserve the balance of my time.

Mr. BECERRA. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. STARK), a member of the Ways and Means Committee.

Mr. STARK. Madam Speaker, I ask unanimous consent to amend the motion to instruct, and my amendment would merely suggest that at any meeting of two or more conferees every conferee should be invited to attend that meeting.

The SPEAKER pro tempore (Mrs. MILLER of Michigan). The Chair would entertain that request only from the proponent of the motion, who noticed the form of the motion yesterday and who has not yielded for an amendment.

Mr. STARK. Madam Speaker, I rise in strong support of Mr. RANGEL's motion to instruct.

Madam Speaker, it is of some interest that, as a conferee, this probably would be the only time I have to express my opinion on the conference, as we are usually, as Democrats, not invited to attend and discovering where the conferees meet is a conundrum that is not easily solved by this side of the aisle.

But if we were allowed to participate in a democratic fashion, which seems to elude my colleagues across the aisle, we would remind our conferee colleagues that we are going to add trillions to the national debt over the next 5 years as a result of the budget, and to extend tax breaks for millionaires, while we are mortgaging our children's future, seems to me to be immoral.

The Republicans voted to increase the debt limit a few weeks ago, and now they want to waste that increase on $50 billion in capital gain and dividend breaks for people making over $1 million a year. There are not many of those in this country, but those who do make over $1 million a year will benefit magnificently from this Republican tax bill and not many other people.

It was pointed out that we were given the erroneous assumption that they were doing something about the alternative minimum tax. It is certainly dealing with less than 10 percent of the alternative minimum tax problem. That hardly stands as a solution.

I urge support for the motion.

Mr. CAMP of Michigan. Madam Speaker, may I ask how much time remains.

The SPEAKER pro tempore. The gentleman from Michigan (Mr. CAMP) has 18 minutes remaining, and the gentleman from California (Mr. BECERRA) has 6¼ minutes remaining.

Mr. CAMP of Michigan. Madam Speaker, I reserve the balance of my time.

Mr. BECERRA. Madam Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Madam Speaker, I rise in strong support of the Rangel motion to instruct conferees on the alternative minimum tax. It also calls upon this body not to increase the debt and the deficit of this country, which is a burden on our children and grandchildren and a growing burden.

The AMT was originally enacted to ensure that the truly rich pay their fair share, but now it has a very unintended effect, and it is hurting millions in the middle class. Twenty million taxpayers will be hit by the AMT this year, 17 million of whom are in the middle class, and these are the jobs that are growing this economy. It has jumped from 3 million in 2004 to over 20 million this year.

It is hurting the middle class. It is unfair. It should not be this way. Support the Rangel bill.

There is the deficit. The deficit is out of control. The Republicans have raised the debt ceiling four times. It is now over $8 trillion. This budget before us proposes to increase the total national debt from $8 trillion at the end of the last year to over $11 trillion in 2011. That is more than double what it was when this Republican administration came into power. This means that each man, woman and child in America owes over $30,000, and on the interest alone to the national debt, the interest alone will be over $247 billion. That is 50 percent of the discretionary spending in this country. It is a burden we cannot continue to carry.

I am just warming up on this issue because I am concerned about my children.

This administration is setting records, but they are the wrong kinds of records for the future stability of this country. We have a record debt, over $8 trillion and galloping forward. We have record deficits. We have a record trade deficit, the largest in the history of our country.

□ 1600

Both the debt, the trade deficit, and the deficit have hit historically high numbers. And what is truly troubling to me is that foreigners are buying our debt. About 80 percent of the deficit is financed by foreigners. This is not the right direction.

Vote for the Rangel motion to instruct.

Mr. CAMP of Michigan. Madam Speaker, again, I find it interesting that some of my friends on the other side say that nobody benefits from capital gains and dividends when in fact 35 million taxpayers have dividend income and 26 million taxpayers realize capital gains. I think that shows how little they know about employee ownership in America of so many companies where people work.

So to dismiss out of hand as if no one benefits from these provisions is absolutely false, and not to mention the effect of these investment tax reductions on our economy and what that means for peoples' individual lives and their prosperity.

I spent some time earlier going through a number of statistics about how we have record unemployment, record homeownership, record productivity, and so many indicators of strength in our national economy that are as a result of the 2003 tax relief.

Also, the potential tax hike in investment taxes could already potentially be weighing on people about to retire, the 70 million baby boomers who are about to retire, and could weigh on investors as they make their longer-term investment decisions. That is why it is so important that we continue the capital gains and dividend tax relief in reconciliation; that we don't have a tax hike on investment taxes, because that would hurt the economic growth that we have been able to achieve in recent years.

Let me just say that we have been able to do both in our legislation, both capital gains and middle-income AMT, and they have been done within the budget. The congressionally approved budget by this Congress allows up to $70 billion in reconciliation and tax relief. Within our budget we do both of them. We may not do it exactly the way the other side does, but we accomplish both goals in our legislation.

Again, I would urge a ''no'' vote on the motion to instruct.

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

Mr. BECERRA. Madam Speaker, this motion to instruct is not about a debate as to whether we should cut taxes for Americans; this motion to instruct talks about how we should cut taxes

for Americans. In essence, what are our priorities in Congress and in the White House? Should we, on the one hand, provide relief for over 17 million middle-class American taxpaying households, as we propose; or should we, as the other side proposes, provide relief that benefits principally one-fifth of 1 percent of the wealthiest Americans in this country?

Federal budgeting is no different than family budgeting at the end of the day. Yet if you look at the actions of this Congress today and over the last several years, what this Congress is saying to American families is, do as I say not as I do. This year, the Federal Government will run a $518 billion deficit. We are running record deficits this year. That deficit is portrayed as being $337 billion, only $337 billion, because this Congress is taking $181 billion out of the Social Security trust fund to help cover the massive size of the Federal budget deficit.

The total national debt today stands at over $8 trillion, and President Bush, in his budget, admits that we will pay more than $247 billion next year in interest payments on the Federal debt alone. A quarter of $1 trillion to do nothing but pay the interest on the debt.

There was a joke I heard not too long ago about how you could know if 2006 would be a challenging year. The top three choices, to let you know, are: one, your twin sister forgets to congratulate you on your birthday; two, you see a ''60 Minutes'' crew waiting outside your office for you; and the number one way you can tell it is going to be a challenging year is you file your income tax statement and are expecting a refund, and what you get is a bounced check from the Federal Government.

Now, as funny as it may sound, there is some truth in that as we run massive deficits and increase the size of the national debt. President Bush has borrowed three times the amount that the first 39 Presidents in the Nation's first 191 years borrowed in all their time. We are spending about $6 billion a month in Iraq, and we are talking about cutting taxes for the wealthiest Americans. That is something that had never been done until this administration cut taxes for the wealthiest Americans at a time when we are running massive deficits and have men and women sacrificing their lives abroad.

It is time for us to have some fiscal sense, be responsible and recognize what every American family must: that you have got to figure out your books before you spend money. And that is what this motion to instruct says. Let us have priorities when it comes to tax cuts, let us target help towards middle-class America before we give tax cuts to the wealthiest Americans. If you have some left over after you help middle-class America, okay, fine. But don't cut $14 billion out of student loans for mostly middle-class families sending their kids to college. Don't cut $600 million out of foster care programs for some of our neediest children who are being abused. Don't take money out of the child enforcement program that helps make sure kids get money from their deadbeat dads.

If you can take care of all those things, fine, let's cut taxes for the wealthiest Americans. But today we are running massive deficits and we cannot do it. So vote for this motion to instruct. It says our priorities are middle-class Americans, and we will do the work the right way.

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

The SPEAKER pro tempore (Mrs. MILLER of Michigan). Without objection, the previous question is ordered on the motion to instruct.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to instruct offered by the gentleman from New York (Mr. RANGEL).

The question was taken; and the Speaker pro tempore announced that the ''noes'' appeared to have it.

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

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 4 o'clock and 7 minutes p.m.), the House stood in recess subject to the call of the Chair.

□ 1745

AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. EMERSON) at 5 o'clock and 45 minutes p.m.

COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

The SPEAKER pro tempore. Pursuant to House Resolution 741 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the State of the Union for the further consideration of the bill, H.R. 609.

□ 1746

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 609) to amend and extend the Higher Education Act of 1965, with Mr. DUNCAN (Acting Chairman) in the chair.

The Clerk read the title of the bill.

The Acting CHAIRMAN. When the Committee of the Whole rose earlier today, amendment No. 13 printed in House Report 109–399 by the gentleman from Texas (Mr. SESSIONS) had been disposed of.

SEQUENTIAL VOTES POSTPONED IN THE COMMITTEE OF THE WHOLE

The Acting CHAIRMAN. Pursuant to clause 6 of rule XVIII, proceedings will now resume on those amendments on which further proceedings were postponed, in the following order:

Amendment No. 15 by Miss MCMORRIS of Washington.

Amendment No. 3 by Mr. BURTON of Indiana.

The Chair will reduce to 5 minutes the time for any electronic vote after the first vote in this series.

AMENDMENT NO. 15 OFFERED BY MISS MCMORRIS

The Acting CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentlewoman from Washington (Miss MCMORRIS) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 293, noes 134, not voting 5, as follows:

[Roll No. 71]

AYES—293

Aderholt	Castle	Gallegly
Akin	Chabot	Gibbons
Alexander	Chocola	Gilchrest
Allen	Cleaver	Gillmor
Andrews	Clyburn	Gingrey
Bachus	Coble	Gohmert
Baird	Cole (OK)	Gonzalez
Baker	Conaway	Goode
Barrett (SC)	Cooper	Goodlatte
Bartlett (MD)	Costa	Granger
Barton (TX)	Cramer	Graves
Bass	Crenshaw	Green (WI)
Bean	Cubin	Gutknecht
Beauprez	Cuellar	Hall
Berman	Culberson	Harman
Biggert	Cummings	Harris
Bilirakis	Davis (AL)	Hart
Bishop (GA)	Davis (CA)	Hastings (FL)
Blackburn	Davis (KY)	Hastings (WA)
Blumenauer	Davis, Jo Ann	Hayes
Blunt	Davis, Tom	Hayworth
Boehlert	Deal (GA)	Hensarling
Boehner	DeLay	Herger
Bonilla	Dent	Herseth
Bonner	Diaz-Balart, L.	Higgins
Bono	Diaz-Balart, M.	Hobson
Boozman	Dicks	Holt
Boucher	Doggett	Honda
Boustany	Doolittle	Hooley
Bradley (NH)	Drake	Hostettler
Brady (TX)	Dreier	Hoyer
Brown (SC)	Duncan	Hulshof
Brown-Waite, Ginny	Edwards	Hunter
	Ehlers	Hyde
Burgess	Emanuel	Inglis (SC)
Burton (IN)	Emerson	Inslee
Butterfield	Eshoo	Israel
Buyer	Everett	Issa
Calvert	Farr	Istook
Camp (MI)	Feeney	Jenkins
Campbell (CA)	Fitzpatrick (PA)	Jindal
Cannon	Foley	Johnson (CT)
Cantor	Forbes	Johnson (IL)
Capito	Ford	Johnson, Sam
Capps	Fortenberry	Kanjorski
Carnahan	Fossella	Kaptur
Carson	Foxx	Keller
Carter	Franks (AZ)	Kelly
Case	Frelinghuysen	Kennedy (MN)

Kind
King (IA)
King (NY)
Kingston
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Lantos
Larsen (WA)
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
Lipinski
Lofgren, Zoe
Lucas
Lungren, Daniel E.
Lynch
Mack
Manzullo
Marchant
Marshall
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McHenry
McIntyre
McKeon
McMorris
Meehan
Meek (FL)
Meeks (NY)
Mica
Millender-McDonald
Miller (FL)
Miller (MI)
Miller, Gary
Miller, George
Moore (KS)
Moore (WI)
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Otter
Oxley
Pascrell
Paul
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Rangel
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Ros-Lehtinen
Royce
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sanchez, Loretta
Schiff
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Sherman
Sherwood
Shimkus
Shuster
Simpson
Skelton
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Souder
Spratt
Stearns
Sullivan
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Tierney
Turner
Upton
Van Hollen
Walden (OR)
Walsh
Wamp
Watson
Watt
Waxman
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Wu
Wynn
Young (AK)
Young (FL)

NOES—134

Abercrombie
Ackerman
Baca
Baldwin
Barrow
Becerra
Berkley
Berry
Bishop (NY)
Bishop (UT)
Boren
Boswell
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Capuano
Cardin
Cardoza
Chandler
Clay
Conyers
Costello
Crowley
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dingell
Doyle
Engel
English (PA)
Etheridge
Fattah
Ferguson
Filner
Flake
Frank (MA)
Garrett (NJ)
Gerlach
Gordon
Green, Al
Green, Gene
Grijalva
Gutierrez
Hefley
Hinchey
Hinojosa
Hoekstra
Holden
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (NC)
Jones (OH)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kirk
Kucinich
Langevin
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
LoBiondo
Lowey
Maloney
Markey
Matheson
Matsui
McDermott
McGovern
McHugh
McKinney
McNulty
Melancon
Michaud
Miller (NC)
Mollohan
Moran (VA)
Nadler
Napolitano
Olver
Ortiz
Osborne
Owens
Pallone
Pastor
Payne
Platts
Pomeroy
Price (NC)
Rahall
Ramstad
Reyes
Rohrabacher
Ross
Rothman
Roybal-Allard
Rush
Sabo
Salazar
Sánchez, Linda T.
Sanders
Saxton
Schakowsky
Schwartz (PA)
Scott (GA)
Scott (VA)
Serrano
Shays
Simmons
Slaughter
Solis
Stark
Strickland
Stupak
Tancredo
Tanner
Thompson (CA)
Thompson (MS)
Towns
Udall (CO)
Udall (NM)
Velázquez
Visclosky
Waters
Weiner
Woolsey

NOT VOTING—5

Davis (FL)
Evans
Ruppersberger
Sweeney
Wasserman Schultz

□ 1817

Messrs. HEFLEY, PRICE of North Carolina, GENE GREEN of Texas, ORTIZ, SHAYS, GORDON, OWENS, SCOTT of Virginia, ROHRABACHER, BERRY, CROWLEY, FLAKE, CAPUANO, AL GREEN of Texas, MCNULTY, SCHWARZ of Pennsylvania, SERRANO, KIRK, WEINER, HINOJOSA, LEWIS of Georgia, TANNER, Ms. VELÁZQUEZ, Ms. BERKLEY, Mrs. NAPOLITANO, Ms. CORRINE BROWN of Florida, Ms. EDDIE BERNICE JOHNSON of Texas, Mrs. LOWEY, and Mrs. MALONEY changed their vote from ''aye'' to ''no.''

Messrs. AKIN, STEARNS, and Ms. ESHOO changed their vote from ''no'' to ''aye.''

So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT NO. 3 OFFERED BY MR. BURTON OF INDIANA

The Acting CHAIRMAN (Mr. DUNCAN). The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Indiana (Mr. BURTON) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

RECORDED VOTE

The Acting CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The Acting CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 120, noes 306, not voting 6, as follows:

[Roll No. 72]

AYES—120

Ackerman
Aderholt
Akin
Bachus
Barrett (SC)
Barrow
Barton (TX)
Berkley
Berman
Bishop (UT)
Blackburn
Blunt
Brown, Corrine
Burton (IN)
Buyer
Cantor
Carter
Chabot
Chandler
Chocola
Coble
Crenshaw
Crowley
Cubin
Culberson
Davis (TN)
Deal (GA)
Delahunt
DeLay
Doolittle
Duncan
Emanuel
Emerson
Engel
Feeney
Forbes
Fossella
Foxx
Franks (AZ)
Gallegly
Garrett (NJ)
Gingrey
Goode
Graves
Green (WI)
Gutknecht
Harman
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hoekstra
Hostettler
Hulshof
Hunter
Hyde
Inglis (SC)
Israel
Istook
Jenkins
Jones (NC)
Kennedy (MN)
King (IA)
King (NY)
Kingston
LaHood
Lantos
Linder
LoBiondo
Lowey
Lucas
Lynch
Mack
Maloney
McHenry
McNulty
Mica
Miller (FL)
Musgrave
Nadler
Neugebauer
Norwood
Otter
Oxley
Pearce
Pence
Pitts
Poe
Rehberg
Reichert
Renzi
Rogers (MI)
Rohrabacher
Rothman
Royce
Ryan (WI)
Saxton
Sensenbrenner
Shadegg
Shaw
Shays
Simmons
Smith (NJ)
Sodrel
Stearns
Sullivan
Tancredo
Taylor (MS)
Taylor (NC)
Wamp
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wolf
Young (AK)

NOES—306

Abercrombie
Alexander
Allen
Andrews
Baca
Baird
Baker
Baldwin
Bartlett (MD)
Bass
Bean
Beauprez
Becerra
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown-Waite, Ginny
Burgess
Butterfield
Calvert
Camp (MI)
Campbell (CA)
Cannon
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Case
Castle
Clay
Cleaver
Clyburn
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Cuellar
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis, Jo Ann
Davis, Tom
DeFazio
DeGette
DeLauro
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doyle
Drake
Dreier
Edwards
Ehlers
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Ford
Fortenberry
Frank (MA)
Frelinghuysen
Gerlach
Gibbons
Gilchrest
Gillmor
Gonzalez
Goodlatte
Gordon
Granger
Green, Al
Green, Gene
Grijalva
Gutierrez
Hall
Harris
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Issa
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
Langevin
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Lipinski
Lofgren, Zoe
Lungren, Daniel E.
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHugh
McIntyre
McKeon
McKinney
McMorris
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Myrick
Napolitano
Neal (MA)
Ney
Northup
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Owens
Pallone
Pascrell
Pastor
Paul
Payne
Pelosi
Peterson (MN)
Peterson (PA)
Petri
Pickering
Platts
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Ros-Lehtinen
Ross
Roybal-Allard
Rush
Ryan (OH)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Serrano
Sessions
Sherman
Sherwood
Shimkus
Shuster
Simpson
Skelton
Slaughter
Smith (TX)

Smith (WA)
Snyder
Solis
Souder
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Waters
Watson
Watt
Waxman
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Woolsey
Wu
Wynn
Young (FL)

NOT VOTING—6

Davis (FL)
Evans
Gohmert
Ruppersberger
Sweeney
Wasserman
Schultz

ANNOUNCEMENT BY THE ACTING CHAIRMAN

The Acting CHAIRMAN (Mr. DUNCAN) (during the vote). Members are advised that 2 minutes remain in this vote.

□ 1826

Messrs. WEINER, ADERHOLT and FORBES changed their vote from ''no'' to ''aye.''

So the amendment was rejected.

The result of the vote was announced as above recorded.

The Acting CHAIRMAN. No further amendments being in order, under the rule the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. KUHL of New York) having assumed the chair, Mr. DUNCAN, Acting Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 609) to amend and extend the Higher Education Act of 1965, had come to no resolution thereon.

EXPRESSING SENSE OF THE HOUSE REGARDING RELIGIOUS PERSECUTION IN AFGHANISTAN

The SPEAKER pro tempore. The unfinished business is the question of suspending the rules and agreeing to the resolution, H. Res. 736.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Indiana (Mr. PENCE) that the House suspend the rules and agree to the resolution, H. Res. 736, on which the yeas and nays are ordered.

Pursuant to clause 8 of rule XX, this 15-minute vote on the motion to suspend the rules on H. Res. 736 will be followed by a 5-minute vote on the motion to instruct on H.R. 4297.

The vote was taken by electronic device, and there were—yeas 427, nays 0, not voting 5, as follows:

[Roll No. 73]

YEAS—427

Abercrombie
Ackerman
Aderholt
Akin
Alexander
Allen
Andrews
Baca
Bachus
Baird
Baker
Baldwin
Barrett (SC)
Barrow
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Becerra
Berkley
Berman
Berry
Biggert
Bilirakis
Bishop (GA)
Bishop (NY)
Bishop (UT)
Blackburn
Blumenauer
Blunt
Boehlert
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boswell
Boucher
Boustany
Boyd
Bradley (NH)
Brady (PA)
Brady (TX)
Brown (OH)
Brown (SC)
Brown, Corrine
Brown-Waite, Ginny
Burgess
Burton (IN)
Butterfield
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Capps
Capuano
Cardin
Cardoza
Carnahan
Carson
Carter
Case
Castle
Chabot
Chandler
Chocola
Clay
Cleaver
Clyburn
Coble
Cole (OK)
Conaway
Conyers
Cooper
Costa
Costello
Cramer
Crenshaw
Crowley
Cubin
Cuellar
Culberson
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (KY)
Davis (TN)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeFazio
DeGette
Delahunt
DeLauro
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Dicks
Dingell
Doggett
Doolittle
Doyle
Drake
Dreier
Duncan
Edwards
Ehlers
Emanuel
Emerson
Engel
English (PA)
Eshoo
Etheridge
Everett
Farr
Fattah
Feeney
Ferguson
Filner
Fitzpatrick (PA)
Flake
Foley
Forbes
Ford
Fortenberry
Fossella
Foxx
Frank (MA)
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Gonzalez
Goode
Goodlatte
Gordon
Granger
Graves
Green (WI)
Green, Al
Green, Gene
Grijalva
Gutierrez
Gutknecht
Hall
Harman
Harris
Hart
Hastings (FL)
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Herseth
Higgins
Hinchey
Hinojosa
Hobson
Hoekstra
Holden
Holt
Honda
Hooley
Hostettler
Hoyer
Hulshof
Hunter
Hyde
Inglis (SC)
Inslee
Israel
Issa
Istook
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, E. B.
Johnson, Sam
Jones (NC)
Jones (OH)
Kanjorski
Kaptur
Keller
Kelly
Kennedy (MN)
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kucinich
Kuhl (NY)
LaHood
Langevin
Lantos
Larsen (WA)
Larson (CT)
Latham
LaTourette
Leach
Lee
Levin
Lewis (CA)
Lewis (GA)
Lewis (KY)
Linder
Lipinski
LoBiondo
Lofgren, Zoe
Lowey
Lucas
Lungren, Daniel E.
Lynch
Mack
Maloney
Manzullo
Marchant
Markey
Marshall
Matheson
Matsui
McCarthy
McCaul (TX)
McCollum (MN)
McCotter
McCrery
McDermott
McGovern
McHenry
McHugh
McIntyre
McKeon
McKinney
McMorris
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Mica
Michaud
Millender-McDonald
Miller (FL)
Miller (MI)
Miller (NC)
Miller, Gary
Miller, George
Mollohan
Moore (KS)
Moore (WI)
Moran (KS)
Moran (VA)
Murphy
Murtha
Musgrave
Myrick
Nadler
Napolitano
Neal (MA)
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Oberstar
Obey
Olver
Ortiz
Osborne
Otter
Owens
Oxley
Pallone
Pascrell
Pastor
Paul
Payne
Pearce
Pelosi
Pence
Peterson (MN)
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Pomeroy
Porter
Price (GA)
Price (NC)
Pryce (OH)
Putnam
Radanovich
Rahall
Ramstad
Rangel
Regula
Rehberg
Reichert
Renzi
Reyes
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Ross
Rothman
Roybal-Allard
Royce
Rush
Ryan (OH)
Ryan (WI)
Ryun (KS)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Saxton
Schakowsky
Schiff
Schmidt
Schwartz (PA)
Schwarz (MI)
Scott (GA)
Scott (VA)
Sensenbrenner
Serrano
Sessions
Shadegg
Shaw
Shays
Sherman
Sherwood
Shimkus
Shuster
Simmons
Simpson
Skelton
Slaughter
Smith (NJ)
Smith (TX)
Smith (WA)
Snyder
Sodrel
Solis
Souder
Spratt
Stark
Stearns
Strickland
Stupak
Sullivan
Tancredo
Tanner
Tauscher
Taylor (MS)
Taylor (NC)
Terry
Thomas
Thompson (CA)
Thompson (MS)
Thornberry
Tiahrt
Tiberi
Tierney
Towns
Turner
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Walden (OR)
Walsh
Wamp
Waters
Watson
Watt
Waxman
Weiner
Weldon (FL)
Weldon (PA)
Weller
Westmoreland
Wexler
Whitfield
Wicker
Wilson (NM)
Wilson (SC)
Wolf
Woolsey
Wu
Wynn
Young (AK)
Young (FL)

NOT VOTING—5

Davis (FL)
Evans
Ruppersberger
Sweeney
Wasserman
Schultz

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KUHL of New York) (during the vote). Members are reminded there are 2 minutes left in this vote.

□ 1844

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

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

MOTION TO INSTRUCT CONFEREES ON H.R. 4297, TAX RELIEF EXTENSION RECONCILIATION ACT OF 2005

The SPEAKER pro tempore. The pending business is the vote on the motion to instruct on H.R. 4297 offered by the gentleman from New York (Mr. RANGEL) on which the yeas and nays are ordered.

The Clerk will redesignate the motion.

The Clerk redesignated the motion.

The SPEAKER pro tempore. The question is on the motion to instruct.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 192, nays 229, not voting 11, as follows:

[Roll No. 74]

YEAS—192

Abercrombie
Ackerman
Allen
Andrews
Baca
Baird
Baldwin
Barrow
Becerra
Berkley
Berman
Berry
Bishop (GA)
Bishop (NY)
Blumenauer
Boehlert
Boswell
Boucher
Boyd
Brady (PA)
Brown (OH)
Brown, Corrine
Butterfield
Capps
Capuano
Cardin
Cardoza

Carnahan
Carson
Case
Chandler
Clay
Cleaver
Clyburn
Conyers
Cooper
Costa
Costello
Crowley
Cummings
Davis (AL)
Davis (CA)
Davis (IL)
Davis (TN)
DeFazio
DeGette
Delahunt
DeLauro
Dicks
Dingell
Doggett
Doyle
Edwards
Emanuel
Engel
Eshoo
Etheridge
Farr
Fattah
Filner
Ford
Frank (MA)
Gonzalez
Gordon
Green, Al
Green, Gene
Grijalva
Harman
Hastings (FL)
Herseth
Higgins
Hinchey
Hinojosa
Holden
Holt
Honda
Hooley
Hoyer
Inslee
Israel
Jackson (IL)
Jackson-Lee (TX)
Jefferson
Johnson, E. B.
Jones (OH)
Kanjorski
Kennedy (RI)
Kildee
Kilpatrick (MI)
Kind
Kucinich
Langevin
Lantos
Larsen (WA)
Larson (CT)
Leach
Lee
Levin
Lewis (GA)
Lipinski
Lofgren, Zoe
Lowey
Lynch
Maloney
Markey
Marshall
Matheson
Matsui
McCarthy
McCollum (MN)
McDermott
McGovern
McIntyre
McKinney
McNulty
Meehan
Meek (FL)
Meeks (NY)
Melancon
Michaud
Millender-McDonald
Miller (NC)
Miller, George
Moore (KS)
Moore (WI)
Moran (VA)
Nadler
Napolitano
Neal (MA)
Oberstar
Obey
Olver
Ortiz
Owens
Pallone
Pascrell
Pastor
Payne
Pelosi
Pomeroy
Price (NC)
Rahall
Rangel
Reyes
Ross
Rothman
Roybal-Allard
Rush
Ryan (OH)
Sabo
Salazar
Sánchez, Linda T.
Sanchez, Loretta
Sanders
Schakowsky
Schiff
Schwartz (PA)
Scott (GA)
Serrano
Sherman
Skelton
Slaughter
Smith (WA)
Snyder
Solis
Spratt
Stark
Strickland
Stupak
Tanner
Tauscher
Taylor (MS)
Thompson (CA)
Thompson (MS)
Tierney
Towns
Udall (CO)
Udall (NM)
Upton
Van Hollen
Velázquez
Visclosky
Waters
Watson
Watt
Waxman
Weiner
Wexler
Wilson (NM)
Woolsey
Wu
Wynn

NAYS—229

Aderholt
Akin
Alexander
Bachus
Baker
Barrett (SC)
Bartlett (MD)
Barton (TX)
Bass
Bean
Beauprez
Biggert
Bilirakis
Bishop (UT)
Blackburn
Blunt
Boehner
Bonilla
Bonner
Bono
Boozman
Boren
Boustany
Bradley (NH)
Brady (TX)
Brown (SC)
Brown-Waite, Ginny
Burgess
Burton (IN)
Buyer
Calvert
Camp (MI)
Campbell (CA)
Cannon
Cantor
Capito
Carter
Castle
Chabot
Chocola
Coble
Cole (OK)
Conaway
Cramer
Crenshaw
Cubin
Cuellar
Culberson
Davis (KY)
Davis, Jo Ann
Davis, Tom
Deal (GA)
DeLay
Dent
Diaz-Balart, L.
Diaz-Balart, M.
Doolittle
Drake
Dreier
Duncan
Ehlers
Emerson
English (PA)
Everett
Feeney
Ferguson
Fitzpatrick (PA)
Flake
Foley
Forbes
Fortenberry
Fossella
Foxx
Franks (AZ)
Frelinghuysen
Gallegly
Garrett (NJ)
Gerlach
Gibbons
Gilchrest
Gillmor
Gingrey
Gohmert
Goode
Goodlatte
Granger
Graves
Green (WI)
Gutierrez
Gutknecht
Hall
Harris
Hart
Hastings (WA)
Hayes
Hayworth
Hefley
Hensarling
Herger
Hobson
Hoekstra
Hostettler
Hunter
Hyde
Inglis (SC)
Issa
Istook
Jenkins
Jindal
Johnson (CT)
Johnson (IL)
Johnson, Sam
Jones (NC)
Keller
Kelly
Kennedy (MN)
King (IA)
King (NY)
Kingston
Kirk
Kline
Knollenberg
Kolbe
Kuhl (NY)
LaHood
Latham
LaTourette
Lewis (CA)
Lewis (KY)
Linder
LoBiondo
Lucas
Lungren, Daniel E.
Mack
Manzullo
Marchant
McCaul (TX)
McCotter
McCrery
McHenry
McHugh
McKeon
McMorris
Mica
Miller (FL)
Miller (MI)
Miller, Gary
Mollohan
Moran (KS)
Murphy
Murtha
Musgrave
Myrick
Neugebauer
Ney
Northup
Norwood
Nunes
Nussle
Osborne
Otter
Paul
Pearce
Pence
Peterson (PA)
Petri
Pickering
Pitts
Platts
Poe
Pombo
Porter
Price (GA)
Pryce (OH)
Putnam
Radanovich
Ramstad
Regula
Rehberg
Reichert
Renzi
Reynolds
Rogers (AL)
Rogers (KY)
Rogers (MI)
Rohrabacher
Ros-Lehtinen
Royce
Ryan (WI)
Ryun (KS)
Saxton
Schmidt
Schwarz (MI)
Sensenbrenner
Sessions
Shadegg
Shaw
Shays
Sherwood
Shimkus
Shuster
Simmons
Simpson
Smith (NJ)
Smith (TX)
Sodrel
Souder
Stearns
Sullivan
Tancredo
Taylor (NC)
Terry
Thomas
Thornberry
Tiahrt
Tiberi
Turner
Walden (OR)
Walsh
Wamp
Weldon (PA)
Weller
Westmoreland
Whitfield
Wicker
Wilson (SC)
Wolf
Young (AK)
Young (FL)

NOT VOTING—11

Davis (FL)
Evans
Hulshof
Kaptur
Oxley
Peterson (MN)
Ruppersberger
Scott (VA)
Sweeney
Wasserman Schultz
Weldon (FL)

ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore (Mr. KUHL of New York) (during the vote). Members are advised that there are 2 minutes remaining in this vote.

□ 1852

So the motion to instruct was rejected.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

APPOINTMENT OF MEMBER TO THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE

The SPEAKER pro tempore. Pursuant to clause 11 of rule X, clause 11 of rule I, and the order of the House of December 18, 2005, the Chair announces the Speaker's appointment of the following Member of the House to the Permanent Select Committee on Intelligence to fill the existing vacancy thereon:

Mr. ISSA, California

APPOINTMENT AS MEMBER TO BOARD OF TRUSTEES OF AMERICAN FOLKLIFE CENTER

The SPEAKER pro tempore. Pursuant to 20 U.S.C. 2103(b), the order of the House of December 18, 2005, and upon the recommendation of the minority leader, the Chair announces the Speaker's reappointment of the following individual from private life to the Board of Trustees of the American Folklife Center in the Library of Congress on the part of the House for a term of 6 years, effective April 1, 2006:

Mr. William L. Kinney, South Carolina

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4011

Mr. LEWIS of Georgia. Mr. Speaker, I ask unanimous consent that my name be removed as a cosponsor of H.R. 4011.

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

There was no objection.

REMOVAL OF NAME OF MEMBER AS COSPONSOR OF H.R. 4881

Mr. POE. Mr. Speaker, I ask unanimous consent to remove my name as a cosponsor from H.R. 4881.

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

There was no objection.

DEMOCRATS SECURITY PLAN

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

Mrs. BLACKBURN. Mr. Speaker, today we saw that Minority Leader PELOSI and the Democrats unveiled their plan for securing America. No big surprises. They slammed the President and demanded immediate withdrawal from the Middle East. And they called that immediate withdrawal ''redeployment'' to try and soften what is absolutely an awful policy.

We have to remember that many of the House Democrats are on record voting against funding for the troops in Afghanistan and Iraq. They are also acting like we have shortchanged funding for first responders when we have spent millions upon millions that we have never before dedicated to emergency response at the local level.

They claim we need to focus more on international cooperation, this in a world where some of the worst human rights abusers are routinely allowed to serve on the U.N. Human Rights Commission.

Mr. Speaker, Republicans in this majority have been serious about national security. We work on the issue every day, all year, not just when an election is approaching.

THE PASSING OF PAUL DANA

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

Ms. CARSON. Mr. Speaker, I rise today to salute the life of Paul Dana. Paul Dana was a resident of my district, and he was down in Florida this past weekend and unfortunately met a very tragic, traumatic death in a race car exhibition in Miami.

Paul Dana was the one that brought me to supporting ethanol for cars, and

he also had worked successfully to get all of the race cars in the 500-mile race to use ethanol in 2008, a tremendous victory for the hard work of a young 30-year-old man.

I want to rise and give him a special salute because he was a friend of mine, a wonderful individual. And I was very pained to see how that car was traumatically destroyed in that race.

Mr. Speaker, I would ask that the Members of the House join me in extending condolences and support to his family and to pray for them, because I know this is a very traumatic experience for them.

Mr. Speaker, I rise today to salute the life of Paul Dana. Paul was a man who saw life as goals, not obstacles. After graduating from Northwestern with a Journalism degree, he quickly determined that he would be happiest behind the wheel of a racecar and not in the stands writing about them. He actively pursued his goal and sought out possible sponsors who would provide him with the chance to achieve his dreams.

Paul Dana was passionate and dedicated to everything he committed himself to throughout his life. He worked on behalf of the cause of ethanol, an issue which we shared a deep interest in. He was dedicated to increasing the use of ethanol through his racing team sponsor. This new combination was the result of his hard work and successes on the track as well as his strong business and racing world skills.

He was proud to be racing on the same team with Danica Patrick and Buddy Rice. They created an amazing team along with team owners Bobby Rahal and David Letterman, and were all excited about the prospect of a great year. In the past Paul had finished 10th in his debut Indy car race at Miami-Homestead and had been looking forward to returning this season after suffering a broken back during a practice run at the Indianapolis Motor Speedway.

Paul Dana was an integral part of the community and served in many local organizations along side his wife Tonya Bergeson-Dana, a Researcher and Professor at IUPUI's Riley Hospital for Children. The relationship they had and the way they reached out to others have left imprints on many lives far beyond just racing.

A devoted husband, racer and American, Paul Dana should always be remembered for enjoying the challenges that were between him and his goals, never failing to live life to the fullest and always sharing in the happiness that we should all enjoy everyday. He met his fate prematurely on the racetrack last Saturday afternoon in Florida but he died while doing what he loved. We should all be as blessed.

THE SENATE NEEDS TO ACT ON IMMIGRATION REFORM

(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, back in November, Homeland Security officials found and deported 85 illegal aliens from Mexico; 63 of the 85 had previously committed such crimes as burglary, drug possession, sexual assault and murder.

In September, 99 illegal aliens were arrested in a sting operation in my home State of Florida. All of them had violent criminal backgrounds. Back in July, officials arrested 29 illegal aliens from South Korea who were operating a sex trafficking business.

If these violent criminals could break through our borders, how do we know that terrorist groups have not also?

I call on my colleagues in the Senate to pass the bill that we have passed, H.R. 4437, the Border Protection, Antiterrorism, and Illegal Immigration Control Act.

Mr. Speaker, we cannot leave our Nation's security to chance.

DEMOCRATS STAND FOR SECURITY

(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, quite to the contrary, Democrats today stood for real security. We stood for the transitioning of Iraq's security to the Iraqi Government, as has been promised by this administration.

We have stood for the equipping of our soldiers. We have stood for energy security. And today, of course, proudly we have stood for ensuring that our veterans were cared for. So, Mr. Speaker, I hope that America sees the direction that we want to take this country and join us.

Tomorrow, I will be unavoidably detained. I wanted to mention H.R. 609, the College Access and Opportunity Act of 2005. I had wished that we could have supported this legislation, but I think it is important for America's students to know that the average tuition and fees for 4-year public colleges has risen over 40 percent since 2001.

This bill does nothing to allow our students to afford college. I, however, will have an amendment as this bill goes to conference to increase the Pell Grant maximum to $7,000 from $6,000, and to provide support for our visually impaired students who need to have Braille textbooks to be able to survive.

Mr. Speaker, I hope that we will eventually be able to support legislation that will help our college students in the future.

WE USE TOO MUCH MIDDLE EAST OIL

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

Mr. KINGSTON. Mr. Speaker, in 2003, the U.S. public spent $103 billion buying oil from nondemocratic countries such as Venezuela, Syria and Iran.

In fact, it is so bad that you could say that we are doubly funding the war on terrorism against us. We need to get off Middle East oil.

Congressman Eliot Engel and I have introduced H.R. 4409, which sets that goal of getting us off Middle East oil by the year 2025. We do it through existing technology. We accelerate the use of hybrids by doubling the tax credit for purchasing a hybrid.

We give automobile manufacturers a tax credit for making more lightweight vehicles that are more fuel efficient. We give truckers a tax credit for buying alternative power units so at night they do not have to burn diesel fuel while they are sitting in truck stops.

We adopt the Gil Gutknecht E-Line 10 by 10 language on ethanol.

This is a very good bill. I invite all of my colleagues to take a look at H.R. 4409 and consider being a cosponsor for national security.

□ 1900

GLOBAL WARMING

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

Mr. INSLEE. Mr. Speaker, I want to echo my friend Mr. KINGSTON's remarks and urge Members to take a look at his and Mr. ENGEL's bill for another reason besides national security, that is, it has the additional benefit of dealing with the climate change that the globe is now experiencing. This is kind of a two-fer, the bill that Mr. KINGSTON just described.

One, it can free us from our addiction to Middle Eastern oil or help in that direction; and, two, it can deal with a problem that you can read about in Time magazine. The cover story in Time magazine is about global warming. It says: be afraid, be very afraid.

I hate to think it is from fear. I like to think it is from hope. We ought to have the hope that we can free ourselves from our addiction to Middle Eastern oil, and we can stop global warming if we do some of the commonsense things that Mr. KINGSTON and Mr. ENGEL have proposed.

For those who have been paying attention to the science in the last month, we have learned that the Greenland glaciers are accelerating at a factor of two. The Arctic has lost 36 cubic miles of ice. Polar bears are drowning due to a lack of ice. It is time for some action. Take a look at this bill.

PLANO WEST GIRLS BASKETBALL WINS STATE CHAMPIONSHIP

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

Mr. SAM JOHNSON of Texas. Mr. Speaker, I rise today to congratulate the Plano West Senior High School girls basketball team for being the first Plano ladies team to capture a State basketball championship. They are the Lady Wolves.

Earlier this month, the Lady Wolves of Plano West routed the Rockwall Yellowjackets. The girls in blue and

black were trailing at half time 18–13. That all changed when they rallied in the second half to capture the lead and win. Not just win, but win big, 54–47. They are the girls basketball champions of Texas.

Congratulations, Lady Wolves. Your parents are proud of you. Plano is proud of you. America is proud of you, and I salute every one of you.

God bless each one of you and God bless America.

Mr. Speaker, the following are the names of the players and I would like to congratulate them one and all:

Becca Feagin, junior; Mary Rich, junior; Rachel Hester, senior; Alexis Morgan, senior; Lindsay Hughes, senior; Katie Makanani, sophomore; Taylor Shead, junior; Tawni Ichimura, senior; Kristen Nash, senior; Kathleen Nash, junior; and Micah Garoutte, junior.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. DENT). Under the Speaker's announced policy of January 4, 2005, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

AMERICA IS A NATION OF LAWS

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

Mr. MCHENRY. Mr. Speaker, it is often said that America is a nation of immigrants, but there is also another important point, not to be ignored. America is a nation of laws. We are increasing border security, and security is very important in this day and age, in this tough world that we live in. We are increasing border security by constructing fences, bolstering our border patrols and escalating our surveillance capabilities.

It is of first and most importance to our Nation that we step up and halt this mass influx of foreign trespassers known as illegal immigrants. To grant amnesty to these trespassers is to say: You crossed our border illegally, you broke our laws, and now we are rewarding you with U.S. citizenship. Congratulations.

That is absolutely the wrong way to go. A guest worker program is nothing more than amnesty wearing make-up. It is easier to look at, but it is still ugly underneath.

For legal immigrants, we must replace our outdated bureaucratic procedures with updated technology. The United States Citizenship and Immigration Services currently processes 7 million immigration applications in our country every year. They do it using Windows 95 and paper printouts. This system is obviously and absolutely flawed. We need to fix the process for immigrants to come here legally.

That is why I introduced the Comprehensive Immigration DATA Act, H.R. 4412, to modernize the immigration application process by creating a Federal, computerized database that more efficiently and effectively tracks immigrants applying for visas or for U.S. citizenship.

It is time that we step up in terms of our governmental policy, to make sure our government bureaucrats here in Washington are being responsive to our Nation's needs and to be accountable. The best way we can do that is by giving them the technology to do their jobs, and that is what I am trying to achieve with this bill. It is good in terms of policy for legal immigrants. It is the right thing to protect our borders, and it is good for our national security.

Mr. Speaker, it is progress that we need to make as a country.

FIREARMS CORRECTIONS AND IMPROVEMENTS ACT

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

Mrs. MCCARTHY. Mr. Speaker, yesterday, the Judiciary Committee held a hearing on H.R. 5005, the Firearms Corrections and Improvement Act. But I don't want to let the name of this legislation fool you. This bill only serves to improve the chances of somebody getting away with a gun crime.

This bill proposes changes that will undermine Federal law and endanger public safety. These are not mere technical corrections, but a blatant attempt to restrict use of the ATF's National Trace Center's database. Previously, the NRA's friends in Congress have inserted language into appropriation bills to restrict access to some important ballistic information.

H.R. 5005 will make restriction access the law. The ATF's gun tracing program helps local police solve gun crimes by analyzing the unique marks made on bullets and cartridges and 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.

But H.R. 5005 would make it a crime for police departments to share information from the database of other departments. Say a police department in my district on Long Island obtains ballistic information from the ATF and a similar shooting occurs in New York City, the Long Island department wouldn't be able to share that information.

In fact, the officer who did share this information could be arrested. That is absolutely insane. Instead of cracking down on criminals using guns, this bill treats police officers like criminals.

Since 9/11, responders in New York and throughout the Nation have gone to great lengths to increase interoperability and information sharing, and now H.R. 5005 comes along and makes information sharing between police departments a crime. Again, some Members of this body put their allegiance to the NRA above common sense.

The tracing program provides law enforcement agencies with valuable information about gun trafficking that can prevent crimes from happening. Tracing helps the public identify gun dealers and traffickers who are supplying illegal guns in our communities, but this legislation would prevent the use of trace data as evidence in any State or Federal court or any non-ATF administrative proceedings.

This bill cuts local law enforcement out of the loop. Without this tracing data local law enforcement officers will not be able to pursue civil action on suppliers that have been implicated in crimes without the ATF's involvement. We all know the ATF doesn't get the resources to get involved in every civil issue regarding gun crimes, but H.R. 5005 does not stop at limiting access to tracing the database. The legislation also makes it more difficult for local police to receive reports of multiple gun purchases. Law enforcement can use these reports to discover whether straw purchasers or gun traffickers are replenishing their inventory. But if this bill becomes law, police will no longer be able to access this information.

The bill also prevents the ATF from maintaining a database of firearm purchase information. This provision would hurt investigations by local law enforcement to determine the point of sale origin of firearms that can help locate an assailant.

As New York City Mayor Bloomberg pointed out in his testimony yesterday, if police can crack down on taverns that serve under-aged drinkers, why can't they go after gun dealers who knowingly sell to criminals?

And since 1 percent of the gun dealers sell 57 percent of the guns used in crimes, this information is vital for police to conduct investigations and root out dishonest gun dealers. This bill is the latest in a long line of misguided legislation that puts protecting the gun industry before keeping guns out of the hands of criminals. No other industry in the country has this kind of protection.

The gun industry already has immunity from litigation resulting from its negligence over incompetence. The industry can now sell military assault weapons to the general public. But now this legislation would protect the 1 percent of dishonest gun dealers who are fueling gun violence throughout this country with their irresponsible business practices. This legislation does nothing to protect the second amendment rights. Nothing in this legislation makes it any easier to hunt or defend themselves using a firearm.

Simply put, H.R. 5005 does more to promote gun crimes than gun rights.

I hope yesterday's hearings showed the public what a bad bill H.R. 5005 really is. I would like to thank Mayor Bloomberg for his opposition to this

legislation, and I would like to enter this testimony from yesterday into the RECORD.

I will work with Mayor Bloomberg and others from both parties to prevent the bill from becoming law. I wish I had had the time to read the mayor's full testimony, but I will say that I will use the last sentence. ''On behalf of the members of the New York City Police Department, their families and all New Yorkers, I am urging you,'' and that is the Judiciary Committee, ''in the strongest possible terms to reject this God-awful piece of legislation.''

What we are doing here in Congress a little bit too often is taking away the rights of our police officers, taking away the rights of our criminal investigators to cut down on crimes. New York City has done an excellent job on cutting down on crime. We are actually one of the safest cities, and yet the guns that are coming from the outside of our city and being sold in our city that are totally illegal, we will be taking away that tool. That is wrong.

We as Americans should be protecting each other. Whether you live in a city, whether you live in a suburban area, whether you live in a suburban urban area, we have to do more. We need to change the rhetoric that is going on here. We need to protect people. And I will bring up over and over again what we can do to bring down gun crime in this country, certainly by saving people from dying but also reducing the health care costs that are in this Nation.

Mr. Speaker, the material I referred to previously is as follows:

THE CITY OF NEW YORK,
OFFICE OF THE MAYOR,
New York, NY, March 28, 2006.

MAYOR BLOOMBERG TESTIFIES BEFORE THE HOUSE JUDICIARY SUBCOMMITTEE ON CRIME, TERRORISM AND HOMELAND SECURITY

Mr. Chairman, Ranking Member Scott, Members of the Subcommittee, thank you for the opportunity to appear before you and give testimony on H.R. 5005—the misnamed Firearms Corrections and Improvements Act. My name is Michael Bloomberg, and I am the Mayor of the City of New York.

I want to be very clear that I am not here today to engage in an ideological debate. H.R. 5005 has nothing to do with the 2nd Amendment and the right to bear arms, but it has everything to do with illegal guns and the dangers they pose to our police officers and citizens.

That's why I am here—because the bill this Subcommittee is considering would explicitly impinge on our ability to fight illegal gun trafficking, and it would result in the shooting deaths of innocent people.

I urge you in the strongest possible terms to reject it—and I am submitting letters from mayors around the nation, as well as from the former Chief of the ATF's Crime Gun Analysis Branch, who join me in opposing this legislation.

Why do New Yorkers care about illegal gun sales in other states? It's true that New York is the safest big city in America, and I'm very proud that we have reduced major crime by nearly 25 percent compared to 5 years ago.

But the harsh reality is that far too many people continue to be killed with illegal guns—and nearly all of those guns are purchased outside of New York State. Last year, illegal guns were used to take the lives of more than 300 people in our city.

To protect all New Yorkers, we must not only root out and punish those who possess, use, and sell illegal weapons—and we are doing that more effectively than ever—we must also do everything in our power to keep guns out of the hands of those criminals in the first place. This requires us to look beyond our borders, because 82 percent of the guns used in crimes in New York City were purchased outside of New York State.

H.R. 5005 would make it immeasurably harder to stop the flow of illegal guns across our borders and into the hands of criminals by offering extraordinary protections to gun dealers who knowingly sell guns to criminals, and depriving local governments and their law enforcement agencies of the tools they need to hold dealers accountable.

Specifically, these obstacles would take the form of severe restrictions on our use of ATF trace data, which is perhaps the most effective tool we have in combating illegal gun trafficking.

Without question, the vast majority of gun dealers are law-abiding businesses—and we have no quarrel with them. Most dealers follow the law and take every precaution to ensure that their products do not fall into the hands of criminals.

But there is a very small group of bad apples—about 1 percent of all gun dealers—who account for almost 60 percent of all crime guns nationwide. That's an astounding statistic.

Imagine if 60 percent of all crimes in a city were committed on one block—would you pass a law that effectively prevented the police department from using every tool at its disposal to crack down on that block? Of course not! Yet H.R. 5005 would effectively prevent cities like ours from holding the 1 percent of bad gun dealers fully accountable for their actions. And that makes no sense.

When rogue gun dealers break the law, and their guns cause injury or death to innocent people, they should be compelled to answer for their conduct in a court of law—just as any other lawbreaker would. And when they hold licenses issued by state or local authorities, they should be called to account in administrative proceedings to revoke their licenses.

This is what happens to businesses in other industries when they act irresponsibly—think of a tavern that sells alcohol to teenagers and, as a result, loses its license. Why should an irresponsible firearms dealer—which poses a far greater threat to the overall safety of our citizens—be given special protections from state and local authorities?

In non-criminal proceedings to revoke a rogue gun dealer's license, trace data is the single most powerful way to demonstrate unmistakable patterns of illegal conduct. It's pretty simple: Gun dealers with inordinately large numbers of traces to crime guns are gun dealers that make it their practice to sell to straw purchasers. Yet H.R. 5005 would ensure that this devastating evidence never sees the light of day. Studies show that when dealers are subject to enforcement efforts, or even if they suspect enforcement efforts, the number of crime guns later traced to those dealers falls off sharply.

Yet by forbidding the use of trace data in civil and administrative proceedings, H.R. 5005 would make it far more difficult to bring civil suits against rogue gun dealers, and far more difficult to bring administrative actions to revoke their licenses.

And my question to you is—why? Why is this in the best interest of the American people? Why is this in the best interests of your constituents? Why would Congress protect the irresponsible gun dealers who help criminals get guns? Why is it good public policy to make cities fight the war against gun violence with one hand tied behind their backs?

Is it to benefit special interest groups? Or the one-in-a-million person who is prosecuted for a purchase that is negligent but not criminal? Is it for these few ideologues and extraordinarily unusual cases that you are willing to facilitate the shooting deaths of thousands of innocent Americans across this country every year?

I cannot believe so. Nor can I take those answers back to the parents of the slain members of the New York City Police Department, including the families of Detectives James Nemorin and Rodney Andrews, who were murdered three years ago this month during one of the hundreds of 'buy and busts' that the NYPD carries out every year to take illegal guns off our streets.

Finally, of the other retrograde provisions in H.R. 5005, the worst of all is the provision that would actually treat police officers like criminals.

Under the terms of H.R. 5005, a detective who shares ATF trace information with another state government for use in a license revocation hearing against a rogue dealer would be committing a federal felony—a crime punishable by up to five years in prison. In other words, if an NYPD Detective talks to a New Jersey State Trooper about a problem gun dealer problem, that Detective could go to jail.

I would not expect that I would need to remind Congress of the horrific consequences that this country, and particularly New York City, suffered as a result of the federal government's failure to share information among law enforcement agencies, and to work together to ''connect the dots'' in order to establish patterns of criminality and threats of danger.

Yet incredibly, instead of demanding that our law enforcement agencies share information, Congress is considering making it a crime. As absurd as it sounds, this bill would not only erect new barriers to information, it could send police officers to prison in order to prevent them from holding the worst gun dealers accountable for their potentially dangerous actions. How in the world would you explain that to the public?

Members of the Subcommittee, I have been to too many police officers' funerals to believe this bill actually has a prayer's chance in hell.

But if it does pass, the next time an officer is attacked by an illegal gun—and I say 'next time' because until Congress gets serious about illegal guns, more police officers and many more citizens will be murdered—there can be no denying that all who vote for this bill will bear some of the responsibility.

That may sound harsh to you, but I'm not going to sugarcoat my words when discussing a bill that coddles criminals and endangers police officers and citizens—not only in New York City, but across this nation.

On behalf of the members of the NYPD, their families, and all New Yorkers, I am urging you in the strongest possible terms to reject this God-awful piece of legislation.

Thank you very much, and I would be happy to answer any questions you may have.

GREEK INDEPENDENCE DAY

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

Mr. BILIRAKIS. Today I proudly rise to celebrate Greek Independence Day and the strong ties that bind the nations of Greece and the United States.

One hundred and eighty-five years ago, the people of Greece began a journey that would mark the symbolic birth of democracy in a land where those principles to human dignity were first espoused. This past Saturday, March 25, marked the 185th anniversary of the Greek struggle for independence. It was an historic day for all people who treasure freedom.

In 1821, after four centuries of Ottoman rule, Greeks rose up in arms, fought valiantly and finally achieved a dream centuries old, freedom from Turkish oppression. In setting their blood for liberty and winning their freedom, Greeks showed the world their deep and abiding commitment to democracy. This celebration also marks the beginning of one of America's most valued and rewarding friendships.

The flag of revolt was blessed by Bishop Germanos of Paleion Patron at the monastery of Aghia Lavra, and for 7 years, a handful of rebels in fierce fighting were able to contain the combined forces of the Sultan's Ottoman Empire. The confrontations at Valtetis, Dervenaia, as well as Missolognhi, where Lord Byron fought and died, rank among the most glorious and important pages of Greek history.

□ 1915

The exploits and victories of the Greek navy under Miaoulis, Kanaris, and Sachtouris, inspired the people of Europe, who finally brought pressure upon their governments to intervene in the fighting and compel the Sultan to recognize Greek independence.

On October 20, 1827, at the battle of Navarino, the Turkish fleet was finally defeated by the British, French and Russian navies which had joined in the effort, and by September 14, after many centuries of foreign rule, freedom for the Greeks was regained by the Treaty of Adrianople of 1829 and, later, by the London Protocol of 1830.

I commemorate Greek Independence Day, Mr. Speaker, each year for the same reasons we celebrate our Fourth of July. It proved that a united people, through sheer will and perseverance, can prevail against tyranny. Both our nations share an illustrious history in defense of this cherished ideal. Both countries have shared a common commitment to the principles of equality and freedom, and in many ways, the American experiment might not have been possible without the Greek experience. Indeed, as Thomas Jefferson noted, ''To the ancient Greeks we are all indebted for the light which led ourselves, American colonists, out of Gothic darkness.''

The ancient Greeks created the very notion of democracy, in which the ultimate power to govern was vested in the people. As Aristotle said, ''If liberty and equality, as is thought by some, are chiefly to be found in democracy, they will be attained when all persons alike share in the government to the utmost.''

It was this concept, Mr. Speaker, that the Founding Fathers of the United States of America drew heavily upon in forming our representative government.

Constitutionally, democracy has made the American way of life possible. For that contribution alone, we owe a heavy debt to the Greek people, but the contribution of democracy was not the only contribution made by Greek patriots to American society.

The ancient Greeks contributed a great deal both to our cultural heritage, as well as to European culture, in the areas of art, philosophy, science and law. In the preface to his poem ''Hellas,'' poet Percy Shelly wrote, ''Our laws, our literature, our religion, our arts have their roots in Greece.''

Greece has also given another gift to America. Nearly 1 million Greeks came to America's shores and enriched this great country of ours. Greek Americans have followed the rich tradition of their ancestors. They have made their mark in many professions, including medicine, science, law and business, among others. Some of our most illustrious citizens claim Greek ancestry. The welfare and progress of the Greek community, both here and abroad, is of great importance to all of us.

Greek independence was a model for our new Nation and continues to be an inspiration for all those living in the darkness of oppression. Throughout history, Greece has represented an ideal in man's search for liberty. The principles of Greek democracy represent the greatest contribution a nation has ever made to society.

The democratic tradition that began in Greece and continues in the American experience is taking root in an increasing number of countries, and the implications for world peace, while still very uncertain, are nevertheless the most promising they have been in decades. Democracy and freedom are the guiding beliefs that give hope to millions around the world and fuel the democratic revolution that is today sweeping the planet.

Mr. Speaker, remembering the sacrifice of the brave Greeks who gave their lives for liberty helps us all realize how important it is to be an active participant in our own democracy, and that is why we honor those who secured independence for Greece so many years ago.

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

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

U.S. IN IRAQ UNTIL 2009

Ms. WOOLSEY. Mr. Speaker, I ask unanimous consent to speak out of order.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from California?

There was no objection.

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

Ms. WOOLSEY. Mr. Speaker, for a President whose party controls both Houses of Congress, the Supreme Court and, of course, the White House bully pulpit itself, George W. Bush has certainly had an awful lot of explaining to do lately.

With all the power at his disposal, starting with a knee-jerk legislature all too ready to follow his lead, lock, stock and barrel, the President should not have to constantly redefine his mission and America's. That is exactly what he has done and what he is doing.

Before the war, he offered only a strained rationale as to why we needed to attack Iraq. First, it was getting rid of Iraq's weapons of mass destruction. Then the rationale was deposing a dictator who provided refuge to al Qaeda, and finally, it became spreading liberty throughout the Middle East.

Once things started to turn south, President Bush redefined what he meant when he declared ''an end to major combat operations'' only a year into the war. Now he is redefining what it means to be in a civil war.

Mr. Speaker, let us be perfectly clear. Iraq is not in danger of falling into a civil war. The country is in the very throes of a civil war conflict as we speak. Some people have this false notion that an Iraqi civil war would resemble two sides fighting and fighting it out with antiquated rifles in a field that looks kind of like Gettysburg.

Unfortunately, the sectarian violence that currently plagues Iraq is pretty similar in appearance and scope to the Lebanese civil war fought in the 1970s and 1980s. Then, like now, religion was manipulated to encourage fighting among different sects. Alliances shift rapidly so that no one ever really knows who is on their side and who is not; and worst of all, innocents are killed on a nearly daily basis as a result of the infighting.

As if the failure to acknowledge what is really happening in Iraq was not bad enough, only a week ago, the President attempted his most strained leap of logic yet. During a press conference, which, by the way, after 6 years in office he is finally conducting with regularity, the President stated that American military forces would remain in Iraq until 2009, at the earliest, that another President would have to end it.

After initially implying that the war would not cost much and would not take long to fight, the President needs to explain to the American people why the decision to bring our troops home from Iraq will, as he says, ''be decided by future Presidents.''

Mr. Speaker, given the current instability in Iraq, which 150,000 brave U.S. troops who have not been able to quell after more than 3 years of war, why in the world would we plan on American forces remaining in Iraq until 2009? It

seems like the President is trying, yet again, to redefine the mission to his satisfaction.

Well, you cannot redefine the facts, Mr. Speaker. There is no way to paper over the hundreds of Iraqi civilians who are being brutally murdered in sectarian violence. There is no way to disguise the nearly 2,500 American troops who have lost their lives in this war or the over 15,000 who have been forever injured.

Yet, none of these tragic losses have made either the United States or Iraq safer from the threat of terrorism. The tragic irony is that the war has actually made Iraq a haven for international terrorism.

It is time for the President to stop trying to redefine reality. It is time to define something constructive for the American people. It is time we plan how we will bring our troops home.

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 Extensions of Remarks.)

HONORING BUCK, MAN'S BEST FRIEND AND WAR DOG AMBASSADOR.

Mr. JONES of North Carolina. Mr. Speaker, I ask unanimous consent that I might speak at this time.

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

There was no objection.

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, I rise today in sadness to note the recent passing of Buck, a beloved Siberian Husky who has brought awareness to the courage and loyalty of our Nation's heroic K–9 soldiers, the military working dogs. At the age of 15, Buck passed away at home in Lexington, South Carolina, on March 23, 2006.

Buck was the companion to Vietnam Scout Dog Handler Johnny Mayo, who served with the 39th Scout Dog Platoon, 173rd Airborne Brigade in Vietnam as a scout dog handler.

While traveling in my district last July, I had the opportunity to meet Johnny Mayo and his dog Buck. After having the pleasure of spending a few minutes petting Buck, I can honestly say that Buck was a sweet dog who will be missed dearly by those who knew him.

In Johnny Mayo's 2002 book titled, ''Buck's Heroes: A Dog's Tale of Vietnam War Dogs,'' Buck accompanies his master to a reunion of former handlers and their families at the Vietnam Memorial in Washington, D.C. While gazing at the black granite memorial at his master's side, Buck begins hearing and seeing the ghosts of the dogs who participated in the Vietnam War. Among the scout dogs who speak to Buck are his master's war dogs Tiger and Kelly. The dogs tell Buck what life was like for them and the soldiers they served and protected.

By serving as the narrator and storyteller in Johnny Mayo's book, Buck educated thousands of readers about the invaluable service of military working dogs.

Buck served as a companion and aid to his owner by traveling thousands of miles with him to various war dog events, including three Vietnam Dog Handler National Reunions in Washington, D.C., St. Louis and Phoenix, Arizona.

Continuing the legacy of military working dogs who served our Nation during World War I, World War II and the Korean War, the war dogs who served in the jungles of Vietnam used their keen senses of smell, hearing and sight to detect dangers that threatened American lives.

Of the 4,000 war dogs that served in Vietnam, only 204 survived. Historians believe these trained dogs prevented more than 10,000 American casualties during their deployment from 1965 to 1972.

As both war dogs and their handlers risked their lives in combat, their bond solidified and grew into a relationship of enduring love and shared loyalty to their mission.

With Buck at his side, Johnny Mayo has had the courage to share the story of the loyal service of his war dogs Tiger and Kelly and the bond that develops between K–9 soldiers and their handlers.

To honor the loyalty, courage and sacrifice made by the teams of war dogs and their handlers, I will soon introduce legislation to designate land for the construction of a National War Dog Team Memorial in Washington, D.C.

The National War Dog Team Memorial Fund and its supporters have already begun to raise money for the project and are not asking the taxpayers or Congress for a single penny. The legislation will merely designate a plot of land for the memorial's construction.

The proposed memorial will commemorate all U.S. armed services and all wars, conflicts and peacekeeping operations where military working dogs have been used to support military ground operations since World War I.

As we join Johnny Mayo in mourning the loss of his Siberian Husky, Buck, let us seek to continue the legacy of educating American citizens about the history of our Nation's war dogs by commemorating the heroic service of K–9 soldiers and their handlers with a National War Dog Team Memorial.

With that, Mr. Speaker, I close by asking God to please bless our men and women in uniform and their families, and I ask God to continue to please bless America.

PBS: ARMENIAN GENOCIDE DENIALIST FORUM

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, I rise this evening to express my extreme disappointment with the Public Broadcasting System's decision to give a forum to Armenian genocide denialists following the April 17 broadcast of Andrew Goldberg's documentary, ''The Armenian Genocide.''

PBS should be commended for deciding to run Goldberg's documentary. However, the documentary should stand on its own. I am troubled by the network's decision to conduct a panel discussion immediately after the documentary that focuses on Turkey's role in the death of Armenians during and after World War I.

The 25-minute panel discussion has generated an outcry because the panel will include two scholars who deny that 1.5 million Armenian civilians were killed in eastern Turkey from 1915 to 1923.

I urge PBS to reconsider the inclusion of the panel discussion. Despite the Turkish Government's continued concerted effort to deny and alter history, there is no serious academic historian willing to dispute the genocide, or extermination, of 1.5 million Armenians at the hands of the Ottoman Empire from 1915 to 1923. There are literally thousands of pages of documents in our national archive confirming the Armenian genocide.

Prominent citizens of the day, including America's ambassador to the Ottoman Empire, Henry Morgenthau, and Britain's Lord Bryce, reported on the massacres in great detail. Morgenthau was appalled at what he would later call the ''sadistic orgies'' of rape, torture and murder. Lord Bryce, a former British Ambassador to the United States, worked to raise awareness of and money for the victims of what he called ''the most colossal crime in the history of the world.''

□ 1930

In October 1915, the Rockefeller Foundation contributed $30,000, a sum worth more than $.5 million today, to a relief fund for Armenia.

Mr. Speaker, it is important to note that despite overwhelming documentation and eyewitness proof of the Armenian genocide, Mr. Goldberg's documentary includes denialist views to present a comprehensive perspective. This completely alleviates the need to include PBS's panel discussion. It is exceptionally inappropriate for PBS to include these two nonobjective scholars on the public airwaves so they can spread their political propaganda.

And, Mr. Speaker, I would note that I would not feel any different about

this issue if we were discussing Darfur, Rwanda or the Nazi Holocaust. Genocide deniers should not have a forum. The quest for fair and balanced information does not give a license to propagate false, misleading and offensive information about historical facts that relate to genocide.

It is said that PBS continues to defend its decision to provide air time to Armenian genocide deniers; however, it is encouraging to see a growing number of PBS affiliates refusing to air the panel. And I want to commend each of the 25 affiliates who have already announced their intentions to air the Armenian genocide documentary without the inclusion of the panel discussion.

Mr. Speaker, it is important that we urge PBS to maintain its commitment to public service, but no Member of Congress should accept PBS's decision to give credence to the denial of the deliberate murder of 1.5 million people, and I hope that PBS will reconsider its current position.

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

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

THE VOICE OF TEXAS

Mr. POE. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Texas (Mr. PAUL).

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. POE. Mr. Speaker, we call this body the people's House. In the last 24 hours, I have received numerous correspondence from people in Texas about illegal entry into America. Tonight, we will listen to some of those people.

Aaron in Houston writes: ''I hope you intend to make certain that being illegal continues to mean breaking the law. I cannot understand why any elected official would want to reward any criminal with all the perks that go along with living in the greatest country in history. It makes no sense whatsoever.''

Mac in Kingwood, Texas, writes: ''Illegal immigration must be stopped and controlled immediately. We must control who and how many people come into this country. This is not a race issue, it is a national sovereignty issue. Illegal immigration reform must not include amnesty. This is rewarding those who willfully break our laws. Immigration must be reserved for those who come here legally and respect our laws. Giving illegals amnesty just encourages more illegal immigration. Why bother to immigrate here legally when you can be rewarded for doing it illegally? Drug smuggler, human trafficking, murder, identity theft, the forging of documents, driving without insurance and licenses, and potential terrorism are all the result of weak border control and terrible immigration policies. Law-abiding Americans are not going to stand by any longer while illegal immigrants thumb their noses at our laws and while the U.S. Government refuses to enforce the law.''

Donald in Humble, Texas, says: ''I find it oxymoronic to have a Department of Homeland Security and have not closed and controlled our borders. Without the security of our borders, there is no homeland security.''

Donald in Kingwood writes: ''I am writing you today to express my outrage over what I have been seeing on the news since this last weekend. I once raised my right hand and swore an oath to protect our country and constitution from foreign invaders. What I have witnessed recently has been citizens of a foreign country marching in the streets of our country waving foreign flags, carrying signs in a foreign language. The arrogance and total disregard for the sovereignty of America is infuriating. These illegal actions are being perpetrated by those who want no part of becoming an American. They simply want to come here and make money, take advantage of our social systems, and send most of that money they earn back to their 'home' country. I don't buy for a minute the administration's argument that they take jobs that Americans are unwilling to do. What has happened is they have taken all the jobs that were primarily taken by young people right out of high school. This is just one of the numerous negative effects this unchecked invasion is having an our society. All one has to do is turn on the 10 o'clock news in Houston to see the effects it has on crime in our area.''

Erik in Kingwood writes: ''Please continue to press for immigration reform. As a physician, I see and treat many Mexicans without citizenship. It is rare to receive any reimbursement of any kind. Please continue to consider the rights of Americans first.''

Charles in Humble writes: ''After yesterday's Senate Judiciary Committee action, I fear that some compromised watered-down immigration legislation will eventually be passed in order to placate interest groups, businesses and illegal immigrants.''

Mary in Baytown e-mails: ''Don't allow lawbreaking. Illegal means illegal. There are no distinctions in this word. You don't gain citizenship when you enter illegally. The Congress should be ashamed of even considering this idea. Okay? And no benefits. We don't even give all our hard-working people their entitled benefits, why should we give them to illegals? This is just a crime.''

Louis from Houston says, ''The key intellectual point is there are no jobs that Americans will not do if the free market is allowed to bid up on the wages. More illegals equal lower wages. That is the whole point for those who support illegal immigration.''

John also puts it well: ''In other words, the Senate thinks as follows: In order to halt illegal immigration, we must legalize it. And in order to enforce the law, we must reward those who have broken it.''

Janet in Houston says: ''America's legal system is clear: Abide by the laws or suffer the consequences. Why is it necessary to create new legislation to outlaw an already illegal act? In my opinion, enforcement of existing laws is the best use of our legislators' time and money.''

And, finally, David in Kingwood, Texas, writes: ''Please help our State and country. Uphold the law. You have done that all your professional life. Please don't make changes to allow the illegals to stay. They need to go through the process just like my grandfather and his parents did. Please stop this madness.''

Mr. Speaker, this Congress must stop the unlawful invasion into our country. The American people have spoken and will continue to speak out on this issue. And Mr. Speaker, that's just the way it is.

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

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

WASHINGTON COUNTY, NORTH CAROLINA, SAYS NO TO NAVY LANDING FIELD IN WILDLIFE REFUGE

Mr. BUTTERFIELD. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Illinois (Mr. EMANUEL).

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

There was no objection.

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

Mr. BUTTERFIELD. Mr. Speaker, after I was elected to Congress more than 18 months ago, it became apparent to me that the decision of the United States Navy to site an outlying landing field in Washington County, North Carolina, was a decision with no rational basis. As a representative of the people of Washington County, I have spent countless hours trying to convince the Navy that this decision is extremely flawed.

The existing landing field at Naval Air Station Oceana in Virginia has become undesirable for a landing field. There are houses all around the field,

and the landing field no longer simulates an aircraft carrier, not to mention the unbearable noise. And so the Navy is correct in its decision to construct an outlying landing field, but it needs to be in a different location. Our Navy pilots need and deserve a suitable landing field to practice their landings, but the decision to place this field in the middle of a wildlife refuge is ill conceived.

Mr. Speaker, the citizens of Washington County have challenged the Navy in the Federal courts, and they have won. The District Court and the U.S. Court of Appeals for the Fourth Circuit decided that environmental impact statements submitted by the Navy are flawed. They do not fully disclose the environmental or safety concerns about the 31,000 annual aircraft landings amid the 20,000 tundra swans and the 65,000 snow geese which winter nearby at the Pocosin Lakes National Wildlife Refuge.

The citizens of Washington County are determined to prevent this landing field from being constructed in their community. This site puts our navy pilots and our navy aircraft and the community at risk. There are better and safer alternatives, and it is the duty of the Navy to fully explore these possibilities.

Despite the Federal Court order, and despite the language in the 2006 Military Construction Appropriations bill directing the Navy to look at alternative sites, the Navy's Chief of Naval Operations recently admitted during a House Appropriations Subcommittee hearing that the Navy's focus is to make the preferred site work rather than considering other alternatives.

The Navy has failed to fulfill its obligation to engage in a clear, full, fair and objective process carried out in the light of day. This is a $186 million taxpayer funded project that seeks to remove about 30,000 acres of farmland from the private hands of about 75 families, and we are determined to continue to persuade the Navy to explore alternatives.

North Carolina, Mr. Speaker, has a long and proud history of supporting the Navy, and I certainly want to be a part of continuing that tradition. Our Governor, the Honorable Mike Easley, has diligently worked with the Navy in an effort to find an alternative site, and other Members of Congress from North Carolina have also offered to find a site. I trust that the U.S. Navy will respect the people of Washington County, respect the environment that we all treasure, and respect the rule of law. That landing field, Mr. Speaker, needs to be constructed at one of the alternative sites in eastern North Carolina and not in Washington County.

The SPEAKER pro tempore. 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.)

CONGRATULATIONS TO THE WINONA STATE UNIVERSITY WARRIORS

Mr. GUTKNECHT. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Indiana (Mr. BURTON).

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

There was no objection.

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

Mr. GUTKNECHT. Mr. Speaker, I rise tonight to honor the Winona State University Warriors. They won the NCAA Division II Men's Basketball National Championship last weekend.

Winona State is famous for many things, but this historic win is the first major championship for Winona State and a milestone for WSU athletics. On behalf of basketball fans across southern Minnesota, I congratulate the players, coaches, fans and everyone who helped make this season so special.

Permit me to congratulate Coach Mike Leaf and his staff on an outstanding season. His squad finished with a record of 34–2, winning 22 consecutive games to close out the year. Coach Leaf was named the Northern Sun Intercollegiate Conference's Coach of the Year for his efforts.

The warriors, like all champions, won as a team, but they were led by a couple of outstanding players. David Zellman, a senior from Lewiston, Minnesota, ended his college career in style. He led the team in scoring with 26 points in the championship game, including seven three-point baskets. Sophomore John Smith of Johnsburg, Illinois, led the Warriors defensively and was named the NCAA Division II Elite Eight Tournament's Most Outstanding Player.

I congratulate family, friends, and fans of the team. Two busloads of Warrior supporters made the 22-hour trip to the championship game and cheered the team on to victory. They were joined by hundreds of other Warrior fans, alumni and family members of the Warrior athletes who made their own way to the game. And thousands, like myself and my wife, were watching on TV.

Some succeed, Mr. Speaker, because they are destined to. Most succeed because they are determined to. This team worked hard, played defense, shared the ball, and stuck together. They were rewarded with a well-deserved championship that all of us can be proud of.

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 Kansas (Mr. MORAN) is recognized for 5 minutes.

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

ILLEGAL IMMIGRATION AND BORDER SECURITY

Mrs. BLACKBURN. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Kansas (Mr. MORAN).

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Tennessee?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from Tennessee (Mrs. BLACKBURN) is recognized for 5 minutes.

Mrs. BLACKBURN. Mr. Speaker, you know, as we have heard on this floor tonight, Americans are paying attention to the illegal immigration issue and all of us here have received call after call after call from our constituents. And, you know, they are not asking much. They simply want us to enforce our border security. And, Mr. Speaker, I agree with this. This is not some earth-shattering policy change, it is a matter of enforcing the laws that are on our books.

Republicans passed legislation to strengthen the border late last year, and we did it with very little Democratic support. That has to change. An overwhelming majority of Americans believe the lawlessness and the disregard for our laws inherent in illegal immigration is damaging to our society and a serious, serious risk to our national security.

We have watched some try to equate legal immigration and legal immigrants with those whose first act, their very first act coming into this country is breaking a law.

□ 1945

It is breaking our law by running across the border. That is an insult to every individual who complied with our policies and followed the appropriate process to get here. For too long we have overlooked or even rewarded those who broke the law, and it is time for that to stop. It has to stop.

I want to share with you something one of my constituents asked me in a meeting while we were on our break. He said ''Marsha, I hear that some of the people in Washington want to provide amnesty to those who are breaking our immigration laws, to those who are illegally entering our country.'' He said, if you are going to let people pick and choose and decide which laws they want to have amnesty from, then I

want amnesty from the IRS. And he said that I have a friend who runs a small manufacturing plant, he wants to have amnesty from OSHA.

You know, you cannot disagree with comments like that.

Mr. Speaker, this debate is that simple. We are either going to be a nation of laws or we are not. Border security is a necessity. The Republican Party is the party pushing to strengthen those borders. Americans need to let those opposed to our efforts hear their voices. And I thank all of my constituents who are speaking out loud and clear on this issue.

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

(Mr. DAVIS of Illinois 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 North Carolina (Ms. FOXX) is recognized for 5 minutes.

(Ms. FOXX addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

AMERICA NEEDS TO GET TOUGH ON ILLEGAL IMMIGRATION

Mr. ROHRABACHER. Mr. Speaker, I ask unanimous consent to address the House at this time.

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

There was no objection.

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, I rise today to alert my colleagues to a tremendously destructive attack being carried out upon our country. This attack is gravely damaging working Americans, especially those in the middle and lower incomes; perhaps as many as 50 percent of America's population has suffered or is being injured by this attack.

My colleagues need to be alerted to the horrendous situation that many Americans are finding themselves in as their standard of living begins to decline and our way of life and the prosperity we all enjoyed as young people seems now a distant goal. They need to be alerted, my colleagues need to be alerted because the suffering that is affecting many Americans is disproportionate. Yes, those in the lower incomes are suffering, but in fact many upper-income Americans have actually benefited from the malady that now has been damaging so many of the less affluent Americans.

Of course, what I am referring to is the mind-boggling, out-of-control flow of illegal immigrants into our country in these last two decades. Throughout our country, but especially in the Southwest, America's education, health care, housing, and criminal justice infrastructure is breaking down. It is breaking down under the weight of 11 to 20 million illegal immigrants who have flooded into our country in these past two decades.

These 11 to 20 million illegals are by and large good and decent people, people who have come here to better their lives. But our job is not to watch out for all of the good and decent people who can come here from throughout the world in violation of our laws. Our job is supposed to be watching out for the interest of the American people.

These 11 to 20 million illegals are good people, but they have been bidding down the wages of lower-income Americans, thus hurting these Americans and their potential for having a decent living. They are destroying the social infrastructure that our fellow Americans of lower income depend upon. Whether it is health or education, their children are losing out because the limited money we have for education is being spent on people who are not here legally and their children that they bring with them in order to enjoy this benefit. And we would bring our children if we were foreigners as well because we care about our families.

It is not their fault; it is the fault of the policymakers in Washington that permit people to come here and consume the limited resources that should be going to our own people.

It is time for a tough, anti-illegal immigration bill that would deny all benefits to those who are in this country illegally. Just beefing up the borders is not enough. No, border security is not the goal. What we are talking about is dealing with a real issue, and it is called illegal immigration as well as the 11 to 20 million illegals that are already here.

It is a bit disturbing to hear the ongoing debate in Washington. What they must ask themselves is: Who is watching out for the American people? Well, they need to watch and listen very closely to their Representatives. In the next few weeks, they should be very aware of what their Representatives are doing. And if their Representatives are not watching out for their interest and the interest of their families, the interest of the American people, then the American voters should vote in a way to express their anger or how they feel about that.

Illegal immigrants may be good people. And, in fact, the kids on the streets of L.A., I come from southern California; there are tens of thousands of them out on the streets. They are basically good kids. Yes, they were waving Mexican flags, and I did not like that, but they are basically good and decent kids. But I will tell you it is not the job of the Government of the United States to spend our limited education dollars on people who are here illegally from Mexico or anywhere else. Our limited education dollars should be spent on our own young people to try to maximize their value so when they get older they can earn a decent living, and especially a living where their wages are not bid down by tens of millions of illegals who will do the job cheaper.

Our limited resources should go to America's seniors. Yes, there may be good and decent people who have come here illegally. I do not care if they are good people, we need to spend our limited resources on our own seniors and our own young people.

This is not a hateful or a malicious type of approach to the problem. You can have love in your hearts, Christian love for other people, or any other kind of love for that matter, and care for other people, but know that you are taking care of your family and your neighbors and other Americans first.

America is a land of every race and religion. In California, we are especially proud of our Mexican American heritage. But we are talking about Americans, people who are tied together. If we do not consider that American citizenship or legal residency in our country means anything, we are degrading that very issue of citizenship and legal procedures that one goes through with respect to the law by giving benefits to millions of people who have come here in total disregard for America's law.

What we need to do is make sure that any law that passes is a strong anti-illegal immigration law and not just a border control law. And do not let anyone tell you, oh, we need these people because there is work that Americans won't do. Americans will do any job as long as the price is high enough, and they have been bidding down the amount paid to laborers by having millions of illegals coming into this country willing to work for less money. Do not let the agricultural business or any other business tell you that they cannot find people to do that work.

Yes, we would have to be creative. For example, there is no reason why the millions of young Americans who are in their 20s and early 30s, who occupy our prisons throughout the United States, should not earn some money, earning their own way, perhaps giving restitution to their victims and perhaps having some money when they get out of prison to start a new life by picking fruits and vegetables. This can and should be done. Everybody is brushing that argument off.

If we do not have illegals in this country, we might have to accept creative approaches. That is why we need strong illegal immigration legislation to get down to the business of helping the American people.

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

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

MEDICARE'S PRESCRIPTION DRUG BENEFIT

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

Mr. GINGREY. Mr. Speaker, I am proud to be here this evening doing this special hour of the Republican majority talking about a great success story, and that is the implementation, after a 40-year wait, literally, of a benefit under Medicare that our seniors have been promised by other administrations, by other Congresses. And finally this President, this administration and this Congress, this Republican majority, has delivered on the promise to bring a prescription drug benefit to our needy seniors.

I will be joined this evening during this hour by a few of my colleagues on this side of the aisle, the gentleman from Minnesota (Mr. KLINE) and the gentleman from the great State of Texas (Mr. BURGESS), a fellow OB/GYN.

But I want to start out talking a little bit about this program and why I think it is so beneficial. My colleagues know that in my prior life, as recently as 4 years ago, in fact, before getting elected to the Congress, I practiced medicine for 30 years. I was there really at the infancy of the Medicare program. I was a freshman medical student in 1965 when an amendment to the Social Security Act that is the original Medicare was signed into law by Lyndon Baines Johnson.

Something that many people do not know about Medicare part A and part B, part B being the optional part, just as part D is, seniors were going to have to pay a monthly premium. The very person, the very first senior to exercise his option to sign up for part B was none other than President Harry S. Truman. If you go to my Web site, you can actually see the film clip in black and white.

I like black and white, which says something about my age and television and movies. It is very interesting.

When you look back at that program today, and we are talking about a 40-year history, I think most people would say Medicare has been a great, great benefit. I think all of my colleagues would agree with that, part A and part B, even the optional part B. And over the years, of course, that monthly premium has increased to $88.50 a month today, and I think it was something like $15 a month in 1965, but it is still a deal. It is a good deal because the seniors taking that money probably out of their Social Security check are only actually paying 25 percent of the true cost of part B; 75 percent of it is paid by the general taxpayer.

Again, it is an optional program, but I think today I am right in these statistics, 98 percent of seniors when they turn 65, on that other voluntary part, part B, the doctor part, the surgery part, the outpatient testing part and physical exams, have opted in and certainly not opted out.

So here we are now finally with a great addition to the Medicare benefit for our seniors. We passed it, we all remember. We have some complaints still from the other side of the aisle that we passed it in the middle of the night. Doing things in the middle of the night in my profession as an obstetrician is quite routine. You either admit patients in labor in the middle of the night and deliver them in the daytime; or your admit them in labor in the daytime and deliver them at night. I would like to feel as a Member of Congress that I am not immune to a 24-hour schedule.

But back in November of 2003 we did pass this. We had the transitional program, the Medicare prescription drug discount card that was so beneficial to our neediest seniors because it gave them a $600 credit per year for 2 years. It was actually a year and a half. They got $1,200 worth of credit for purchasing prescription drugs if they were low income, and many were.

Now that program has gone away and we are into the insurance program and getting very close to the end of the 6-month sign-up period, May 15 of this year, just a little less than 6 weeks from now.

I think my colleagues, I wish on both sides of the aisle, but certainly those of us on the majority, even though some of us for what we felt they felt were legitimate reasons to be in opposition to this, yes, somewhat expensive additional program, they are encouraging our seniors to take advantage of it.

I am, as I say, wanting to talk about this program tonight, and we will do that as we continue this hour. But I want to, at this time, yield the floor to my colleague from Minnesota who has a lot of interesting stories to tell about folks in Minnesota, his constituents and how they are saving money and eventually how we are saving lives.

At this time I yield to the gentleman from Minnesota (Mr. KLINE).

□ 2000

Mr. KLINE. I thank the gentleman for yielding and for his bringing this issue to the floor tonight and certainly his leadership over these months.

I just wanted to touch on a couple of points. I think it is important, as the gentleman from Georgia said, that we recognize there was a spirited debate on this bill, and not everyone in this House voted for it. There are still people today who think that it was a mistake when we added the prescription drug benefit to Medicare.

But I think the point to my colleagues, and I know that my good friend Dr. GINGREY would agree with me, and I hope that senior citizens across the country understand that we need to set that debate aside right now. We have a law in place that provides a tremendous benefit for our senior citizens, particularly our lower-income senior citizens.

I think that chart that Dr. GINGREY showed that says a total of 27 million seniors, 27 million seniors now have coverage under Medicare Part D, says an awful lot about the acceptance of this program, regardless of the heat and the debate that took place when this bill was passed.

I know that we now have registered for the Medicare prescription drug plan in Minnesota, in the Second District, 65,000 senior citizens, and that is a very, very good thing. We found early on, and I think my colleague probably did, that as we moved from the discount cards, which I thought were a tremendous benefit themselves, I know that my mother, who lives on Social Security and Medicare, has saved literally thousands of dollars with that interim program. When we moved from those cards to the sign up for Medicare Part D there was certainly confusion. Seniors were confused. Pharmacists were confused. Doctors were confused. It was not what we would call a smooth start.

Having said that, we have now moved past that rocky start, and seniors that have had the chance to look at this understand that it is really an important benefit for them.

We wanted to help, in my office, and I know many of my colleagues did this on both sides of the aisle. They held town hall meetings and workshops. We chose to have what we call sign-up workshops. We got some tremendous support from the Minnesota Board of Aging Senior Linkage Line provided volunteers to come and help us, help the senior citizens in Minnesota's Second District understand what their options were. We advertised the workshops. We had seniors call my office to make an appointment to come in for one-on-one counseling. And as these seniors came in and they sat down with experienced volunteers and members of my staff who have become quite expert on this, and they looked at the program that was offered in front of them and they looked at their list of medications that they are taking and that the options that were there, in case after case after case, they were able to make wise choices, and I don't know anyone who came to our workshops who didn't leave feeling that they had gotten the information they needed and were able to make a wise choice.

I have some quotes here that I just thought I would share with my colleagues here, and I know that Dr. GINGREY can empathize with this, and he experienced much of the same, I am sure, when he was working with the folks in Georgia. But just a couple of quotes. There is a man from Shakopee came to the workshop and he said, quote, "I got an honest comparison and found out the plan I was leaning toward would cost twice what I could get. Now I can save $2,000 on a different plan." That is quite a bit.

Lady from Eagan said: It was wonderful. I wouldn't have known what to do or where to begin without that session. The woman that worked with me

was very knowledgeable and did all the computer work for me. She printed up the nine cheapest prescription drug coverages for me, and I can see already that I am going to save $100 a month. I was very, very pleased. And so forth.

Lady from Inver Grove Heights said: They were wonderful. They were extremely informative. In 45 minutes, they probably saved 8 hours of work and confusion.

These programs, if you just take the time to sit down with somebody who knows what they are doing, it is actually pretty easy to decide what plan is best for you. And we have seen that in case after case after case. And I very much regret that there are, in fact, some of our colleagues who are still perhaps upset over the bill itself and are not providing this kind of help and encouragement to the seniors in their district.

I know my mother, as I mentioned before, she was a beneficiary of the interim plan with the cards, and now we have got her signed up for this Medicare Part D and she is going to save thousands of dollars a year.

You can save a lot of money, and I hope that our colleagues will help the constituents in their districts, the senior citizens, understand the value of this program, set aside the bitterness of the debate that took place over the bill itself and recognize that this is a tremendous benefit, it can save their senior citizens hundreds and sometimes thousands of dollars, and help those seniors to sign up.

I don't know if the gentleman from Georgia is continuing with his workshops. I know we are. We have a couple more scheduled next month. We are looking at the schedule deadline. May 15 is the deadline for signing up for this prescription drug benefit, the Part D, without paying a penalty, suffering a penalty. So we are encouraging our seniors to sign up. We are scheduling some more of these workshops and encouraging them to come. The wonderful volunteers from Senior Linkage Line are going to be there to help us again. We hope that every senior will take a look at this option and decide whether it is for them or not. If they have any questions, we would love to help. I will yield back to the gentleman from Georgia here. I know that he has spent a lot of time helping seniors in his district in much the same way.

Mr. GINGREY. Well, if the gentleman would yield.

Mr. KLINE. I am happy to yield.

Mr. GINGREY. Actually, just for a question. And I wanted to ask the question, if he has had an experience really similar to what I have. We have been working on this program, like I say, for a year and half during the transitional phase, and Representative KLINE has held a lot of town hall meetings; I have certainly held a lot of town hall meetings. You sort of lose count after a while.

But what I wanted to ask Mr. KLINE, Colonel KLINE, is, in your experience, when you first started doing these programs, and there was so much angst and rhetoric and doom and gloom possibly from certain Members of the body, did you feel that what you heard then and what you are hearing now was a little bit different? Has that changed a little bit?

Mr. KLINE. If the gentleman would yield. I think it is fair to say so. We took a different approach in how we were going to reach out to the seniors. We sent them mail to alert them to what they were doing. We invited them to call our office and make appointments so they could get that one-on-one attention. But I am sure the gentleman will agree that back in January and early February, when there was a great deal of confusion, many seniors were afraid to get started. They didn't know where to start. And we found that by continually offering the opportunity for seniors to come in and get one-on-one help, that we moved through that. And I know that the gentleman from Georgia and most of my colleagues who have been working on this issue for some time have seen a change in the understanding and the attitude of not just seniors, but I think many of us who are at that stage in life where we are helping to take care of seniors.

You know, the gentleman from Georgia, I don't know if he has advertised what his age is. It is a matter of public record, as you know. But those of us that are in our 50s, many of us are in the position of having parents who are not as able to take care of themselves, and we are anxious to make sure that we are providing the best for them. And so I found that not just the seniors, but a lot of times, their children, I hesitate to think of myself as a child anymore, but those people who are responsible for the health care for their parents and elderly relatives have also come to understand that, with just a little bit of attention to this, it has proven to be a very good program that can save them hundreds and sometimes thousands of dollars. And I know that Dr. Gingrey knows that not only is it saving individuals money, but this whole process, the competition in this process, which was hotly debated and much discussed, has actually started to drive down the cost of those prescription drugs and the cost of the whole program to the taxpayer. So we are seeing competition work in the large scheme of things, a sort of macro economics. But we are also seeing a payoff in these examples that I read from constituents in my district of where it is helping the individual seniors, the elderly couple and those who are helping to take care of them. So a change in attitude, I think we are seeing everybody who has come to our workshop, whether they have signed up on the spot or just taken the information and gone home, has left very relieved that this is a program that can help them, and it is not nearly as scary as they thought a few months ago. And I will yield back to the gentleman.

Mr. GINGREY. I thank the gentleman. And that really is an experience, Mr. Speaker and my fellow colleagues, that I have had as well. Early on, we, almost every town hall meeting on the subject it seemed like there was someone there that was reading the talking points from the opposition in regard to oh, you know, you have done nothing but let the pharmaceutical industry write a bill, or this is just a giant giveaway to the drug companies. And you heard that kind of rhetoric almost every time. But what I am hearing, and I think Representative KLINE as well, that people now understand that in this process that we go through, nothing that we do, no bill, Mr. Speaker, is perfect. I wish that it were. But that the product that we delivered in November of 2003 is a very, very good product, and our seniors are beginning to understand that. They are seeing through a lot of this negative rhetoric, mostly from the other side of the aisle. And what is said is they are even in the last throes of the implementation of this program, we are down to the last 5 or 6 weeks, it is my understanding, and I know this because I have actually seen this, Members are holding town hall meetings and in some instances discouraging people, continuing to discourage them.

Mr. KLINE. If the gentleman would yield.

Mr. GINGREY. I will be happy to yield to the gentleman from Minnesota.

Mr. KLINE. I thank the gentleman for yielding. You know I find that absolutely remarkable. I was just thinking, I could not help but smile to myself when the gentleman was pointing out that there is no such thing as a perfect bill. And I would argue that many times there is a perfect bill. It is perfect to me, but it is not perfect to my colleagues on the other side of the aisle, or I dare say sometimes not even to the gentleman from Georgia and vice versa. So we work these things out. We try to do the very best we can. Every large bill is going to have a flaw in it from one of our perspectives. There are some flaws in this bill from my perspective and I am sure from the gentleman's and from our colleagues. But I think what is very important, that we all understand, that our constituents understand and that our colleagues here understand is that debate is for now behind us. What we have now is the opportunity, with a deadline of May 15, for our constituents to see what is available to them and see if it can't save them money. And we are seeing in case after case after case of the now hundreds of people in Minnesota's Second District that it can save them money. It is saving them money. And if you are discouraging one of your constituents from looking into this program because you are unhappy with the bill, I would argue that you are doing them a great disservice. And I would argue that you are not doing your job as their Member of Congress

because that debate may come again another day. There will no doubt be changes in Medicare legislation as we go down the road. But for now, it is very important that we set that acrimony aside and make sure that our constituents know that they have a program here that can save them an awful lot of money. And I will be happy to yield back.

Mr. GINGREY. If the gentleman would yield. And the gentleman said, you know, doing your job, and that is exactly what we should be doing. In fact, I think what we are hearing from the other side as they continue to oppose everything that this majority has tried to do in the 109th Congress, and of course the rhetoric gets worse and worse as we approach November, and we all know it is an election year. But it is not only, I think, not doing your job for your constituents, but it is kind of like one of my favorite Garth Brooks songs, it's shameless. It is absolutely shameless to think that someone would hold a town hall meeting and discourage, as the gentleman from Minnesota said, seniors from signing up for something that is going to save everybody some money, but it is an absolute Godsend to those of our seniors who are low income, low assets, the very neediest in our society. And I think most of the legislation that we try to pass, and I think the attitude should be the same whether we are Republicans or Democrats, is to try to help those in the greatest need who really can't help themselves through no fault of their own.

□ 2015

We need to put some wind beneath their wings to kind of uplift them.

And I know there may be a few in the gentleman from Minnesota's district and I know there are some in the 11th of Georgia who still need to get the message, and maybe they do not know and they do not realize. They have not gone to the Social Security Web site and found out that they qualify because their income is only $14,450, or if they are married, $19,250 a year; and they do not have assets worth more than $11,500 if they are single, or $23,000 if they are married.

We need to get them signed up, and I know the gentleman would agree with me on that.

Mr. KLINE. If the gentleman would yield, I think that is an excellent point. We sometimes forget that when we passed that bill, the one we have been discussing which was debated with some spirit, it was designed, it was designed to help seniors who are low income first; and I think that the implementation of this part D is showing that to be true. When we have low-income seniors come to one of our workshops and they are taking sometimes a passel of prescription drugs, they are saving thousands of dollars. That is what the bill was designed to do.

I remember a lot of the debate and discussion, and we talked about seniors who were forced into the terrible position of choosing whether to take a prescription drug or having the next meal or paying rent or perhaps arbitrarily choosing to cut their tablets in half. This part D for low-income seniors removes that. There is no low-income senior who should not be getting their prescription drugs with tremendous savings, virtually free in some cases, but saving lots and lots of money.

What we are finding very interesting is that there are thousands of middle-income seniors who, when they come to our workshop and look at the choices and they sit in front of that computer terminal where you can very quickly rate the different choices, they are seeing that they can save an awful lot of money and it is to their benefit.

If it is not to their benefit, certainly they can choose some other form. Perhaps they have private insurance or they have VA benefits or something. It may not be for them. But many are finding out that they can save money.

And so it goes back to the point the gentleman was making earlier. It is incumbent upon all of us, certainly the administration; some organizations like the AARP are working very hard to get this word out, and Members of Congress, our colleagues, to make sure that the citizens know that this is something that they ought to investigate.

And I know that we found early on and even last year when we were looking at the interim discount card that there are seniors who are not comfortable, frankly, sitting in front of a computer and going on line. Many are and I am always very heartened to see that. Some of them, in fact, are much more computer literate than I am. But in many cases they are intimidated, and that is why it is important that this help be offered to them, either in one of our workshops or yours, or there are other ways that you can get help.

Medicare, CMS itself, will be happy to provide help. Seniors can call 1–800–Medicare. There are ways that they can get help without having a computer and without having to sit down by themselves and try to figure this out.

So I encourage all of my colleagues to do everything they can to make sure that their constituents, their senior citizens, know that even if they are not low income, this is a program they ought to investigate.

Mr. GINGREY. I appreciate the gentleman's being with me tonight describing this program in greater detail.

I wanted to point out a couple of slides based on the information that he just gave us, and hopefully he can continue to be with us for a little while longer in this time. But Representative KLINE was talking about the fact that it is certainly not just beneficial to the low-income seniors. We know that they get the greatest benefit. But certainly a lot of middle-income seniors have no coverage under Medicare. They have part A and part B, but they have no prescription drug coverage. They may even have a Medigap policy that fills in the deductibles and the copay for part A and part B, but does not have a prescription drug part.

And I wanted to point out in this slide to my colleagues, Medicare part D helps working Americans. In fact, half of women on Medicare without drug coverage are middle income. That is represented here on the right, and these people are above 150 percent of the Federal poverty level. They are not going to qualify for any low-income supplement.

But this program, my mom is in this category, and on average we are talking almost a 50 percent savings on the cost of their prescription drugs. And so that is why it is important for people to understand that while the benefit for the lowest-income seniors is the greatest, and Representative KLINE mentioned that, in many of those instances the only payment is a little copay for a prescription drug, maybe $1 if it is generic or possibly up to $5 if it is a brand name.

If their doctor feels that they, for some particular reason, need to be on that brand name, or if there is no generic equivalent available, Medicare, the insurance program, the part D covers the deductible. It covers the monthly premium. It covers the copay of the first $22,050. And guess what. There is no doughnut hole. There is no lack of coverage at any point for those neediest seniors.

But it is important that our colleagues understand this and also understand that even the seniors who get no supplement because maybe their income is a little bit higher, as I say, my mom, Mr. Speaker, Helen Gannon Gingrey, 88 years old, she is going to be mad at me, Mr. Speaker, for telling her age, but if you could see her, you would never guess. She is young at heart and very energetic and yet was spending $4,000 or $5,000 a year out of pocket to purchase about five prescription drugs. And I was able to work with her and, as Congressman KLINE says, together we were able to go through the www.medicare.gov Web site, and Mom today is saving about $1,100 a year, and that really means a lot to her.

I wanted to also point out, Mr. Speaker, in this slide, this kind of gives a breakdown of how our seniors paid for prescription drugs before part D. We are talking about 41 million, about 41 million, and maybe 6 million of those are people under 65 that are on Medicare because of a disability, but this is the population we are talking about, and I think this slide is so instructive to show, before this program, what was happening.

Now, my mom, Helen Gingrey, was in this group of something like 40 percent of these 41 million seniors who were paying for prescription drugs out of their own pocket, and that is really the population that we are trying to address. And I would say a third of this group, a third of this 40 percent, are

the low income, the ones for whom this program is an absolute Godsend.

Now, as we were talking earlier, some people in their Medigap policy also have prescription drug coverage, and that amounted to about 3 percent. Employment-based plans, 26 percent. Now, we are talking about retirees, people who have worked for a company, a big company, a small company, but a company that has not reneged on their promise, as a retirement benefit, to provide health care with prescription drug coverage. And as part of this program, we built in an incentive to those companies to encourage them to continue to provide health care for their retirees, in many cases who have worked for the company 30 or 40 years, who had earned this benefit, and to encourage them to continue it and continue the prescription drug coverage. So about 26 percent were in that category.

Medicaid, 12 percent; they will all now be covered under this Medicare part D.

State-based programs and other sources, 6 percent.

But this is pretty much how it breaks down. And as we get closer to that sign-up deadline without paying a penalty, Mr. Speaker, beyond May 15, we do not want that to happen, and I would hope our colleagues on the Democratic side would join us in the majority in the realization that to discourage is a dreadful thing, of course, for those who are going to literally get the benefit with minimal, if any, cost, but those who have to pay the monthly premium, which is quite a number, to discourage them and then have them get beyond that May 15 deadline, and then all of a sudden they realize that they have been fed a bill of goods and some bad information and then they hurriedly sign up, but they fall into that penalty phase. That is something that we do not want to happen. I do not think Members on either side of the aisle want that to happen, and I hope that we will work toward this goal.

I see, Mr. Speaker, that we have been joined by another of my colleagues. I mentioned him at the outset of the hour, and that is the gentleman from Texas, not only my colleague in this great body, the House of Representatives but also a fellow physician and a fellow OB/GYN specialist, Dr. MIKE BURGESS.

I would like to yield to him at this time.

Mr. BURGESS. Mr. Speaker, I thank the gentleman for yielding.

I am sure my colleagues have pointed out tonight we have less than 60 days left on the open enrollment period for the Medicare prescription drug enrollment plan, and we were informed this morning that they have currently signed up 28 million people on the Medicare prescription drug plans.

When this started last November 15, the target sign-up was 30 million. So, Mr. Speaker, it seems pretty likely that CMS is going to meet that target or likely exceed that target.

Just to carry on with numbers a little bit more, there are 42 million senior Americans enrolled in Medicare. Six million of those have coverage from other sources such as the VA or a private retiree plan. If 28 million are covered in the new Medicare prescription drug benefit, that leaves about 7 or 8 million left that is the target population that we really want to reach over the next 60 days. Half of those individuals are, in fact, low income who will receive a significant benefit from the Medicare prescription drug plan.

Well, a big question that has come up certainly on the floor of this House and in some of the newspaper articles you read is, is the benefit worthwhile? Well, the average Medicare recipient will see a 55 percent savings on their prescription drug bill or about $1,100 a year. That is the typical amount. For a senior who is low income, that savings may be more in line with $3,700 a year because of the extra help that someone who is low income will receive.

We have had a lot of negative publicity about the Medicare plan, but the fact of the matter is that as people investigate this plan and sign up for it, the number of problems markedly decrease. Those without coverage currently, the 7 to 8 million, are the target groups that we want to reach over the next 60 days.

There are going to be a number of events that I will be doing back in my district. In fact, I think the President is scheduled to do several events around the country over the next couple of weeks to help get people focused on this.

And one consideration for someone who has kind of been sitting on the sidelines and wondering whether or not to sign up, there was a lot of pressure on the sign-up right after the first of the year when a lot of people showed up to enroll in the Medicare prescription drug plan, and there was some confusion and there were some hurt feelings. But bear in mind there will be additional pressure as we get to that May 15 date.

So do yourself a favor. Do the work required to investigate what plan would be best for you and try to make that sign-up occur during the month of April and do not leave it until the last minute when there may be additional pressure on the system that will tax computer systems and tax phone lines. Do not put yourself in that position. Do not wait until the night before the test to start studying.

□ 2030

Early this year in August through my district, Secretary Leavitt and Administrator McClellan came to town in the Medicare bus. We had a big event at one of my hospitals. Some people came out, but it was hard to generate much interest or enthusiasm. But people were a little bit curious about what was going on.

During the fall we heard about the fact that the people were confused because there was too much choice associated with the plan, and I think that has now evolved into genuine enthusiasm for what this plan may provide the seniors of America.

Pharmacists are of special consideration, particularly the community pharmacists. There have been some issues that the pharmacists have had to deal with that perhaps weren't anticipated at that time, front end of Medicare. I think it is incumbent upon us, as Members of Congress, and the pharmacists, community pharmacists who are constituents, to help the Medicare plans realize that the distributive network that the community pharmacist provides for the Medicare beneficiary is extremely valuable; and they do need to work together so that those community pharmacists are able to continue to provide the benefit for Medicare recipients and Medicare beneficiaries.

Clearly, the community pharmacist has value added, particularly in rural communities, and I know this to be true in many areas of west Texas, just west of where I am from.

Mr. GINGREY. If the gentleman would yield.

Mr. BURGESS. Yes, sir.

Mr. GINGREY. Because I wanted to ask the gentleman on that point about the independent pharmacists, what we call the corner druggists back in Georgia and maybe also in Texas. I would love for the gentleman maybe to elaborate a little bit on some of the concerns that I know a lot of the Members have heard from the community. Independent pharmacists, not the big chain, but the moms and pops, if you will, God bless them, have some concerns and have had some concerns, and we have been talking about that.

In fact, as the gentleman knows, Mr. Speaker, just this morning, we had conversations with Secretary Leavitt and Dr. Mark McClellan, the director of CMS. They are aware of these concerns, and we may want to discuss that for a moment or two and how we plan to continue to work really closely with those corner druggists that a lot of our patients call, they call them ''doctor''——

Mr. BURGESS. Yes.

Mr. GINGREY. Because of the work they do.

Mr. BURGESS. That is a good point. We had a hearing on the Energy and Commerce Committee about this issue just a couple of weeks ago. I asked the Secretary, I asked the Administrator to consider having a follow-up hearing in our community when we get to the first week of May. I hope there will be time to do that. This is an issue in which we need to be sensitive.

To be certain, no one person on this planet is irreplaceable. If the only place to get drugs turns out, the only place to get prescription drug benefit turns out to be the mail order, well, people will accommodate to that. We will lose value if we lose the corner pharmacist, we lose the corner druggist. They do provide so much in the

way of expertise and guidance, even to the point of being concerned whether or not the patients are actually taking the medicine, which has been dispensed, always being certain that they get the right medication dispensed in the right dosage.

It does become difficult for these small businessmen to maintain their businesses when the accounts receivable stream has been disrupted a bit, as it was when we made the switch to the Medicare prescription drug benefit.

But as these problems work out, as the accounts receivable stream accommodates to that change, I am hopeful that a good many of these pharmacists, in fact, I have had phone calls from some who explain the difficulties they are encountering, but also always will end up with the comment that I feel like this is a good plan. If you give it time to work, and if you work with us and help us, this is going to be a good deal for our patients and for your constituents.

I did want to point out some of the things that were happening in Texas. I know Texas is not unique, but it is a big State, and there are a good number of Medicare beneficiaries, about 2.5 million out of the 43 million Medicare beneficiaries do live in Texas.

The standard benefit that we are all aware of here, that is provided for by law, the law that we passed 12 years ago, includes a $250 deductible, 75 percent coverage up to $2,250 annually, and catastrophic coverage, 95 percent, paid above $3,600 per year for out-of-pocket drug costs. That is not the end of the story.

One of the things that we were criticized for 2 weeks ago, or 2 years ago when we passed the bill was, no drug company is going to come in and sign up to provide this prescription drug benefit. It will, by default, become a Federal system. But the reality is, we have got 47 plans in Texas.

In those 47 plans, when you look at how much drugs cost, those that are just stand-alone prescription drug plans, there are 47 of them in Texas, on average the monthly premium is $37, 12 plans, only one-quarter cost less than $30 per month.

Of those prescription drug plans that are associated with a Medicare Advantage or a Medicare Plus Choice account, those beneficiaries may choose among 64 Medicare Advantage plans with prescription drug coverage. On average, the drug, the monthly drug premium is $19.44. Nineteen plans could not charge any additional premium for drug coverage for people who are receiving their Medicare on one of those Medicare Advantage plans.

To sum up, the average premium is $37 a month, but drops to $19 a month for patients on Medicare Advantage and prescription drug plans. Of those patients that are just on a prescription drug plan, if they take a plan with no deductible, their monthly out-of-pocket expense is going to be $40. If they have a $250 deductible, their average monthly out-of-pocket expense is under $30.

One of the things that I have stressed when I have done these events in my district, when people tell me that they have trouble making choices because there are too many choices, try to separate the plans and look at it from the standpoint of cost, coverage and convenience. Know the drugs that you are taking.

This is very important. Before anyone calls any of the Medicare hotlines or goes online to try to decide what drug coverage they need, they need to know what drugs they are on and the dosage and the dosage schedule. It doesn't do any good to purchase a Medicare prescription drug plan that doesn't cover the medicines that you are taking.

My colleague and I heard this morning from another Member that for a husband and wife who are both on prescription drugs, but not necessarily on the same prescription drugs, what is a good plan for the one spouse may not be a good plan for the other spouse. Each spouse needs to look at that individually. In this situation, it is not necessary nor sometimes even desirable for both to buy the same plan.

Mr. GINGREY. If the gentleman would yield.

Mr. BURGESS. Yes, be happy to yield, my friend.

Mr. GINGREY. I would point out that although a couple, for the reasons that you just so clearly explained, might have signed up for different prescription drug plans, they can get their medication filled at the same pharmacy.

Mr. BURGESS. That brings up the convenience part of that formula that I was talking about. If you wish to get your drugs through the mail order house, by all means make that selection. But if you wish to get a prescription at your chain drugstore, that decision can be made at the time you sign up.

If you wish to receive it from the corner druggist, from the community pharmacist, you can cost compare what would be the best deal or what would be the best price for that individual consumer. Again, it may be different for a husband and wife, if they are, indeed, on different medicines.

Also, look at the coverage, look at the lists of what medicines are covered under that drug plan. In Texas, for example, our first-tier plans cover, on average, 730 drugs on the first tier and 399 drugs on the second tier. That means, on average, the plans in Texas cover over 1,100 different drugs in the plans.

But look at the plan to be certain that the medicines that you are on are, in fact, covered, because that is going to create difficulties if your particular medicine is not covered on the drug plan that you select.

Finally, I do want people to remember that this is a little bit different from standard Medicare in that this plan, this prescription drug program, is not an entitlement. It is insurance. It is insurance with premium support. This is exactly what was recommended by the commission that was set up under President Clinton in the 1990s, premium price support and insurance coverage, rather than a pure entitlement. I have heard from some of my constituents, who are concerned that the cost will go up if they miss the deadline.

Well, that is true, but that would happen with regular insurance as well. Please approach this as insurance coverage and price it as insurance coverage and recognize that what the Federal Government is bringing to the table is price support for that premium. The premium will not be as high as it otherwise would be if Medicare were not a participant.

Well, the gentleman from Georgia has been very generous with his time. I am not sure what time remains with the hour. I will be happy to stay and participate if he would like me to, but I have pretty much concluded the remarks that I had prepared to say this evening.

Mr. GINGREY. I thank the gentleman. I hope he can stay. We may be able to engage in a little bit of a colloquy on some of these points. But in any regard, I thank the gentleman so much for his tireless insight and his understanding, of course, as a physician in making sure that our seniors get the right information so that they do get signed up.

He was talking a few minutes ago about the couple where the husband and the wife may have signed up, need to sign up, really, for a different prescription drug plan because they are on different drugs. But the fact that they can go to that same, same pharmacist, maybe it is a corner druggist in their neighborhood, right down the street, I mean, it could be Corley's Pharmacy in La Grange, Georgia. It could be Kim Curl's drugstore up in Hiram in Paulding County, or Steve Wilson's Carter drugstore in Smyrna, Georgia. All of these wonderful independent pharmacists are in my district, and I know the gentleman, Dr. BURGESS from Texas, has a similar situation.

You know, I think it is so important, as we do approach this deadline for signing up without a penalty, that our colleagues understand that. There was a lot of effort, I think, almost as much effort on the side of resistance as has been on the side of encouragement. I think the encouragement has won out, is continuing to win out over resistance and negativity. But we need to work toward achieving a goal of a full implementation of this program.

But here are the encouraging statistics, while the program, as Dr. BURGESS said, may have started out a little slow, as people were confused by all of the political rhetoric that was going on, as of last week, Mr. Speaker, as of last week 27 million seniors now have prescription drug coverage under Medicare.

Now, when you think about the fact that we are talking about a population of about 41 million, and 27 million now have this coverage under Medicare, and probably 8 million or so, 8 or 12 million, even of those that are not signed up, they already have something. They already have, if they are veterans, TRICARE, TRICARE For Life; if they are retired Federal employees, if they have a prescription drug coverage under the Federal health benefit plan; same thing with State retired teachers.

We are getting pretty darn close to 100 percent implementation. In fact, signing up 380,000 new beneficiaries each week, and 1.9 million additional beneficiaries have signed up for prescription drug coverage since mid-February. This represents a 25 percent increase over last month and the number of people who have selected a plan.

A lot of our opposition has said over and over, well, new people are not signing up, this is just automatic enrollment for the dual eligibles, the low-income seniors who have both Medicare and Medicaid. Well, that is absolutely not true.

□ 2045

Of the 27 million who have signed up, 7.2 million are folks that are not low income, and they had no prescription drug coverage so we are getting there. And as I say, we are going to continue to work right up until the last day, May 15, 2006.

Now, our colleagues on the other side of the aisle, Mr. Speaker, are trying to make political hay in saying that we ought to extend that deadline. We ought to push it out another 6 months, but in a way, that is just a cruel hoax because the longer we delay, the longer our needy seniors delay, the more they are either not going to get that supplemental help that they are eligible for, for if they are not eligible for supplemental help because of their income, they are going to continue to pay sticker price for their prescription drugs, more than anybody else in our population.

These younger people that are covered under an HMO or possibly an insurance company that has negotiated a low price, they get the discount; and that has been part of the problem, Mr. Speaker, why it is so important that we do this program. It is so unfair for our seniors to have to pay more than anybody else. So we want to encourage them, and I hope my colleagues on both sides of the aisle will continue to do that.

Mr. BURGESS. Mr. Speaker, one of the things that I find really exciting about the Medicare Advantage Plus Prescription Drug Coverage those plans, many of them do away with the so-called gap in coverage that occurs above expenditures of $2,250 up until you get to that upper limit of $3,600 whatever it is.

Obviously, as a clinician, and the gentleman from Georgia knows this, you don't want your patient stopping and starting their medication as the coverage becomes available and then perhaps they move into the interim period or the gap period where the coverage would not be available, and they just decide to not buy their medicine again. But many of the plans in Texas I have noted will eliminate that gap in coverage so long as the patient is willing to accept the issuance of a generic medication. And I think that is one of the really exciting things about this. It gives the patient an incentive to consider or try a generic medication which is going to cost the government less and the health plan less. It provides them their medicine throughout the year with no break in their medication, and that is what this program is all about when you get down to it.

Gone are the days where we just want to treat things where the crisis happens. Timely treatment of disease, access to prescription drugs, access to preventative therapy, this is the Medicare of the 21st century. Not in the hospital for the pneumonia, in the hospital for the surgery, in the hospital for the pancreatitis or the uncorrected elevated blood lipids or any of these things that would have caused problems in the past. Prevent those. Maintain to that person's health throughout the year, and it is going to cost us less.

In fact, we found some cost savings just with the competition part on the prescription drug plan. We will begin to see the cost savings from the timely treatment of disease and providing prescription drugs to prevent the catastrophic events of untreated chronic disease will begin to reap those benefits 2 years, 3 years, 4 years, 5 years from now. And I for one will be anxiously awaiting hearing about those savings.

Mr. GINGREY. Mr. Speaker, I thank him for bringing that up because it is so important. A lot of the concern over this Medicare part D addition was the cost. And some Members on our side of the aisle, fiscal conservatives, and I understand that, voted against the prescription drug part D because they did not think we could afford it. Some of our friends on the other side of the aisle voted against it because they did not think we were doing enough. And, of course, if we had done more and there was no doughnut hole, then it would have cost, who knows, $3 trillion maybe instead of the estimated $750 billion over 10 years.

But Dr. BURGESS brought up an excellent point, Mr. Speaker, and I think we need to elaborate on it a bit. Even if it does cost $750 billion or $75 billion a year over the next ten, what Dr. BURGESS is saying, Mr. Speaker, you are going to shift costs from part A and part B onto part D. So what we are saying is, let's pay for the prescription drugs so that we can keep people out of the emergency rooms, off the operating table, off of renal dialysis, out of the nursing homes, maybe in some instances because they have had a stroke. They did not have the medicine to treat the high blood pressure. Now we are paying, either on Medicare or Medicaid, 20 years of skilled nursing home care. What a false economy that is. It is a compassionate thing to do to shift some of that cost from part A to part B.

I know, Mr. Speaker, we are getting close to the end of the hour and I thought that what would be good maybe is to quote some stories. In fact, I have one patient from Texas and while the gentleman is still here I wanted to give this to our colleagues, this Medicare D success story.

Barbara L. from Kemp, Texas, and Kemp, Texas, is possibly in the gentleman's district, but in any regard, it is Texas. In 2005, Barbara spent $2,100 on prescription drugs. She enrolled in an AARP Part D plan. I know that the support of the AARP, that great senior organization, its 35 million members, gives a little angst and heartburn to our colleagues on the other side of the aisle that they are used to having blanket support from the AARP and all of the sudden this great senior organization that is supporting this program and that causes them a little discomfort.

Barbara signed up for a plan that they offered, and in 2006, she expects to pay not $2,100 but $360, a total savings of $1,740.

Listen to what Barbara said: ''I found the drug plan confusing at first, but I called Medicare today.'' One of the organizations that is helping to explain on a contractual basis the plan. ''I called Medicare today, got the information I needed, then I signed up. It is glorifying,'' Barbara says. ''I'm beside myself with the drug cost savings.''

Mr. Speaker, Barbara W. from El Mirage, Arizona, I want to give these testimonials from across this great country because it is not just Texas. It is not just Georgia. It is not just Minnesota. Barbara W. from El Mirage, Arizona, had no prescription drug coverage, like my mom, spent more than $2,600 a year on medications, wanted an inexpensive plan with a low premium. She enrolled in a part D plan where the monthly premium was only $6.14 on a monthly basis. In 2006, she will save $1,800. Nearly $200 a month. And that is Barbara from the great State of Arizona.

Here is another, Mr. Speaker. Thomas P. from Providence, Rhode Island. Thomas is 77 years old, spending more than $3,000 a year on prescription drugs. He probably is not low income, didn't have a Medigap coverage or not a veteran, and out of his pocket spending $3,000 a year. He found out from Social Security that he did qualify for extra help with his monthly premium. He did not know it but realized that he qualified. Now he expects to spend not $3,000 a year, but $400 a year on prescriptions. Do the math. That is a total savings of $2,700 a year, and that is not peanuts as they say in Georgia.

Thomas says, ''It's worth the time to save all that money.'' Indeed.

I think we are getting close to the witching hour. I had one more that I wanted to point out, but, Mr. Speaker, we thank you for the opportunity to bring this hour from the majority to explain this program. I thank Dr. BURGESS. I thank Mr. KLINE. And I want to encourage my colleagues on both sides of the aisle. Let's support this program. Let's give our seniors what they really need. They deserve it, and they deserve our support.

REPORT ON RESOLUTION PROVIDING FOR FURTHER CONSIDERATION OF H.R. 609, COLLEGE ACCESS AND OPPORTUNITY ACT OF 2005

Mr. BISHOP of Utah (during the Special Order of Mr. GINGREY), from the Committee on Rules, submitted a privileged report (Rept. No. 109–401) on the resolution (H. Res. 742) providing for further consideration of the bill (H.R. 609) to amend and extend the Higher Education Act of 1965, which was referred to the House Calendar and ordered to be printed.

GENERAL LEAVE

Ms. SOLIS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on the subject of my special order today.

The SPEAKER pro tempore (Mr. POE). Is there objection to the request of the gentlewoman from California?

There was no objection.

BUDGET CUTS HARM WOMEN AND CHILDREN

The SPEAKER pro tempore. Under the Speaker's announced policy of January 4, 2005, the gentlewoman from California (Ms. SOLIS) is recognized for 60 minutes as the designee of the minority leader.

Ms. SOLIS. Mr. Speaker, I rise tonight to highlight how the President's fiscal year 2007 budget will harm millions of women and children around the country. Tonight you are going to hear from some of my colleagues about those specific programs that have proven to be successful for all women but are currently being cut and in some cases eliminated altogether.

The President is proposing to cut programs that disproportionately help women, children, the elderly, and the increasing population of Americans living in poverty.

Earlier this month, I was part of a recent delegation of Members of Congress who traveled to the gulf coast and New Orleans where most communities are still struggling to clean up their homes and get back to some sense of normalcy after Hurricane Katrina. We need to be doing more to help those, those that lost everything to regain their lives. These communities must have quality health care, emergency care, and safe environmental conditions. But we cannot accomplish these goals and help the millions of women and children around the country who are living in poverty with the reckless and immoral budget that President Bush has proposed.

Key domestic programs that provide food and housing and support to women are vulnerable under this administration. In fact, the Bush administration is determined to protect tax cuts for the very wealthiest of Americans and provide health care for those who already have health care coverage and not include the 50 million uninsured people in our country today. The President wants to eliminate educational support for women, food assistance for seniors living in poverty, and he wants to significantly slash funding from important safety net programs like Medicaid and food stamps. In just 4 years, the cost of making these tax cuts permanent will exceed the amount that the Federal Government spends on education beginning in preschool through college.

Where is the economic recovery that the administration promised? Real wages as we know are down. The number of people living in poverty has increased. Job growth has been stagnant. And tonight I am glad that so many of our colleagues in our Congress, the Women's Democratic Congress, who serve here are coming together to speak out against the President's budget and how it is going in the wrong direction for women and their families.

I would like to begin by talking about education. But first I would like to begin by addressing the President's failure to address rising college costs. With increased funding for student financial aid programs like the PELL Grant program and the Perkins loan program. Before my election to public office, I worked for the California Student Opportunity and Access Program and helped many young people in my community obtain the ideal of going to college and receiving financial aid because there was no other means to go to college.

The President's budget currently continues to shortchange America's students who rely on financial aid to pursue their college education. Just one month after Congressional Republicans cut college aid by $12 billion, $12 billion, the President proposed a budget that eliminates, decreases and freezes funding for much needed programs that are vital to helping students of color, people from my own community.

Low interest Perkins loans are crucial resources as we know for college students who have demonstrated need. Two-thirds of the Perkins loan recipients are from families with annual incomes less than $40,000 a year. Yet, the Perkins loan program took a hit in the President's 2007 budget and would recall $664 million from the federal Perkins loan fund for nearly 1,800 colleges in the year 2007. And as a result 463,000 college students would lose a key part of their financial aid.

Despite the record tuition increases that we all know are going through in our States, Bush's budget breaks his promise yet again of making college more affordable and he actually freezes the maximum PELL grant in scholarships. Six years ago President Bush promised to increase the maximum PELL scholarship for all college freshmen at $5,100.

□ 2100

This budget is now the fourth time that the President has frozen the Pell Grant. Access to financial aid, as we know, is a huge factor for many students, particularly from low-income areas like my own.

Three out of four young Latino adults who do not attend college cite the fact that without having financial aid they cannot continue to have the American dream. About 40 percent of African American students and 30 percent of Hispanic students depend on Pell Grants, compared to 23 percent of all students.

Young women, just trying to improve their earning potential and get a better job also disproportionately rely on the Pell Grant program, and I have to tell you, when I was a student, that was my means of going on to college.

My parents could not afford to send me to college. They could not afford to give me a substantial amount of money to go to a university. So thank God that we had Federal financial aid programs available, work study programs and the National Student Loan Program, where I was able to attend a 4-year institution to have my full tuition paid for, including expenses; and I thank God that our government at that time stepped up to the plate.

I cannot say that now, under this administration, but for the last 4 years now we have seen an increase of 57 percent in costs to attend college, by this President. We need to reject the President's freezes and cuts to financial aid and help those students who want to go to college, but the high cost of tuition is just way out of line.

When these students get to college, we need to do more to encourage them to pursue fields that will encourage innovation and increase America's competitiveness and increase the number of women that seek access into the technical fields like science and math. While women account for more than half of the number of bachelor's and master's degrees awarded, they make up a small number in the fields that are crucial to spurring innovation and job creation, for example, in areas like engineering, computer science, physical sciences and math. Only 21 percent of master's degrees in engineering were awarded to women. For computer science and physical science, women only earn about 35 percent of the master's degrees in the country.

The statistics are far worse for women of color, like Latinas and African American women and even Asian

Americans. Within the small number of women who earn an engineering master's degree, 11 percent are Asian American, a little over 4 percent are African American and less than 4 percent are Latinas.

We need to encourage women to be part of the technical and skilled workforce from school age all the way up to adulthood.

The President's budget also eliminates the Dropout Prevention Program and, therefore, ignores the big problem that we have currently in many of our communities where we see a number of our students dropping out of high school. For the past 4 years, the Bush administration has cut funding for dropout prevention, denying our most-needed students the opportunity to succeed, and in Los Angeles, by the way, only 29 percent of Latinos and 47 percent of African Americans actually graduate from high school.

This budget also freezes over $1 billion in current funding for ongoing programs, including the GEAR UP program, the TRIO and Upward Bound program, which are vital programs to many youngsters in our community. Many that attend and currently are enrolled in those programs are the first in their family to have the opportunity to be trained and have the motivation and support and mentoring that is needed to be successful in college. With the President saying that he wants to zero out these programs, he is sending the wrong message to my community and to communities across this country.

We need to be encouraging all of our young people to pursue higher education to keep America competitive and to increase our productivity and economy. With deep cuts to student aid proposed by the President, we are closing the doors to eager students instead of providing a helping hand to those who want to learn, who want to work and want to be a part of the society.

We must defeat this immoral budget to help our students achieve their goals and access all the opportunities that our Nation can provide.

I would like to briefly speak about women in the workforce. Once these young women who complete college graduate, they face challenges in the workforce. The wage gap among women and men continues to this day. Some of you may know that women earn on an average 76 cents to every dollar that a man earns. Instead of eliminating the wage gap and providing more opportunities for women to enter the workforce and earn good wages, the Bush budget continues to undercut and devalue women's contributions to the American labor force.

The Bush budget eliminates the women in apprenticeships and nontraditional occupational programs. This program, which only costs $1 million per year, provides grants to employers to help them recruit, train and retain women in nontraditional and well-paying jobs. Women who were a part of Women in Apprenticeship and Nontraditional Occupations projects were 47 percent more likely to enter higher-paying technical jobs than others.

The overwhelming lack of women in technical fields like science and math, as you know, is astounding. Even if women graduate with engineering and science and math degrees, they are still faced with low salaries.

On the average, women hold Ph.D.s in computer science and engineering, but still earn $9,000 less per year than their male counterparts. Latino engineers, both men and women, earn $10,000 less than the average salary for all engineers, and African American engineers earn $8,000 less.

We need to encourage women to be a part of the technical and skilled workforce from school age right up to adulthood.

Programs like Women in Apprenticeship and Nontraditional Occupations Act are a part of that effort, and I will work in Congress, along with my colleagues, to reject the elimination of this or any other programs that help women achieve their dreams and realize their potential to be an important component of the technical workforce.

From the wage gap to discrimination, we need to do more to help women succeed and support this vital and necessary part of the American workforce. I urge all of my colleagues here today and tonight to do everything possible to defeat the President's immoral and irresponsible budget that puts women and children's futures at risk.

I would now like to introduce one of my colleagues who has joined me tonight, who is also part of the Women's Issues Group here in the Congress, the distinguished former ambassador and Congresswoman, DIANE WATSON, who is going to also join me in discussion regarding this important topic with respect to the budget cuts towards women and their families.

Ms. WATSON. Mr. Speaker, I want to thank the gentlewoman from California for allowing me to join in this discussion on women and the budget.

This budget, as you have heard, would hurt working women and their families. It does not alleviate the real health disparities that exist throughout the Nation, and it does not do much to help young girls realize their potential, whether in the classroom or in the community.

I would like to use my 33rd District in Los Angeles, California, as an example to show what women want and the impact of the President's budget on my sisters.

Women want an environment where they and their families can live, work and play. They want to eliminate the community health disparities that leave some people with different standards of care, and they want to redirect youth away from violence and lives of crime and into a life of productive citizenship.

Women are integral to uncovering the solutions to these issues, yet this budget severely undermines women and the roles they play.

For example, the President's budget hurts working women and their families by freezing funding for child care in the Child Care and Development Block Grant, early childhood education in the Head Start programs, and necessary social services in the Social Services Block Grant.

The legislation we passed tells low-income women they have to work if they wish to qualify for aid from the government, but how can women work if they cannot afford a decent place to leave their children during the day? They have to have confidence that their children are getting the proper care. The President's budget does not provide an answer to that question.

Women need more assistance with their health care needs, not the same as last year, and certainly not less.

The budget reduces funding for title X family planning programs, the Maternal and Child Health Block Grants, and the Public Health Service's Office of Women's Health. The goals of these programs are to improve the health and the well-being of women and girls, and by reducing their funding, we show women and girls that their health care is less important.

This budget has failed economic policies and has contributed to the 1.2 million more Americans slipping into poverty. Communities of color are disproportionately living at risk. Approximately 25 percent of African Americans and 22 percent of Latinos are living in poverty. We should be doing more, not less, to help all Americans trying to make ends meet.

The President's budget cuts spending on food stamps by more than $650 million over the next 5 years by making it more difficult for low-income families receiving welfare to qualify for food stamps. Approximately 225,000 people will lose eligibility for food stamps. 40,000 of those are children who will also lose access to free school lunches, and subsequently, spending on child nutrition will be cut by $50 million over the next 5 years.

These cuts will hurt the low-income women who rely on the food stamps; and what is so tragic about this is that it is the women who shop for children's foods, and when we think of it, children will be going to school with empty stomachs, hungry. How can they concentrate on their classwork when they are hungry? Of the 21 million people who receive food stamps, nearly 70 percent are women.

The President's cuts will also affect Latinos across the country who are struggling to put food on their tables. We must end the irresponsible cuts to the food stamp program that pays for tax cuts for the wealthy, and we must oppose this President's budget.

The President's budget also eliminates the Commodity Supplemental Food Program which provides nutritious food packages, primarily to low-

income seniors. Over 420,000 seniors are served by the Commodity Supplemental Food Program, as well as 50,000 mothers and children. Our seniors deserve better treatment than to cut these programs.

Over two-thirds of low-income elderly are women who also receive disproportionately less in other government benefits, and the programs are Social Security and others.

□ 2115

And these are people who have paid in to the Social Security System who deserve to have a dignified retirement. In February, 59,000 of these recipients were eliminated from this program and are no longer able to obtain their monthly supply of groceries. Shame on us.

Simply transferring these individuals to the Women, Infant, and Children Food Assistance program, known as WIC, or food stamps is not a workable solution for many elderly individuals. Cuts in the budget to food stamps will make it more difficult for seniors who will be transferred from this commodity supplemental food program if the President's budget is implemented. In addition, many elderly shifted to food stamps will not qualify for the same amount of groceries they currently receive from the commodity supplemental food program. Again, shame, shame on us.

The commodity supplemental food program is also a very unique program that helps seniors because the food is delivered where they live and eat, and it is important that we preserve this program for our distinguished seniors, all of whom are distinguished because they have lived long and worked most of their lives.

The President's budget also calls for cuts to WIC in the coming years. While the budget includes $5.2 billion for 2007 for the WIC program, funding declines to $5.0 billion in 2011. That is a 13.3 percent cut from the amount that would be necessary to maintain purchasing power at the current level. The President's cap on administrative costs in the budget will likely lead to reduced WIC clinic hours and other service cuts, making it more difficult for families to receive services such as nutrition education.

So the President's assault on the safety net services for the poor in favor of tax breaks for the wealthy has to come to a stop, and it is up to us here in Congress to say no to his ridiculous requests that put thousands of women, children and the elderly at risk. We must honor our old, and we must do for our children what America stands for.

Women need more assistance with their health care needs. Seniors need better assistance with their health care needs, and the budget reduces funding for many of these programs. Shame, shame on us if we allow such a detrimental budget to go forward.

So I would say, my colleague, my distinguished colleague, that our speaking tonight, I hope, will convince our colleagues that this is a detrimental budget that doesn't help. It only harms America's women and elderly and America's children.

Ms. SOLIS. Thank you, Honorable Congresswoman DIANE WATSON for your eloquent words. I know that there are thousands, millions of people out watching us tonight, and I know in my great State of California there is a lot of preoccupation in terms of what is occurring here in the House. It is very disappointing to go back home and tell folks that the policies this administration has leveled are outrageous and severely harmful to our most vulnerable populations, our children, our seniors, our working families.

And we don't have to look too far to be reminded what the President attempted to do just last year when he talked about privatizing Social Security. A failed policy. He tried to sell it. I think he had several town hall meetings. I know I did. And when we went out and spoke to our seniors in an open, unbiased setting, where no one was given pretickets and everyone was allowed to come in, where we had lay people, we had doctors, and we had folks in the health care industry but we had also the seniors there, they asked the very important questions: How is making this program, Social Security, which is the bedrock, our insurance plan for all Americans when they retire, how is it going to help to privatize it? Who is going to make the money off of that? And if I don't pay into it and put money aside, who is going to support me in my old age?

I heard this from widows and disabled people, and I heard an outpouring of negative support for the privatization of Social Security. In just about every forum that I held in my district, in east Los Angeles, in the San Gabriel Valley, we heard by an overwhelming margin that the people did not support that plan. Do not touch Social Security was the clear message that I got. And I know that many colleagues in the House on our side, in the Democratic Caucus, held several, if not thousands, close to a thousand, I believe, town hall meetings last year, and overwhelmingly there is a consensus that we can't afford to shortchange our seniors and people who have paid into the system. And to also neglect the disabled, because there are some very vulnerable populations that rely on that Social Security check.

Many people wrote me personally and said, Congresswoman SOLIS, please do not allow for further cuts in Social Security. We need to have an indexing system so that we can keep up with the cost of living. My rent is $400, but my check for that month is maybe $800. I have to pay for utilities. I have to pay for medicine, and it isn't enough to cover my medicine. So I have to cut my medicine in half and spread it out for the week or the month.

And still no one there to listen, to help. This administration has turned their backs on our most vulnerable population. Thank goodness that that proposal went nowhere. But I understand that there are current attempts to try to revive it again, and I know that our colleagues on the other side of the aisle have also heard very strongly that their constituents are not in agreement with privatizing Social Security.

That leads me to something else, because one of the things I think is most important for us tonight is to talk about Medicaid and its effect on women and the proposed cuts that this President would like to make. We can't allow it.

Here on this chart I would like to explain to the public and to my colleagues that this is the Republican budget, which fails to provide health care for women and families. And if you note, women account for over 56 percent of Medicare beneficiaries. The Republican budget slashes Medicare by $36 billion over 5 years. The majority of Medicaid beneficiaries are women and girls. The Republican budget cuts Medicaid by $42 billion over 5 years, and more than 20 million women do not have any form of health insurance.

The Republicans health savings account, which is much like the privatization of Social Security, would lead to higher out-of-pocket costs for most Americans. And once people hear about this, they will turn down the notion of health savings accounts.

In my district, you have to have money to be able to put away just to set up that account. We are talking about needy people, working class people, working families that are struggling. They can't afford to put $200 and $300 away per month just to provide for a premium to pay for that health care account. And then we are probably sure to hear that some of these providers that are going to get into these accounts are going to be very selective and cherry pick who their patients will be. They are not going to take the very ill, the very sick.

That is why it is important that the government step in and continue to fully fund Medicaid and not go in the wrong direction that this administration would like to go into.

I would like to go back to my comments here where the President's budget proposes new rounds of Medicaid cuts that would take another $14 billion out of Medicaid, as I said over the next 5 years. These cuts come just months after Republicans in Congress forced through an ill-conceived budget reconciliation bill which slashed $6.9 billion over the next 5 years in the Medicaid program.

Over 20 million women in our country lack any form of health care. Again, cuts to Medicaid, an already underfunded program, would have a devastating impact on women and their families. And more than 53 million people, including 14 percent of low-income Americans, currently have no access to health care. And it is even more important because more than one in every

four children in the United States is covered by Medicaid. That is more than 25 million children in our country. More than 30 percent of children with disabilities rely on Medicaid for health coverage and services.

Medicaid provides essential care, such as family planning, breast and cervical cancer treatment, and care for disabled women to more than 16 million women, including approximately 10 million women of childbearing age. Nearly one in ten women in the U.S. receives health care coverage through Medicaid, and one-third of all poor women are covered by Medicaid, including 40 percent of single moms.

Medicaid is so important to Latinas, who have the highest rate of uninsurance, 37 percent, of any racial and ethnic minority group. Approximately 12 percent of low-income Latinas rely on Medicaid for their health care coverage. Even Latinas who are legal immigrants, who are here legally, find barriers to health care access.

Since 1996, legal immigrants have been barred from receiving Medicaid coverage for the first 5 years of their residency unless the State they reside in specifically covers them through State funds. In our State of California, we have been able to do that. This is a 5-year period in which these women and men who legally emigrated to the United States are denied regular health care and screenings for diseases that plague communities of color, like cancer, diabetes, HIV and AIDS.

Without health insurance, many Latinas are forced to delay or forego their health care coverage all together. For example, approximately 25 percent of Latinas have not even visited a physician in the last year. Incredible. Almost one-third of Latinas do not have any health care provider at all. And Latinas do not access prenatal care or cervical and breast cancer screenings at the same rate as the regular population.

We need to do more to expand access to Medicaid for all women, all women of color. Women are twice as likely as men to qualify for Medicaid because they are poorer, in lower-paying jobs, and are less likely to be offered health care insurance. Women of reproductive age are especially vulnerable because they are more likely to lack health insurance.

Medicaid accounts for two-thirds, two-thirds of all Federal and State family planning funding nationwide. This is the largest source of public funding for family planning services and products. Low-income pregnant women can receive critical prenatal care when they need it without being turned away. Medicaid ensures that women receive a full spectrum of maternity coverage, including prenatal, labor, delivery and postpartum care.

Medicaid is also important for elderly women, as we spoke about earlier. It is the largest source of funding for women over the age of 80 living in nursing homes. The program covers high-cost nursing homes and long-term care services.

Medicaid also covers important health screenings for cervical and breast cancer as well as for sexually transmitted infections. Medicaid in California provides vital health services to low-income women of all ages who comprise 75 percent of the beneficiaries ages 19 and older.

In California, in our great State, 42 percent of all births in the State are paid for by Medicaid. There is no question or doubt in my mind that Medicaid is a significant health safety net program for women. The cuts in Medicaid that are being proposed would shut the neediest individuals out of the public health system and put the health care of millions of women and young women and girls at risk.

□ 2130

Proposing reductions without ensuring the preservation of coverage for those in need simply transfers the burden to States that are already over stretched, and Medicaid cuts would shift costs to the States and impose higher costs to beneficiaries and health care providers who are already strapped. States would be forced to reduce Medicaid coverage and benefits, increasing the number of low-income Americans who are uninsured or underinsured.

The proposed Bush budget that we are discussing tonight would cut billions from Medicaid while doing nothing to make health care more affordable. Democrats believe in strengthening and not undermining Medicaid. The Federal Government should fulfill its promise of being a reliable partner in Medicaid, and we must protect Medicaid and maintain the current Federal commitment to this fundamental public health insurance program.

I stand in strong opposition to the President's budget because I know it does not go far enough in protecting the health and wellbeing of our families and our children.

In his State of the Union address, the President touted the government's responsibility to provide health care for the poor and the elderly and he set forth a goal of confronting the rising costs for all Americans. Unfortunately, the President's budget fails to live up to that goal. Instead, his budget undercuts health care for women, children and the elderly. America cannot afford to go in that direction. In recent years, health care costs have risen by almost 60 percent, and the number of uninsured continues to grow and grow, including more than 13.7 million Latinos. Today, 22 million women, one in 5 adult women, rely on Medicare for basic health insurance protection. In fact, women comprise 56 percent of the Medicare population. By the time women are age 85 and older, they account for nearly three-quarters of all beneficiaries, and President Bush's fiscal year 2007 budget that is being debated tonight in the Committee on Rules goes way off the mark by cutting back good proposals that help many, many of our Americans in the Medicare and Medicaid programs by increasing the fees paid by our veterans, and by increasing Medicare premiums paid by our poor seniors. That includes $39.4 billion in cuts to Medicare over 5 years and $105 billion in cuts over 10 years.

With the shoddy implementation of the Medicare Part D prescription drug benefit program and the growing population of seniors who are living longer than ever, now is definitely not the time to cut back on Medicare. And women who are eligible for Medicare are going to be at greater risk if these cuts are implemented.

I have to tell you in my own district we had a series of these forums where we also talked with our seniors at various senior citizen sites about this very complicated program. Many said they refused to sign up. They refused to sign up because they could not go through the quagmire of 40 different programs that they were being told to select from. Many did not have access to appropriate linguistic information in Spanish and in Chinese. Some were not able to access a computer because there may be only one computer in their entire neighborhood. Our seniors cannot even afford a computer in their home, and are even less likely to be able to pay for an increased premium in the Medicare prescription drug program. It is a failure in my opinion.

Just this last week on Monday we had a forum, a press forum in front of a pharmacy in east Los Angeles, Mr. Ramirez's pharmacy, and we heard from some of our pharmacists as well as some of our seniors that those individuals who are dual eligible on Medicare and Medicaid had a very difficult time now going into the pharmacy to get their medicine. They did not know that all of a sudden Medicaid was just going to pay for the hospital service that they did not need at that time, but if they went in to get their medicine, they were going to be charged anywhere from $1 to $5 more for every prescription that needed to be filled. So if you needed to repeatedly get medicine to treat your diabetes, to treat your high blood pressure or heart disease, you would be paying anywhere from $100 to $200 more out of pocket. And these are the folks on a fixed income, so $5 and $10 is a hardship. It means no food, no electricity, no phone and could lead to death if they are not given the appropriate treatment. This continues to go on.

As Democrats, we are fighting to try to extend the deadline so people can go beyond the May 15 deadline that this administration said they would like to impose. If seniors do not sign up for this program by that time, they will be penalized, just further demonstrating how insensitive this administration is.

We have a bill as Democrats to extend that deadline to December 31, 2006. Why can't we get bipartisan support when the outcry has been so

strong. I ask my colleagues to consider how we as Members of Congress can take care of ourselves, have the best health care programs for ourselves and our families and yet forget about our constituents in our districts. That is shameful and we need to address that immediately.

I know in our communities, especially senior women of color, they are more likely to be low income. That is the case in east Los Angeles and the San Gabriel Valley. Fifty-six percent of African American women and 58 percent of Latinas live on Medicare and their annual incomes are less than $10,000 a year compared to 24 percent for white women beneficiaries. Who in their right mind could survive on $10,000 a year, maybe a widow who has outlived her spouse who maybe live in an apartment, does not even own a car and has very little wealth, and yet we are expecting them to pick themselves up by their bootstraps after they have given so much to our country and paid in to the tax base and the economy of this great country. Shame on the Bush administration for doing that, for cutting health care funding for the elderly when we cannot even agree to negotiate with, for example, the pharmaceutical companies to lower the cost of prescription drugs. We do it for our veterans, why can't we do it for all seniors. Why can't we allow for low cost and generic drugs to come into our country and import from those countries that we work with already. It is beyond comprehension for me to understand why this administration continues to have this roadblock where they do not want to support and preserve the rights of our seniors and our elderly.

The President seeks Medicare savings through arbitrary reductions in provider payments, and we heard this at my press conference on Monday from our local pharmacy who said, ''Congresswoman, I cannot even afford to give some of these medicines out because I am not getting an appropriate refund or rebate on the medicine that I am giving. It is costing me more to give out the medicine than what I am getting in in payments from the Federal Government.''

There is something wrong with that scheme, and I know perhaps the President has not thoroughly spent enough time in communities like mine to understand the hardships that are going on throughout our country right now. Those are challenges that we have to face. We have to face those here in Congress and we must do everything we can to see that this administration minimizes any costs and hardships to our seniors.

Medicare costs in my opinion definitely need to go back. We do not need to move forward with this prescription drug program that was implemented, that was given to us in the dawn of night, 2,000 pages that Members could not even read, and three or four more hours where the clock was running and people could not decide on how to vote. It just blew my mind to see that there was such a callous understanding of what the implications of this bill would be.

Now we know the truth. The seniors know the truth, and they know that these programs are not working for them. That in fact this program, this facade of a program that was supposed to help seniors, actually helped the pharmaceutical companies. They are the ones that made millions. They are the ones that stand to make millions from the implementation of this program. That is wrong. That is not why we were sent here to this House. We were sent here to work on behalf of our constituents, and I refuse to vote for programs that will keep harming not only our seniors, our children, our women and also our veterans, which is happening here tonight in back of me in the Committee on Rules.

We must talk freely about what is happening here and ask for transparency on the part of our elected leaders, especially those that control the domain of this House. We need to stand up. I know my colleagues in the Women's Caucus, in the Women's Democratic Caucus, will do everything we can to go out in the next few months, to hold forums and to continue to educate the public about the atrocities that are occurring. They need to be aware that we are here to speak to them clearly as Democrats, that we will stand for them and that we will fight with every fierce bone in our bodies to make sure that these cuts against our families and our children no longer occur. I pray for that moment to come soon.

I thank my colleague, Ms. WATSON, for joining me tonight, and I thank the Honorable NANCY PELOSI and our leadership and all of the 46 members of our caucus, the Democratic Women's Caucus, who stand tall every single day, coming here to work and working in their districts to make sure that the public is aware of the transparency that our party would want it to be like here for all of us.

I want to thank also my staff and the staff of Leader PELOSI for helping us prepare for this one of many occasions we will come on the floor and speak the truth about these cuts that are being alleged and the harmful effects they will have to our communities, the senior community, the women's community, children's community and veterans' community.

I would ask individuals to please take note that this is the Democratic Women's Working Group fighting for America's women and our families. Visit our Website at http://democraticleader.house.gov/dwwg/ or e-mail us at democratic womensworkinggroup@mail.house.gov.

Ms. SLAUGHTER. Mr. Speaker, the President's Fiscal Year 2007 proposed budget sells women in this country short. Whether we are talking education, housing, financial security or health—this budget fails women.

The President's budget will hurt elderly women by slashing Medicare once again. Congress just passed legislation cutting Medicare payments to health care providers to the tune of $22 billion over 10 years. Now, the President's FY07 budget will slash Medicare by yet another $105 billion over 10 years. These drastic cuts will disproportionately impact women throughout this country, as women account for over 56 percent of Medicare beneficiaries.

But the President's budget doesn't stop with Medicare. It also cuts Medicaid to the bone. I'm sure it is no surprise to anyone in this body that the majority of Medicaid beneficiaries are women and girls. With over 2 million women and girls having lost health insurance coverage since 2000, many have turned to Medicaid for needed health care. The President's budget cuts Medicaid by more than $42 billion over 10 years. These cuts will shift costs to the states, who are already drastically reducing health benefits due to current budget shortfalls.

This budget leaves behind women seeking reproductive health services. Title X clinics provide high-quality, low-cost family planning services. For more than 30 years, these clinics have enabled millions, and millions of women to plan their pregnancies, prevent unintended births, and receive desperately needed reproductive health care. Yet the President has proposed cutting funding for this program by millions and millions of dollars.

Women cannot afford for this valuable program to be short changed, especially if this administration is not willing to adequately fund maternal child health programs. Which apparently, it is not. The Healthy Start infant mortality initiative and the Maternal and Child Health Block Grant—both are placed on the chopping block in the President's budget.

How can we tell women—we won't help you access contraception, and we'll do our best to see that you can't get an abortion, and then you're on your own if you have a child?

Whether a senior needing Medicare, a young woman seeking reproductive health care or a mother in need of care for their child, this budget sells all women short.

The President's budget puts special interests first—and America's women last. It turns back the clock on programs that we have fought for so many years to adequately fund, and the consequences are disproportionately placed on the backs of those who can least withstand the impact.

I urge my colleagues to stand up for women and oppose the President's budget cuts.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I was disappointed to hear that once again the Women's Educational Equity Act is proposed for zero funding under the Fiscal Year 2007 budget. Since its inception in 1974, WEEA has proven an extremely effective in providing opportunities and support for young women.

The WEEA program is an essential part of eradicating sex discrimination in our schools. Through WEEA girls are exposed to career opportunities from which they have traditionally been excluded. In addition, WEEA funds programs that develop teaching strategies, educational materials and curriculum designed to reflect the experiences and achievement of women. WEEA also funds programs that combat sexual harassment.

We hear rhetoric that programs such as WEEA are no longer necessary because

women have equal status. While women have made many strides, gender disparities still exist in many fields. Even though college enrollment of women continues to increase, there continues to be a gender disparity in the fields of science in technology. Women not only earn fewer degrees, but are under represented in advanced secondary math, science and computer science classes. Investment in collegiate athletic programs and athletic scholarship opportunities also continue to favor men.

Perhaps the most distressing aspect of this gender gap is the persistence of sexual harassment on college campuses. Recent studies show that nearly two-thirds of female college students experience sexual harassment at some point during college—causing immeasurable harm to these women's studies and future goals. WEEA programs provide vital resources in order to fight this type activity.

WEEA continues to be an essential component in ensuring that young women are not inhibited by their gender and can choose a career path based on their interests, aspirations, and abilities. I strongly urge my colleagues to support access, equality and opportunity for young women through continued funding of this program.

OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore (Mr. POE). Under the Speaker's announced policy of January 4, 2005, the gentleman from Georgia (Mr. PRICE) is recognized for 60 minutes.

Mr. PRICE of Georgia. Mr. Speaker, what a pleasure it is to come back to the floor tonight to discuss some issues of vital concern to Members of the House and all Americans.

I could not help but pick up on what the gentlewoman from California was saying just a moment ago about a number of issues. One of them was about Medicare Part D. We are going to talk about a lot of things tonight, but I want to start by talking about Medicare Part D.

I am a physician. I practiced orthopedic surgery for over 20 years in the Atlanta area. She mentioned there was a plan to delay or postpone the deadline for Medicare Part D which is the prescription drug formula for seniors. Nearly 28 million out of 42 million have already signed up. Many of them are finally getting medications for the first time.

She mentioned there was a plan to delay it and they could not get bipartisan support. I guess that is one of the things that brings me to this well almost night after night because what you hear down here just is not so. It is not the truth.

Mr. Speaker, I am one of those who also believes that there ought to be an extension of that deadline. In fact, we have had a bill on that for over a year and we could not get a soul, not a soul on the other side of the aisle to support that bill. The reason for that is what brought about the Official Truth Squad.

The Official Truth Squad began with a group of freshmen Republicans who came here after the 2004 election to be Members of Congress and came here with wonderful vision and enthusiasm and positive spirit. And what we were met with oftentimes from the other side was really vitriol, was personal attacks, was a distortion of the truth, misinformation, disinformation.

We had been meeting on a weekly basis as a group and so we got together and we said how can we counter that. Because when I go home, I know that is what concerns many of my constituents. I suspect that is what you hear, Mr. Speaker, back at home. People ask why the level of rancor and why the level of partisanship.

What we thought to do in an effort to try to raise the level of discourse and decrease the kind of partisanship that goes on is to talk about truth, talk about issues in an open and honest manner and in a way that sheds light on issues.

Tonight you have heard an awful lot already about various issues, Mr. Speaker, that frankly have not been treated with the light of the day, if you will.

□ 2145

And so we have adopted, the Official Truth Squad has adopted a saying or a quote from a wonderful former United States Senator, Daniel Patrick Moynihan from New York, and he kind of crystallized what our frustration was, and that is, everyone is entitled to their own opinion, but not their own facts. And so often around here, what happens is that people's opinion gets mistaken for facts. In fact, it has been said that if somebody says something three times in Washington, they think it is the truth, regardless of whether or not it has any bearing on the truth. And so I want to touch on a couple of things before we get into our other issue tonight, and I want to talk a little about student loans, student aid. We are now dealing this week on the Higher Education Reauthorization bill in the United States House of Representatives. It is a bill that has to be adopted in order to continue the programs that are so vitally important to millions, millions of young people across this country in order to go to college and university and to better themselves and make a better life for both them and their family. And what you always hear from the other side, what you always hear is, oh, they are going to cut this, and they are going to cut that, and they are going to slash this, and they are going to slash that. And that is what we have heard tonight, Mr. Speaker.

But the Official Truth Squad has as a mission to shed the light of day on it and to talk about the truth. And I am fond of charts and posters, because I think that they really describe much more than I am able to do in word. And this chart here, this poster here demonstrates the increases, Mr. Speaker, I said, increases, not cuts, not slashes, I said increases in Federal student aid over the last 10 years. And anybody can plainly see that the amount of Federal loans, the amount of Federal grants, the amount of education tax benefits, the amount of Federal work study, all of them, all of them, Mr. Speaker, over the last 10 years rising year after year after year, and appropriately so, so young people can have an opportunity to realize the American dream. That is the positive issue. That is the real message. That is the truth. These numbers, these numbers don't lie. And so when you hear people talk about cuts or slashes, Mr. Speaker, I am sorry to say that it just is really a fabrication. It is not the truth. It is not what is real. And you will hear them talk about Pell Grants. Pell Grants are the grants that the Federal Government provides for young people in order to go to colleges and universities, those young people who don't necessarily have the means to be able to afford it. It is a wonderful program, works extremely well, allows people to elevate themselves and really raise themselves up by their own boot straps. This is a telling graph, Mr. Speaker. This is a telling chart because it begins way back in 1986. And the yellow portion of this is when the Democrats were in control of the United States House of Representatives. And you will hear all about what they would do if they were able to control again. And I think it is important and instructive for the House of Representatives and for the American people to appreciate, well, don't tell me what you would do. Let us look at what you did. Let us look at the truth. And the truth, in fact, Mr. Speaker, is that Pell Grants provided for by the Federal Government for young individuals who are the most needy in our society in order to go to colleges and universities in fact were flat or decreased in the 10 years prior to 1996. And what has happened since then is an appropriate increase to be able to fund a program that allows young people, without means, to be able to go to colleges and universities. The red portion is what has happened under the Republican control of the United States House of Representatives. Mr. Speaker, those are not cuts. Those are not slashes. They are appropriate increases in a program that helps young people who are most in need.

This is another chart that demonstrates what would happen in the next fiscal year, what would happen with the overall Pell Grant funding. This is 2000, 2006. And with increased budgeting, the next graph, 2000 again, and Fiscal Year 2007 would increase from $4,050 per individual to $5,050, a significant remarkable increase. And on the end, the number of Pell Grants recipients, the number of students being helped, 3.9 million in 2000, fiscal year 2007, 5.3 million individuals. This is not a decrease. These are not cuts. These are not slashes. And for anybody to say otherwise is just, it is not true. It is not honest. It doesn't do a credit to the debate. It does a disservice to all

Americans because it means that people aren't able to make appropriate decisions because they are not being given appropriate or accurate information.

And then, one final one on education that I just felt compelled to bring to the House this evening is the annual growth in education, Federal moneys for education over the last 5 years. Total education, remember, Mr. Speaker, what the mantra is out there is that there are being cuts and slashes in education programs all across this Nation. In fact, what has happened over the last 5 years, from 2000 to 2005, total education spending up an average of 9.1 percent. What we have done is required greater ccountability. What we have done is said, if you are going to get Federal money, then you need to do a particular job and you need to make certain that you are doing it, and we need to make certain that you are doing that as well and having student accomplishment, that is what we have required. And so I think it is imperative that as we talk about issue after issue after issue here in Washington, and that when the American people listen and they pay attention to what we are doing, that they appreciate and understand and recognize that truth is important to the discussion, and that if we don't start with truth, we can't reach the right conclusion at all.

We hear a lot of talk about what the quote cuts and slashes are going to do to our society. This is a difficult graph to tell the difference because this shows what the projected spending is over the next 5 years in the mandatory or automatic programs that we have which are Social Security, Medicare and Medicaid, three programs that the other side likes to talk about a lot because they talk about how the cuts in spending will wreak havoc in our society.

Mr. Speaker, I think it is imperative that folks look at this all across this House chamber and appreciate that the difference between the baseline, which is the green line, and the administration proposal, which is full of all these remarkable changes that the other side alleges, is a difference in a 5.3 percent growth that is projected, which is part of the plan that has been adopted or recognized over the past number of years, but when economic situations change, and when it is important to get a handle on the amount of Federal spending and be fiscally responsible, the change that has been recommended by the President is a 5.1 percent a year growth over the next 5 years. That is right, Mr. Speaker. You heard correctly. All of the demagoguery about these programs, all of the negative comments about these programs, all of the personal attacks about these programs that do a disservice to our entire Nation and are simply untrue are all about the difference between the green line and the red line, a difference between 5.3 percent growth annually over the next 5 years and 5.1 percent growth over the next 5 years. So I would suggest to our friends on the other side of the aisle that it would be much more helpful to be positive, to be open to collegial activity, to bring solutions to the table, to talk about how we can best help individuals to help themselves all across our society, and not be so negative and demagogue every single issue that makes it so it is incredibly difficult to tell exactly what the truth is and where we are going.

You oftentimes hear them talk about the tax cuts for the wealthy and how that will decrease the amount of money coming into the Federal Government and how it will make it so that we can't fund the kinds of programs that we need. Well, President Kennedy knew something very, very brilliant and President Reagan knew the same thing and President Bush learned well, and that is that tax cuts don't decrease revenue to the Federal Government. They increase revenue to the Federal Government. And I know that sounds kind of contradictory, or that it is kind of counterintuitive. But in fact, that is what happens, and this chart shows that extremely well. In 2000, this is the level of revenue coming into the Federal Government under previous administration policies. And what happened, and you see that the line is decreasing because of the recession that we are in, the dotcom bubble burst and 9/11 occurred. And by 2003, we were on a pretty steady slope down.

Now, what happened in 2003 with the vertical green dotted line there, what happened is that the tax decreases. The appropriate fair tax decreases of this administration and of the Republican Congress went into effect. And then what you see happen is the tax receipts to the Federal Government increase significantly. In fact, they increase so much that in 2005 they were significantly greater than in 2000. Tax revenue increasing because of tax cuts. And why is that? Well, it is because people have more of their own money in their pocket. And what do they do with that money? They save it so that it can be invested, or they spend it so that this increases the economy and the economy booms. And that is what has happened. So when you decrease taxes, appropriately, fairly, judiciously, the truth is that what the Federal Government receives is an increase in tax revenue. So when you hear these folks talk about their plan, their plan to save this or their plan to save that, and most often you won't have them tell you exactly what they are going to do. One of them slipped out yesterday. I was listening to him on the floor. And he said, quote, we will have to, quote, raise revenue somewhere else, unquote. Raise revenue somewhere else. Now, what does that mean? What does raising revenue somewhere else mean to folks on the other side? Well, you know what it means, Mr. Speaker. It means raising taxes. It means raising taxes. We have a wonderful opportunity in this Congress to make certain that the tax decreases, the fair tax decreases of this administration and the United States House of Representatives and Senate, that they adopted ought to be made permanent, especially the death tax, the inheritance tax which is so destructive to small businesses and to families all across this Nation. They ought to be made permanent.

And one final poster on revenue and on tax growth, because it projects out to 2011. And that is that as long as the tax decreases, the fair tax decreases are continued, what happens over the next 5 years is that the Federal revenue stream continues to increase. Now, again, I know that seems counterintuitive. That seems like it doesn't make sense. If you decrease fairly the tax liability of individuals all across this Nation, you might think, well, then the revenue coming into the Federal Government is not going to be as much. But in fact what happens is that the revenue to the Federal Government increases significantly. And it increases because when you put more money in the back pockets of men and women across this Nation, what happens is that they save it and they invest it and they spend it when they want to, and what that means is that you get significant economic growth.

Now, Mr. Speaker, I have gone a little longer than I had anticipated on the

issue of the economy, but I think it is incredibly important because, as a Member of the Official Truth Squad, what we are interested in doing is bringing truth to issues, all issues, economic issues and an issue of national security that we are going to talk about tonight because when you think about it, the issue of truth and national security, probably nothing could be more important in terms of talking about truth when you are talking about national security.

□ 2200

I mentioned that I am a physician, and if I am taking care of a patient, if I do not have truthful information from that patient, I cannot reach the right diagnosis. I cannot make the right diagnosis. And if I cannot make the right diagnosis, then I cannot treat the right disease. And if I cannot treat the right disease, then the patient does not get well.

And the same is true for our national policy. If we are not talking truthfully about the issue, if we are not openly and honestly discussing the issue, then we cannot make the right diagnosis. We cannot figure out what the right problem is. And if we cannot figure out what the right problem is, then we cannot propose the right solution. And if we cannot propose the right solution, then never on the face of the Earth in this body will the right solution come about. It just does not happen by happenstance. So truth is so incredibly important when you talk about national security because the consequences of not talking about the truth in the area of national security are probably greater than anything else. Our obligation as Members of Congress and Federal representatives is to make certain that we protect our citizens, that we protect our Nation.

And so we would like to talk a little bit this evening, as the Official Truth Squad, about national security. One of those areas of national security is border security. It has gotten a lot of attention the past couple of weeks and certainly coming to a head this week as the Senate addresses the issue of illegal immigration. But I am one of those who join my colleagues in believing that if our border is not secure, then our Nation is not secure. And so I am pleased to be joined tonight by a number of colleagues.

First, I would like to welcome and introduce Congresswoman THELMA DRAKE from the great State of Virginia. Congresswoman DRAKE is a member of the Official Truth Squad and a member of the freshman class and just a great individual who recognizes and appreciates the importance of national security, who has done yeoman's work in the area of assisting our armed services, Armed Forces, and is going to talk a little bit tonight about border security.

So, Congresswoman DRAKE, I thank you so much for coming and look forward to your comments.

Mrs. DRAKE. I would certainly like to thank you for giving me the opportunity to join you this evening to talk about something that is so critical to our Nation.

And before I go into the issue of border security, I just want to comment a moment on what you started out with, and that is Medicare part D. First of all, you and I are freshmen; so we were not in Congress in 2003 when the very largest change to Medicare took place, but I know that both of us have been committed to making sure that citizens in our district understand what this new benefit is for them. And I think it is important just to tell America where we are today, that there are 42 million Americans who qualify for Medicare.

Remember, anyone who is eligible for Medicare and is receiving Medicare is eligible for this new benefit. As of today, 28 million of those have signed up for coverage. The expected figure by May 15 is 30 million people, and there are 6 million people that have been identified that will not need to sign up because they are military retirees, Federal retirees, State retirees, or have other programs. That is going to leave us on May 15 with 6 million Americans that we have not reached. So I think it is important to talk about it so that our seniors understand what a wonderful benefit this is.

What I have learned in my district is when I talk about Medicare part D as being a private sector insurance product with a reduced premium, then all the rest of it makes sense, that they have choices. It is a voluntary program and gives them, as you have already said, the ability to have prescription drug coverage, which many of them have not had in the past.

So I want to thank you for talking about Medicare part D, and I know the work that you have done in your district as well to make sure that our seniors know and they make the best decisions for them.

But what I wanted to talk about tonight is the Border Protection, Antiterrorism, and Illegal Immigration Control Act. That is the name of the bill that we passed in December of 2005 in this House.

Unfortunately, at that time there was not any press coverage about that bill. We really were not hearing about it until the Senate took the bill up about a week or so ago.

I know that you and I share the same belief, that the very first step in any debate about immigration reform is the very first debate which has to be secure our borders. We believe that our country must be open for trade, tourism, and legal immigration and closed to terrorists, drug dealers, and criminals. But the bill that passed in December, and I think it is important for America to know, a lot of the components that were in that bill, things such as an employment verification system where employers would be required to check Social Security numbers with Social Security and Department of Homeland Security, today that exists, but it is simply a voluntary program, and we all know the stories about fraudulent documents that are out there.

Increased penalties for alien smuggling, mandatory minimum sentences and increased penalties. A crackdown on alien, either legal or illegal, gang members. They would now be inadmissible and deportable, and our Attorney General can designate certain groups as gang members. It also bans benefits for alien gang members, stiffer penalties for aliens who enter after being removed. It bars aliens with aggravated felony convictions from receiving green cards.

There is now cooperation and reimbursement between our border sheriffs and our Federal law enforcement to reimburse them for the work that they are doing for us. Increased authority for the Department of Homeland Security to detain dangerous aliens. Our courts have prohibited this in the past, and the result is that dangerous aliens have been released. It also provides for the removal of these aliens. It bars terrorist aliens from naturalization. There is increased security for our borders with both military support and Department of Defense surveillance. It requires a comprehensive risk assessment of our ports and land and maritime borders and radiation detection devices. Increased inspectors, 1,000 over a 4-year period, and an additional 1,500 K–9 units over the next 5 years.

Physical barriers, state-of-the-art surveillance technology, including cameras, radar, satellites, and unmanned aerial vehicles. It eliminates the release, which is our current catch-and-release program, and requires that they must remain in custody, an illegal alien, until removed. Better communication and sharing of information with our law enforcement community and promotes international policies with Canada and Mexico and requires reports back to Congress.

So I think these are commonsense solutions that America expects Congress to put into place. But as you have mentioned our work is continuing, that the Senate is now having a very, very active debate. That debate will continue in the House. And I think that we all agree that we must revamp this process but starting with the very first component, which is securing our borders. But we also need to end the lottery that exists, get rid of senseless rules and endless litigation, and we must have a policy in our Nation of catch and return and not our current catch and release. And the goal, of course, would be to stop illegal crossings in the first place. And I think the American people deserve that. They deserve to know that that is what is taking place.

But as we continue with these discussions, one of the discussions that will take place, of course, is what about workforce, what about guest workers?

How should that be crafted and what should that look like so we know who are the people who are here? Why are they here? What are they doing here? What is the purpose that they are here? But as a component of that, I also think it is critical that we deal with the issue of health care and that employers who want these workers in our Nation, and we know there is a tremendous need for them, would have to address that issue of health care right up front and not put that burden on the American people as it has done in the past.

So I thank you for the opportunity just to come and tell America what the House of Representatives did do and that as we continue the debate that they will understand that the first goal is secure our borders. We know this is a national security issue. We know the goal of our enemy is to destroy our Nation, to attack us at any possible turn.

I am grateful to our very brave military men and women who we know are taking out their leaders right now, shutting down their money, and keeping them busy over in Iraq and that they have not had the ability to attack our Nation again. And I think that we expect in Congress and the American people expect that we not allow these people to enter because of poor policies that we have in place; that our doors be open for tourism, for travel, for legal immigration, and closed to those who would do us harm.

And I thank you for arranging this meeting tonight and allowing me to join you in it.

Mr. PRICE of Georgia. Thank you, Congresswoman DRAKE, very much. You have just really clarified and crystalized the components of our immigration bill that we passed last December.

And I know that some of us have shared our frustration with the folks at home because there was really little attention paid to what the House did, very responsibly what the House did last December. Recognizing the incredible challenges that we have with immigration reform, working extremely hard to come up with a bill that addressed border security and interior enforcement. I guess if we were to be faulted for anything is that we did it during the Christmas holiday and it kind of got drowned out. But it is an important bill. It is an important bill. And I thank you for talking about the points in it that I think are vital and imperative as we move forward.

As we talk about the issue of border security and national security, the two are really closely linked, very closely linked, and it is a real challenge for America to move forward with immigration reform and border security. And one of the reasons that I believe it is such a challenge is that we essentially have had in our Nation over the last really 20 or 30 years a policy as it relates to illegal immigration of benign neglect. That is what our policy has been, and I am disappointed that that is the case. But as somebody once said, you play with the cards that you are dealt. And, in fact, the cards that we are dealt right now are a system that has been really neglected for a long, long period of time. So I am so pleased with the work that the House has done and will continue to do in trying to fashion the most responsible border security and immigration reform policy that we can.

Again, I think it is important that you make certain that we talk about truth. What is the truth? Where are we now that has put us in this challenging situation and in literally this crisis? And the issue is that we have between 12 and 20 million people here who are here illegally. And Congresswoman BLACKBURN has so often mentioned that she believes that it is not appropriate to call it illegal immigration, that it is illegal entry. She uses the wonderful analogy of if somebody were to enter your home illegally, you would not open your arms to welcome them. What you would do is take care of it. You would call on the authorities and ask them for help. And what has happened over the last 20 or 30 years is that when the States and localities have called on the authorities, the Federal Government, to come help, they have been left wanting. And that really is a shame. That is the benign neglect that I talk about. But comprehensive immigration reform has to, it must, begin with securing our borders. If you do anything else without securing the borders, it does not make any difference.

□ 2215

The porosity of our borders makes it so that is imperative, and the national security, as I mentioned, depends on border security. We need to know who is coming into the country. We need to know where they are from, and we need to know what they are doing here.

No immigration, no reform of the immigration system will be successful unless Congress makes the definitive commitment, has the willpower to make the commitment to ensure that the agencies that are responsible for stopping illegal immigrants have the resources that they need to get the job done. That just makes sense.

Without properly securing our borders, we remain vulnerable. I don't think anybody would deny that we remain vulnerable to those who may want to enter our country undetected and do us harm. We must ensure that our Border Patrol agents have the resources and the manpower and the technology to do their jobs.

I understand, and all of us understand, that America is a nation of immigrants. We are all here by virtue of somebody coming here from somewhere else at some point that allowed us the wonder and the glory and the good fortune and the blessing of being born or allowed to be a citizen of the United States of America.

We are also a nation of laws. We are a nation of laws, and I think it is extremely important that we appreciate that indeed America has been built on the hard work and the innovation of immigrants, without a doubt, and our country thrives on new ideas, and fresh energy that so many of our legal immigrant groups continue to bring. It is part of what makes our country great without a doubt.

We will remain a nation of immigrants, regardless of what we do in this legislation, because the number of legal immigrants that we welcome to our shores every year is significant. We invited over 1 million new permanent immigrants last year, much more than any other nation on the face of the earth. We accept over 6 million applications, 6 million applications, Mr. Speaker, for immigration and immigration benefits each year.

But America, again, has been founded on the principle and the respect for the rule of law. Those who enter our country illegally disrespect those laws, and they take advantage of a very generous immigration system and a very generous society.

We have got to find a comprehensive solution, a comprehensive solution that acknowledges the important contributions of legal immigrants and what they do to make our country great without rewarding illegal behavior. It is imperative that we remove that magnet of illegal employment and enable employers to be able to determine whether their workers are legal or illegal.

I think it is important when we talk about the employer verification aspect of the bill that we passed, and of any reform mechanism, that we make certain that we communicate to our employer community that we are not asking them to be policemen; and that the Federal Government's responsibility is to make certain that they are able to access real information in real time to be able to determine whether an employee that is coming to their place of work and asking to be hired, whether or not that individual is here legally. They need to be able to determine that then and now so that they can go ahead with the plan to either hire them or not based upon their qualifications, and not have to delay things because the Federal Government doesn't have accurate information.

I am pleased with the work that the House has done. This is a work in progress. The Senate is acting and will act, and then we will move forward with a conference committee, a group of the House and Members of the House and Members of the Senate to come up with a final product that hopefully we all can stand and be proud of and that will address a true crisis and a true challenge that we have in this Nation and end this policy of benign neglect that we have had for so many years.

Again, the issue we are talking about this evening on the Official Truth Squad is national security. I am pleased to be joined again tonight by Congresswoman VIRGINIA FOXX. Congresswoman FOXX is from the grand

State of North Carolina, a dear friend and fellow member of the freshman class who is committed, committed, to making certain that truthful comments are made from the well, and that those things that are made, those comments that are made in the House that are not truthful are corrected.

I am pleased to have Congresswoman FOXX join me this evening to discuss the issue of national security. I welcome you, and I look forward to your comments this evening.

Ms. FOXX. Thank you so much, Congressman PRICE. It is very good to be on the Official Truth Squad with you and to bring facts out that need to be brought out. I heard your comments about illegal immigration, and I share those concerns with you. As we talked about homeland security, national security begins with border security. That is very important.

I think what we have to make sure that people understand all the time, the Federal Government was formed to provide for the defense of this Nation. It began by the States joining together to get our freedom from England, but we stay together for the defense of this Nation. Local government, State governments, cannot provide for the defense of this Nation.

We are the most free country in the world. We are, in my opinion, the greatest country in the world. We are not perfect. None of us who serve in Congress, none of us in the executive branch, are perfect people.

But the Republican party is focused on the issue of national security. We, as Republicans, understand that if we don't maintain our freedom, then nothing else matters. The way we maintain our freedom is to make sure that we have strong borders and that we protect against attacks like the ones that hit us on September 11, 2001. We are focused on that, and I think that the administration has done a great job of keeping us from being attacked again.

What are the Democrats doing in that respect? Today, they managed to release their so-called ''national security agenda.'' We have been waiting for this plan that they say they are going to roll out where they say they can do things better.

One of the things their agenda calls for is improving border security. Now it is really curious that is what they say. They think they can tell the American people something that the American people will believe, and that we will ignore what they have done. Let me talk about what Republicans have done and what the Democrat reaction has been to that.

Last year, House Republicans passed the Border Protection, Antiterrorism, and Illegal Immigration Control Act, as well as the REAL ID Act. How do these bills protect our border?

The Border Security Act increases penalties for illegal immigration and holds violators accountable to restore the integrity of our Nation's borders, reestablish respect for our laws, and help ensure that terrorists cannot enter the United States.

The REAL ID Act federally standardizes the requirements for applying and issuing State identification cards, because the 19 hijackers responsible for the 9/11 terrorist attacks carried between them 13 valid driver's licenses and 21 State-issued ID cards.

How do the Democrats vote on these issues? They are telling you now that they want to protect the border, and that is a part of their national security agenda. Well, 164 of the Democrats opposed the Border Security Act, and 152 opposed the REAL ID Act. So the Democrats now want to improve border security?

Here is a tip for them, Mr. Speaker. They need to start voting for legislation that does exactly that. They need to quit talking and start doing.

Today, when I was listening to them doing 1 minutes, something occurred to me, the motto of the State of North Carolinas is Esse Quam Videre, To Be Rather Than to Seem. I kept thinking that the Democrats never want to admit what they are, but rather they want people to think that they are something else. I think that they are the antithesis of the motto for North Carolina, To Be Rather Than to Seem, because they just want to seem to be something that they are not at all.

Earlier tonight, I heard somebody say, the Democrats will never agree to what their real agenda is, because it is so much opposed to the values of average Americans that if they admit to their real agenda, admit to their real values, they can't ever get elected again.

I think that it is very important that we continue to talk about border security and other things as it relates to national security.

The Democrats also voted against the creation of the Department of Homeland Security. The Department of Homeland Security helps prevent domestic terrorist attacks and assists the recovery and response efforts in the event of a terrorist attack. It passed the House 261–161. One hundred twenty Democrats opposed.

Last night we mentioned the PATRIOT Act conference report that strengthens our national security by giving law enforcement the tools they need to wage the war on terror and includes new oversight measures so that security and liberty remain balanced. It passed the House 251–174 with 157 Democrats opposing. The Democratic leader in the Senate bragged that they had killed the PATRIOT Act, and then when the PATRIOT Act came back, they short of sheepishly voted for it, wanting everybody to think that it was all okay and to forget about their bragging that they had killed the PATRIOT Act.

What about intelligence votes that weakened our national security before September 11? We might not have had September 11 if we had had an even stronger national security and if the Democrats had gotten on board with making sure that we could do all that we needed to do. In 1998, Representative PELOSI was one of only 31 Representatives who voted against authorizing appropriations for intelligence and intelligence-related activities of the U.S. Government for the CIA and related agencies. Several bills are outlined there.

In 1996, she and 153 House Democrats voted to reduce the total amount authorized by the fiscal year 1997 intelligence authorization by 4.9 percent. Even when PELOSI and the Democrats were in charge of the House of Representatives, they voted to cut intelligence authorization by $500 million.

We are going to present every chance we get the facts about what the Democrats have done. We are going to present the facts through the Official Truth Squad. We are not going to let them get by with seeming rather than being. And I think that that is very, very important.

I want to quote our Majority Leader BOEHNER today in a statement that he made:

''While Democrats have openly advocated cutting and running from our efforts to support democracy in Iraq, Republicans continue to build upon our strong record on national security by funding our troops fighting terror around the world and supporting Operation Iraqi Freedom and Operation Enduring Freedom.

''While Democrats seem more interested in protecting the rights of terrorists than the American people, Republicans passed the PATRIOT Act to give law enforcement the tools necessary to combat terrorism, protect our citizens and secure our communities.

''While Democrats focus more on protecting the rights of illegal immigrants than enforcing our immigration laws, Republicans have voted to secure our borders, give law enforcement new tools to enforce our immigration laws and help prevent terrorist and criminal aliens from moving freely throughout our society. When it comes to national security, their answer is the same as it is for everything else, ''no.'' A media stunt will not eclipse their record of obfuscation and neglect on national and border security.''

Those are the comments from Majority Leader BOEHNER today. I endorse what he has said. I think he has hit the nail right on the head. Someone else said that the Democrats say, ''Do as we say, not as we do, on national security.'' That is another, I think, thing that we need to point out to the American people every chance that we get.

Again, we have to protect the freedom of this country. That is what allows us to do all the other great things that we do. Without national security, without freedom, we can't do any of the other good things. We are trying to bring freedom to other countries just as we have it here. It may take a little bit longer than it did in this country because of the very different cultural

basis that we came from, but it is going to happen. We are going to help export freedom all over this world and that is going to help keep Americans free because that is what we have to do.

□ 2230

Representative PRICE, again, I want to thank you for the work that you are doing on helping us get out the facts and making sure that the Truth Squad presents the truth every night, and I would like to now turn my time back over to you.

Mr. PRICE of Georgia. Thank you so much, Representative FOXX. You are always so cogent and accurate in what you say. And you do the Official Truth Squad proud by bringing forward the information that is so important for citizens all across this country in order for them to be able to make appropriate decisions and realize what kind of work is being done here in Washington, positive work, positive work on behalf of the American people.

That is what the Official Truth Squad is all about. It is all about making certain that the accurate information, honest information for the entire Nation is being presented at some point on the floor of the House because oftentimes what we hear is not that kind of information. So I cannot thank you enough for coming and joining me this evening really, again, in a discussion about national security that is so extremely important; and it is important because nothing is more basic to our ability as a Nation and each of our ability as individuals to realize our own dream.

If we are not secure, if we cannot maintain our liberty and our freedom, then nothing else matters. Then what kind of job you have, where you work, what you want to do with your family, where you want to live, all those kind of wonderful things that all of us as Americans think about, dream about and work so hard for won't make any difference if we do not have the kind of security that we need.

I appreciate also you taking it in a little bit of a different direction because I think it is important that we talk about what the other side has proposed because it is important that they have stated they have given the talk, it is important to look at how they are walking and how they have walked. I also think it is important to shed light on the truth of where we stand as a Nation in this world and how grave and significant the enemy is because some people will tell you, well, there really is not an enemy out there. That if we just gather round and kind of huddle down that there will not be any problem with anybody else on the face of the Earth, that the people will just leave us alone.

Well, in fact, I think that if we truly and honestly look at the situation and if we reflect over the last 25 or so years we will appreciate that we have been in this war on terror for a much longer period of time than any of us might have admitted just a few short years ago. And in order to bring light to that, in order to provide some truth to that, I thought I would repeat something that I mentioned last evening. It is a very sobering list. It is a list of events that I think are extremely important to reflect upon because I think they put in perspective how we as a Nation are being challenged and that allows us to respond in a much more appropriate way.

So as a matter of truth I proposed, Mr. Speaker, to just kind of outline and list a number of events that have occurred over the last 25 years beginning as many of us will remember in November of 1979 when the embassy, our embassy in Tehran was seized and there began that 444-day long hostage crisis that I think was kind of the beginning of this litany of events that occurred.

In April 1983 there was the bombing of our embassy in Beirut, 63 Americans killed. In October of 1983, the bombing of our U.S. Marine Corps Headquarters in Beirut, 241 killed. In December 1983, a truck loaded with explosives driven into our embassy in Kuwait. In September 1984 another violation of our embassy in Beirut. In August 1985 the bombing of the United States Air Force Base in Rhein-Main, 22 killed. In October 1985, the *Achille Lauro* was highjacked and an American invalid in a wheelchair was killed. April 1986, Madrid bombing of a restaurant frequented by U.S. soldiers. April 1988, TWA flight 840 was bombed killing four. Again, in 1988 Pan Am flight 103 bombed over Lockerbie, Scotland, killing 259.

January 1993, two CIA agents shot and killed as they entered CIA headquarters in Langley, Virginia. February 1993, the first World Trade Center bombing killing six and injuring over a thousand. November 1995, car bomb explodes at a U.S. military complex in Riyadh, Saudi Arabia killing seven servicemen and women. June 1996, a truck bomb in Dhahran destroys the Khobar Towers, a United States Air Force barracks, killing 19 and injuring over 500. And then two coordinated attacks on U.S. embassies in Kenya and Tanzania killing 224. October 2000 the USS Cole was attacked in Yemen. And then on September 11, 2001 the second World Trade Center attack killing 3,000 of our fellow citizens, innocent all.

I think it is important to talk about that because that is the truth. That is the truth of where we sit as a Nation right now. And some will say, well, that was the end of it September 11, 2001. Well, the truth is that that was not the end and is not the end. And I cannot think of anything better to crystallize that and to explain that and to bring it to light than to quote an avowed enemy of the United States, Abu Musab al-Zarqawi, who said in January 2005, ''We have declared a fierce war on this evil principal of democracy and those who follow this wrong ideology.''

That is not anything we made up, Mr. Speaker. That is our enemy. That is an individual who designs day in and day out to do us harm, to hurt America and to hurt Americans. And so when we talk about things as grave and as important as that, I think it is incredibly important that we talk about what the plan is for each party, who is in charge, who is making the policy and what is the plan.

So as our friends on the other side on the aisle today unfolded their national security policy that they would propose, and it is an appropriate policy, the problem is that it reminds me of that wonderful country and western song that is out there right now, what we need is ''A little less talk and a lot more action.'' And the talk that they have brought to the table is mostly appropriate; but the action that we have seen from our friends on the other side of the aisle just does not ring true. It does not ring true.

They call for eliminating terrorist breeding grounds, but in fact what they ignore is that Iraq is the central front in the war or terror and a breeding ground for terrorists. What do they say? Their security agenda supports our troops in Afghanistan. What do they do? When given the opportunity a majority of House Democrats voted against funding the troops in combat in Iraq and in Afghanistan. Their security agenda says they will stop the spread of terrorists. But what do they do? They oppose the terrorists surveillance program.

Another thing that they talk about is proposing an anti-terrorism plan that increases human intelligence capability, eliminates terrorist breeding grounds, secures loose nuclear materials and stops nuclear weapons development in Iran and North Korea. What do they do when given the opportunity? They voted repeatedly to slash funding for intelligence activities and they vote no on expressing support for those who work in the intelligence community.

Mr. Speaker, this is the truth. This is the truth. This is what happened. When given the opportunity to say we as a sense of Congress support the men and women who are risking their lives and working in the intelligence community to make sure that you and I are safe what do they do? They vote no. If anybody is interested in looking it up it is Roll Call number 293. The vote was on June 23, 2004.

That is what the Official Truth Squad is about to call people to task, to say this is what the truth is. You can say anything you like on the floor of the House of Representatives. We have certainly recognized that. But it is important that you are held to account that you are held responsible for your actions. You what do they say? They say it calls for a stronger homeland security by implementing all recommendations of the 9/11 Commission. What do they do? They vote against the REAL ID Act which makes it difficult for terrorists to travel freely

throughout the United States, and they vote no on additional funds to respond to the attacks of September 11 and to bolster the homeland security efforts. Roll Call vote number 31 in February of last year. Roll Call vote number 206 in May of 2002.

Mr. Speaker, that is the truth. That is the truth. So you can talk the talk but you have got to be able to walk the walk. You can say one thing but you have got to be able to do it. And I think it is important for the House of Representatives to understand and appreciate and for the American people to understand and appreciate that there is a track record. There is a track record of a group of individuals who are in the leadership and forming the policy in the United States House of Representatives now that supports our intelligence community. It is vital work, incredibly important work.

Then there is a group of individuals who say that they support the intelligence community but when given the opportunity to provide the resources for them to work and when given the opportunity just to say we thank you and support what you are doing as a matter of principle they could not even do that.

What do they say? Again, they say they will support the recommendations and work for implementing the recommendations of the 9/11 Commission, a bipartisan commission. What do they do when they get the opportunity? They vote no on establishing the Department of Homeland Security. Roll Call number 367, July, 2002. They vote no on $21 billion in funding for strengthening the border protections. Roll Call number 373, July 2004.

Mr. Speaker, it is indeed an incredible privilege and an honor to serve in the United States House of Representatives. I am humbled every time I walk in this building. I get goose bumps looking up at the dome.

The men and women who have preceded us in this chamber and in this body have been many incredible men and women who have donated the better part of their lives toward making certain that we as a society and we as a Nation will survive. They did so by talking about real things, by talking about honest things, by talking about truthful things, by working together with other individuals all across this body. And I challenge Members on both sides on the aisle, Republicans and Democrats, to work together, to come together as a body and work for our national security and work positively.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. RUPPERSBERGER (AT THE REQUEST OF MS. PELOSI) for today and the balance of the week on account of a death in the family.

Ms. WASSERMAN SCHULTZ (at the request of Ms. PELOSI) for today after 12:30 p.m. on account of a family commitment.

Mr. SWEENEY (at the request of Mr. BOEHNER) for today on account of illness.

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. DEFAZIO, for 5 minutes, today.

Ms. WOOLSEY, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. EMANUEL, for 5 minutes, today.

Mr. BUTTERFIELD, for 5 minutes, today.

Mr. CUMMINGS, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

(The following Members (at the request of Mr. MCHENRY) to revise and extend their remarks and include extraneous material:)

Mrs. BLACKBURN, for 5 minutes, today.

Mr. GUTKNECHT, for 5 minutes, today.

Ms. FOXX, for 5 minutes, today.

Mr. DELAY, for 5 minutes, today.

Mr. BILIRAKIS, for 5 minutes, March 30.

Mr. POE, for 5 minutes, March 30.

Mr. ROHRABACHER, for 5 minutes, today.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2116. An act to transfer jurisdiction of certain real property to the Supreme Court.

S. 2120. An act to ensure regulatory equity between and among all dairy farmers and handlers for sales of packaged fluid milk in federally regulated milk marketing areas and into certain non-federally regulated milk marketing areas from federally regulated areas, and for other purposes.

ADJOURNMENT

Mr. PRICE of Georgia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 43 minutes p.m.), the House adjourned until tomorrow, Thursday, March 30, 2005, at 10 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

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

6768. A letter from the Executive Director, Commodity Futures Trading Commission, transmitting the Commission's final rule—Definition of ''Client'' of a Commodity Trading Advisor (RIN: 3038-AC20) received March 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6769. A letter from the Congressional Review Coordinator, APHIS, Department of Agriculture, transmitting the Department's final rule—Emerald Ash Borer; Quarantined Areas [Docket No. 05-067-2] received March 20, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6770. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule—Olives Grown in California; Decreased Assessment Rate [Docket No. FV06-932-IFR] received March 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6771. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule—Update and Clarify a Shell Egg Grading Definition [Docket No. PY-05-003] (RIN: 0581-AC47) received March 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6772. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule—Amendments to the Potato Research and Promotion Plan [Doc. No. FV-05-702-IFR] received March 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6773. A letter from the Administrator, AMS, Department of Agriculture, transmitting the Department's final rule—Marketing Order Regulating the Handling of Avocados Grown in South Florida; Florida Avocado Maturity Requirements; Correction [Docket No. FV06-915-1 C] received March 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6774. A letter from the Assistant to the Board, Board of Governors of the Federal Reserve System, transmitting the Board's final rule—International Banking Operations [Regulation K; Docket No. R-1147] received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6775. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Risk-Based Capital Guidelines; Market Risk Measure; Securities Borrowing Transactions (RIN: 3064-AC46) received March 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6776. A letter from the Director, Office of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting the Corporation's final rule—Certification of Assumption of Deposits and Notification of Changes of Insured Status (RIN: 3064-AC93) received March 9, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Financial Services.

6777. A letter from the Acting Director, OSHA Directorate of Standards and Guidance, Department of Labor, transmitting the Department's final rule—Occupational Exposure to Hexavalent Chromium [Docket No. H054A] (RIN: 1218-AB45) received March 10, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6778. A letter from the Deputy Executive Director, Pension Benefit Guaranty Corporation, transmitting the Corporation's final rule—Benefits Payable in Terminated Single-Employer Plans; Allocation of Assets in Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits—received March 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Education and the Workforce.

6779. A letter from the Environmental Protection Agency, transmitting the Agency's final rule—Protections for Subjects in Human Research [EPA-HQ-OPP-2003-0132; FRL-7759-8] (RIN: 2070-AD57) received March 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6780. A letter from the Director, Regulations Policy and Management Staff, Food and Drug Administration, transmitting the Administration's final rule—Medical Devices; Cardiovascular Devices; Classification of Implantable Intra-Aneurysm Pressure Measurement System [Docket No. 2005N-0506] received February 28, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6781. A letter from the Director, Office of Personnel Management, transmitting the Office's final rule—Notification of Post-Employment Restrictions (RIN: 3206-AK60) received March 13, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Government Reform.

6782. A letter from the Chairman, Federal Election Commission, transmitting the Commission's final rule—Definitions of ''Solicit'' and ''Direct'' [Notice 2006-6] received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on House Administration.

6783. A letter from the Acting Assistant Secretary, Land and Mineral Management, Department of the Interior, transmitting the Department's final rule—Application Procedures, Execution and Filing of Forms: Correction of State Office Address for Filings and Recordings, Proper Offices for Recording of Mining Claims [MT 980-0777-XG] (RIN: 1004-AB85) received March 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Resources.

6784. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—IFR Altitudes; Miscellaneous Amendments [Docket No. 30477; Amdt. No. 459] received March 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6785. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Standard Instrument Approach Procedures, Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 30473; Amdt. No. 3148] received March 17, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6786. A letter from the Assistant Administrator for Procurement, National Aeronautics and Space Administration, transmitting the Administration's final rule—Safety and Health—Alternate I to Major Breach of Safety or Security Clause (RIN: 2700-AD12) received March 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Science.

6787. A letter from the Chief, Trade and Commercial Regulations Branch, Department of Homeland Security, transmitting the Department's final rule—Import Restrictions Imposed on Certain Archaeological and Ethnological Materials from Columbia [CBP Dec. 06-09] (RIN: 1505-AB59) received March 14, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6788. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Taxation of Cross Licensing Arrangements [Notice 2006-34] received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6789. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Revisions to Regulations Relating to Withholding of Tax on Certain U.S. Source Income Paid to Foreign Persons and Revisions of Information, Reporting Regulations [TD 9253] (RIN: 1545-AY92) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6790. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update [Notice 2006-32] received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6791. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Agent for a Consolidated Group with Foreign Common Parent [TD 9255] (RIN: 1545-BF31) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6792. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule—Guidance Under Section 1502; Suspension of Losses on Certain Stock Dispositions [TD 9254] (RIN: 1545-BB25) received March 16, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6793. A letter from the Regulations Officer, Social Security Administration, transmitting the Administration's final rule—Evidentiary Requirements for Making Findings About Medical Equivalence (RIN: 0960-AF19) received March 6, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); jointly to the Committees on Energy and Commerce and Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

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

Mr. SENSENBRENNER: Committee on the Judiciary. H.R. 3127. A bill to impose sanctions against individuals responsible for genocide, war crimes, and crimes against humanity, to support measures for the protection of civilians and humanitarian operations, and to support peace efforts in the Darfur region of Sudan, and for other purposes; with an amendment (Rept. 109–392, Pt. 2). Referred to the Committee of the Whole House on the State of the Union.

Mr. BISHOP of Utah: Committee on Rules. House Resolution 742. Resolution providing for further consideration of the bill (H.R. 609) to amend and extend the Higher Education Act of 1965 (Rept. 109–401). 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 Ms. BORDALLO (for herself and Mr. JONES of North Carolina):

H.R. 5036. A bill to amend the Lobbying Disclosure Act of 1995 to require the disclosure of the original source of funds made payable to a lobbyist who is subcontracted to engage in lobbying activities on behalf of a third person or entity, and the disclosure of the identity of that third person or entity; to the Committee on the Judiciary.

By Mr. ROGERS of Michigan (for himself, Mr. BUYER, Mr. MILLER of Florida, Mr. REYES, Mr. NEY, Mr. CHOCOLA, Mr. KENNEDY of Minnesota, Mr. WELLER, Mr. KILDEE, Mr. SHIMKUS, Mr. SODREL, Mr. HAYWORTH, Mr. WALDEN of Oregon, Mr. SIMMONS, Ms. BORDALLO, Mr. KLINE, Mr. GERLACH, Mr. MCCOTTER, Mr. SCHWARZ of Michigan, Mr. ROGERS of Alabama, Mr. BROWN of South Carolina, Mr. RYUN of Kansas, Mr. DAVIS of Kentucky, Mr. BISHOP of Georgia, Mrs. MUSGRAVE, Mr. KNOLLENBERG, Mr. EVANS, Mr. CHABOT, Mrs. MILLER of Michigan, Mr. BERRY, Mr. PORTER, Mr. REICHERT, Ms. CORRINE BROWN of Florida, Mr. STRICKLAND, Mr. ORTIZ, Mr. PLATTS, Mr. EDWARDS, Mr. BILIRAKIS, Mr. FILNER, Mr. KING of Iowa, Mr. CHANDLER, Mr. TANNER, Mr. HEFLEY, and Mr. HOSTETTLER):

H.R. 5037. A bill to amend titles 38 and 18, United States Code, to prohibit certain demonstrations at cemeteries under the control of the National Cemetery Administration and at Arlington National Cemetery, and for other purposes; to the Committee on Veterans' Affairs, and in addition to the Committee on the Judiciary, 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. MILLER of Florida (for himself and Ms. BERKLEY):

H.R. 5038. A bill to amend title 38, United States Code, to extend and expand the application of the Department of Veterans Affairs benefit for Government markers for marked graves of veterans buried in private cemeteries and to provide Government markers or memorial headstones for deceased dependent children of veterans whose remains are unavailable for burial; to the Committee on Veterans' Affairs.

By Mr. DAVIS of Kentucky (for himself, Mr. FRANK of Massachusetts, Mr. NEY, Mr. DAVIS of Alabama, Mr. GARY G. MILLER of California, Mr. HINOJOSA, and Mr. RENZI):

H.R. 5039. A bill to establish a program to revitalize rural multifamily housing assisted under the Housing Act of 1949; to the Committee on Financial Services.

By Mr. GOHMERT:

H.R. 5040. A bill to modify the law with respect to the death penalty, and for other purposes; to the Committee on the Judiciary.

By Mr. RENZI (by request):

H.R. 5041. A bill to amend the McKinney Vento Homeless Assistance Act to reauthorize the Act, and for other purposes; to the Committee on Financial Services.

By Ms. CORRINE BROWN of Florida:

H.R. 5042. A bill to authorize a land conveyance at the former Department of Labor Job Corps Training Center, Jacksonville, Florida; to the Committee on Transportation and Infrastructure.

By Mr. CARDIN (for himself and Mr. LEVIN):

H.R. 5043. A bill to amend United States trade laws to address more effectively import crises, and for other purposes; to the Committee on Ways and Means.

By Mrs. JO ANN DAVIS of Virginia:

H.R. 5044. A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate that income tax overpayments be paid over for veterans' health benefits; to the Committee on Ways and Means, and in addition to the Committee on Veterans' Affairs, 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. LYNCH:

H.R. 5045. A bill to amend the Community Reinvestment Act of 1977 to allow community reinvestment credit for investments and other financial support to enable veterans to purchase residential homes or to assist organizations with the establishment of housing opportunities and assisted living facilities for veterans; to the Committee on Financial Services.

By Ms. MILLENDER-MCDONALD:

H.R. 5046. A bill to promote youth financial education; to the Committee on Education and the Workforce.

By Ms. SOLIS (for herself, Mrs. CAPPS, Mr. GRIJALVA, Mr. KUCINICH, Ms. LEE, Mr. MCDERMOTT, Ms. NORTON, Mr.

OWENS, Mr. PAYNE, Ms. LINDA T. SÁNCHEZ of California, Mr. SERRANO, Mr. SNYDER, Mr. TOWNS, Mr. WAXMAN, Mr. RANGEL, Mr. SCHIFF, Mr. CONYERS, Mr. GENE GREEN of Texas, Mrs. CHRISTENSEN, Ms. ZOE LOFGREN of California, Mr. REYES, Mr. BERMAN, Ms. DELAURO, Mr. MEEKS of New York, Mr. JEFFERSON, Ms. ROYBAL-ALLARD, Mr. MARKEY, Mr. HONDA, Mr. SHERMAN, Mr. GEORGE MILLER of California, Ms. ESHOO, Mr. WEXLER, Mr. HASTINGS of Florida, Mr. GUTIERREZ, Ms. BORDALLO, Mr. GONZALEZ, Mr. MCGOVERN, Ms. EDDIE BERNICE JOHNSON of Texas, Ms. SCHAKOWSKY, Mr. LANTOS, Mr. DOGGETT, Ms. MCCOLLUM of Minnesota, and Mr. BISHOP of New York):

H.R. 5047. A bill to authorize the Secretary of the Interior to conduct a special resource study of sites associated with the life of Cesar Estrada Chavez and the farm labor movement; to the Committee on Resources.

By Mr. TANCREDO:

H.R. 5048. A bill to direct the Secretary of Energy to undertake a study of the need for and feasibility of establishing a strategic natural gas reserve; to the Committee on Energy and Commerce.

By Mr. UDALL of New Mexico (for himself and Mr. PETRI):

H.R. 5049. A bill to establish a market-based system to regulate greenhouse gas emissions and to promote advanced energy research and technology development and deployment, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committees on Science, International Relations, and Education and the Workforce, 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. CALVERT (for himself, Mr. DELAY, Mr. BOEHLERT, Mr. HALL, Mr. GORDON, Mr. SMITH of Texas, Mr. CULBERSON, Mr. FEENEY, Mr. CRAMER, Ms. JACKSON-LEE of Texas, Mr. ROHRABACHER, Mr. LIPINSKI, Mr. COSTELLO, Mr. EHLERS, Mr. COSTA, Mr. UDALL of Colorado, Mr. MCCAUL of Texas, Mr. WELDON of Florida, and Mr. ADERHOLT):

H. Con. Res. 366. Concurrent resolution to congratulate the National Aeronautics and Space Administration on the 25th anniversary of the first flight of the Space Transportation System, to honor Commander John Young and the Pilot Robert Crippen, who flew Space Shuttle Columbia on April 12-14, 1981, on its first orbital test flight, and to commend the men and women of the National Aeronautics and Space Administration and all those supporting America's space program for their accomplishments and their role in inspiring the American people; to the Committee on Science.

By Mr. COBLE (for himself, Mr. MILLER of North Carolina, and Mr. SKELTON):

H. Con. Res. 367. Concurrent resolution honoring and praising the National Society of the Sons of the American Revolution on the 100th anniversary of being granted its Congressional Charter; to the Committee on the Judiciary.

By Mr. GERLACH:

H. Con. Res. 368. Concurrent resolution expressing the sense of the Congress with respect to honoring the goals and ideals of Alex's Lemonade Stand Days, June 9 through 11, 2006; to the Committee on Energy and Commerce.

By Mrs. MUSGRAVE (for herself and Mr. TANCREDO):

H. Con. Res. 369. Concurrent resolution expressing the support of Congress for the ''25 by 25 Initiative'', which envisions that farm, forestry, and ranch lands in the United States will provide by 2025 at least 25 percent of the energy consumed in the United States, and, in furtherance of the ''25 x 25 Initiative'', promoting the increased production of renewable energy by the forestry and agricultural communities; to the Committee on Agriculture, and in addition to the Committees on Energy and Commerce, and Resources, 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. SHAW (for himself and Mr. CARDIN):

H. Con. Res. 370. Concurrent resolution expressing the sense of the Congress that Saudi Arabia should fully live up to its World Trade Organization commitments and end all aspects of any boycott on Israel; to the Committee on Ways and Means, and in addition to the Committee on International Relations, 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. TOM DAVIS of Virginia:

H. Res. 743. A resolution supporting the goals and ideals of a National Children and Families Day, in order to encourage adults in the United States to support and listen to children and to help children throughout the Nation achieve their hopes and dreams, and for other purposes; to the Committee on Education and the Workforce.

By Mr. HYDE (for himself, Mr. LANTOS, Mr. GALLEGLY, Mr. WALSH, Mr. SMITH of New Jersey, Mr. KING of New York, Mr. NEAL of Massachusetts, Mr. CROWLEY, Mr. MCCOTTER, Mrs. MCCARTHY, Mr. PAYNE, Mr. SWEENEY, Mr. HIGGINS, and Mr. ROTHMAN):

H. Res. 744. A resolution expressing support for the Good Friday Agreement of 1998 as the blueprint for lasting peace in Northern Ireland and support for continued police reform in Northern Ireland as a critical element in the peace process; to the Committee on International Relations.

By Mr. PLATTS:

H. Res. 745. A resolution supporting the goals and ideals of Pancreatic Cancer Awareness Month; to the Committee on Government Reform.

ADDITIONAL SPONSORS

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

H.R. 198: Mr. HASTINGS of Florida.
H.R. 307: Ms. SLAUGHTER.
H.R. 475: Mr. MARKEY and Mr. DELAHUNT.
H.R. 552: Mr. WELLER and Mr. BILIRAKIS.
H.R. 583: Mr. WU, Ms. JACKSON-LEE of Texas, and Mr. SIMPSON.
H.R. 615: Mr. SWEENEY.
H.R. 652: Mr. BARTLETT of Maryland.
H.R. 653: Mr. COSTA.
H.R. 783: Mr. KUCINICH.
H.R. 788: Ms. DEGETTE.
H.R. 807: Mr. BOOZMAN.
H.R. 822: Mr. RAHALL.
H.R. 865: Mr. DAVIS of Alabama.
H.R. 874: Mr. BILIRAKIS.
H.R. 897: Mr. MCCOTTER.
H.R. 964: Mr. EMANUEL and Mr. MELANCON.
H.R. 968: Mr. WYNN and Mr. SANDERS.
H.R. 995: Mr. GORDON.
H.R. 998: Mr. SKELTON.
H.R. 1059: Mr. BOEHLERT.
H.R. 1105: Mr. MCGOVERN.
H.R. 1108: Mr. SNYDER.
H.R. 1175: Ms. HERSETH.
H.R. 1380: Mr. MICHAUD, Mr. MURPHY, and Mr. LATHAM.
H.R. 1425: Mr. TOWNS.
H.R. 1426: Mr. BUTTERFIELD, Mr. COSTELLO, Mr. NEY, and Mr. LEWIS of Kentucky.
H.R. 1462: Mr. GORDON.
H.R. 1494: Mr. SCHWARZ of Michigan.
H.R. 1554: Mr. HONDA.
H.R. 1558: Mr. SHERMAN.
H.R. 1578: Mr. RAHALL.
H.R. 1598: Mr. STRICKLAND.
H.R. 1603: Mr. MCCOTTER.
H.R. 1642: Mr. BARRETT of South Carolina.
H.R. 1663: Mr. RAMSTAD.
H.R. 1951: Mr. WALSH.
H.R. 2000: Ms. LEE and Ms. KAPTUR.
H.R. 2048: Mr. JEFFERSON, Mrs. LOWEY, and Mr. WELLER.
H.R. 2089: Mr. PORTER.
H.R. 2188: Ms. BERKLEY.
H.R. 2458: Mr. KLINE.
H.R. 2662: Mr. DOYLE and Mr. MARKEY.
H.R. 2683: Ms. CORRINE BROWN of Florida, Ms. JACKSON-LEE of Texas, Mr. RUSH, and Ms. KAPTUR.
H.R. 2804: Mr. GOODLATTE.
H.R. 2928: Ms. LEE and Mr. MCNULTY.
H.R. 3194: Mr. BACA and Mrs. MALONEY.
H.R. 3267: Mr. DELAHUNT, Mr. MOORE of Kansas, and Mr. CONYERS.
H.R. 3352: Mr. GORDON, Mrs. KELLY, and Mr. KILDEE.
H.R. 3361: Mr. ACKERMAN and Mr. LIPINSKI.
H.R. 3401: Mr. CARDOZA.
H.R. 3427: Mr. BAIRD.
H.R. 3509: Mr. GREEN of Wisconsin.
H.R. 3511: Ms. HERSETH.
H.R. 3553: Mr. WAMP, Mrs. MYRICK, Mr. CONAWAY, Mr. CULBERSON, Mr. SAM JOHNSON of Texas, Mr. PITTS, Mr. CHABOT, Mrs. MUSGRAVE, Mr. GOHMERT, Mr. KINGSTON, Mr. WELDON of Florida, Mr. FEENEY, Mr. AKIN, and Mr. MARCHANT.
H.R. 3762: Mr. DOGGETT.
H.R. 3850: Mr. WYNN, Mr. JEFFERSON, Mr. WEXLER, and Mr. LYNCH.
H.R. 3949: Mr. GORDON.
H.R. 3954: Mr. MICHAUD and Mr. KUCINICH.
H.R. 3997: Mr. PRICE of Georgia, Mr. SCOTT of Georgia, Ms. BEAN, Mr. MCHUGH, and Mr. CLEAVER.
H.R. 4011: Mr. DEFAZIO, Mr. CHANDLER, and Mr. MORAN of Virginia.
H.R. 4059: Mr. RUPPERSBERGER and Mr. JEFFERSON.
H.R. 4140: Mr. GUTIERREZ.
H.R. 4186: Mr. SMITH of Washington.
H.R. 4202: Ms. LEE.
H.R. 4217: Mr. KING of Iowa and Mrs. BLACKBURN.
H.R. 4236: Mr. OSBORNE, Mr. NEUGEBAUER, and Mr. RAHALL.
H.R. 4259: Mr. GORDON.
H.R. 4272: Ms. WATSON.
H.R. 4303: Mr. BARROW.
H.R. 4341: Mr. LAHOOD, Mr. TIAHRT, Mrs. BONO, Mr. BOSWELL, and Mr. JENKINS.
H.R. 4371: Mr. BOUCHER.
H.R. 4384: Ms. SCHWARTZ of Pennsylvania.
H.R. 4409: Mr. SCHIFF, Mr. FORD, Mr. Fortuño, Mr. MCKEON, Mr. DUNCAN, and Mr. EVANS.
H.R. 4416: Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. RUPPERSBERGER, Mr. CLEAVER, Mr. GRIJALVA, Mrs. MCCARTHY, Mr. GORDON, Mr. PETERSON of Minnesota, Mr. MCGOVERN, Mr. TOWNS, Ms. WOOLSEY, Mrs. MALONEY, and Ms. CARSON.
H.R. 4534: Mr. SOUDER.
H.R. 4586: Mr. BASS, Mr. BOEHLERT, Mr. BOUSTANY, Mr. CANTOR, Ms. CARSON, Mr. DELAHUNT, Mr. DENT, Mr. DINGELL, Mr. EHLERS, Mr. ENGLISH of Pennsylvania, Mr. FATTAH, Mr. FITZPATRICK of Pennsylvania, Mr. GERLACH, Mr. GILCHREST, Mr. HOLDEN, Ms. HOOLEY, Mrs. JOHNSON of Connecticut, Mr. KANJORSKI, Mrs. KELLY, Mr. KIRK, Mr.

KUHL of New York, Mr. LAHOOD, Mr. LEACH, Mr. LOBIONDO, Mr. MARKEY, Mr. MCHUGH, Mr. MCKEON, Mr. NEAL of Massachusetts, Mr. OSBORNE, Mr. PAYNE, Mr. PETERSON of Pennsylvania, Mr. PLATTS, Mr. RAMSTAD, Mr. REGULA, Ms. SCHWARTZ of Pennsylvania, Mr. SCHWARZ of Michigan, Mr. SIMMONS, Mr. SOUDER, Mr. TIBERI, Mr. UPTON, Mr. WALSH, Mr. WELDON of Pennsylvania, Mr. FRELINGHUYSEN, Ms. HART, Mr. KINGSTON, Mr. LYNCH, Mr. DOYLE, Mr. MURTHA, Mr. SHERWOOD, Mr. BRADY of Pennsylvania, Mr. ENGEL, and Mr. PITTS.

H.R. 4608: Mr. CRENSHAW and Mr. EHLERS.

H.R. 4625: Mr. CAMP of Michigan.

H.R. 4650: Mr. MCGOVERN.

H.R. 4668: Mrs. DRAKE.

H.R. 4737: Mr. GRIJALVA.

H.R. 4755: Mr. SPRATT, Mr. POMBO, Ms. KAPTUR, Mr. CARDOZA, and Mr. EVANS.

H.R. 4761: Mr. REHBERG, Mr. TOM DAVIS of Virginia, Mr. HALL, and Mr. PEARCE.

H.R. 4769: Mr. PUTNAM and Mr. GORDON.

H.R. 4796: Mr. STARK.

H.R. 4808: Mr. GRIJALVA.

H.R. 4813: Ms. JACKSON-LEE of Texas and Mr. STRICKLAND.

H.R. 4824: Mr. ANDREWS, Mr. SHIMKUS, Mr. DOYLE, Mr. FITZPATRICK of Pennsylvania, Mr. SAXTON, Mr. ENGLISH of Pennsylvania, and Mr. PLATTS.

H.R. 4834: Mr. FRANKS of Arizona.

H.R. 4840: Mr. CONYERS.

H.R. 4860: Mr. HOLDEN and Mr. PLATTS.

H.R. 4890: Mr. CAMP of Michigan and Mr. GILLMOR.

H.R. 4902: Mr. DEFAZIO, Mr. FILNER, Mr. FOSSELLA, Mr. LEWIS of California, Miss MCMORRIS, Mr. SHADEGG, Mr. WYNN, Mr. BROWN of Ohio, Mr. KOLBE, Mr. LANTOS, Mr. OWENS, Mr. POMBO, Ms. SCHAKOWSKY, and Mr. SIMPSON.

H.R. 4903: Mr. WU.

H.R. 4915: Mr. BROWN of Ohio and Mr. BERMAN.

H.R. 4922: Mr. NEY and Mr. BISHOP of Georgia.

H.R. 4924: Ms. MCCOLLUM of Minnesota, Mr. REHBERG, and Mr. GOHMERT.

H.R. 4932: Mr. MURPHY.

H.R. 4949: Mr. RENZI, Ms. CARSON, Mr. DAVIS of Tennessee, Mr. WYNN, Mr. NEAL of Massachusetts, Mr. PALLONE, Mr. LEWIS of Kentucky, Mr. MICHAUD, Mr. HINOJOSA, Mr. OBERSTAR, Mr. DAVIS of Alabama, Mr. REICHERT, Ms. GINNY BROWN-WAITE of Florida, Mr. CANNON, Mr. CASE, Mr. LEVIN, and Mr. MILLER of North Carolina.

H.R. 4954: Mr. LINDER, Mr. FOLEY, Mrs. JO ANN DAVIS of Virginia, Mr. PLATTS, **Mr.** BACHUS, Mr. WELDON of Pennsylvania, Mrs. MYRICK, Mr. KLINE, Mr. CUMMINGS, Ms. BERKLEY, Mr. WEINER, Mr. MCNULTY, Ms. WASSERMAN SCHULTZ, Mr. SCOTT of Virginia, Mr. CASE, Mrs. TAUSCHER, Mr. BAIRD, and Mr. SWEENEY.

H.R. 4956: Ms. WOOLSEY and Ms. JACKSON-LEE of Texas.

H.R. 4962: Mr. MCHUGH.

H.R. 4963: Mr. NADLER and Mr. DELAHUNT.

H.R. 4970: Mr. REHBERG.

H.R. 4981: Mr. MCGOVERN.

H.R. 4991: Mr. FRANK of Massachusetts and Mr. ABERCROMBIE.

H.R. 4992: Mr. BISHOP of Georgia.

H.R. 5000: Ms. WOOLSEY and Mr. PAYNE.

H.R. 5009: Mr. SHADEGG, Mr. GOHMERT, Mr. GOODE, Mr. TANCREDO, and Mr. FEENEY.

H.R. 5018: Mr. ORTIZ and Mr. BROWN of South Carolina.

H.R. 5024: Mr. CASTLE.

H.R. 5032: Mrs. BONO, Ms. BORDALLO, Mr. LATOURETTE, and Mr. GALLEGLY.

H.R. 5033: Mr. SHAYS.

H. Con. Res. 184: Mr. CARNAHAN.

H. Con. Res. 231: Mr. KUCINICH.

H. Con. Res. 302: Mr. GORDON.

H. Con. Res. 318: Mr. FILNER.

H. Con. Res. 336: Mr. MCDERMOTT.

H. Con. Res. 340: Ms. JACKSON-LEE of Texas and Ms. LEE.

H. Con. Res. 346: Mr. DELAY.

H. Con. Res. 357: Mr. BROWN of Ohio.

H. Res. 137: Mr. SCHWARZ of Michigan.

H. Res. 295: Mr. GERLACH and Mr. GORDON.

H. Res. 316: Ms. DEGETTE.

H. Res. 498: Mr. MCINTYRE and Mr. BRADLEY of New Hampshire.

H. Res. 555: Mr. GARRETT of New Jersey.

H. Res. 578: Mr. MCCOTTER, Mrs. MYRICK, and Mr. CLAY.

H. Res. 600: Mr. BERMAN.

H. Res. 605: Mr. PASCRELL and Mr. MCHUGH.

H. Res. 701: Ms. JACKSON-LEE of Texas.

H. Res. 707: Mr. FEENEY, Mr. MILLER of Florida, Mr. NORWOOD, Mr. KING of Iowa, and Mr. TOWNS.

H. Res. 731: Mr. GREEN of Wisconsin and Mr. STRICKLAND.

H. Res. 733: Mr. MCNULTY.

H. Res. 736: Mr. ADERHOLT, Mr. BAKER, Mrs. BLACKBURN, Mr. SAM JOHNSON of Texas, and Mr. FRANKS of Arizona.

H. Res. 737: Mr. ORTIZ, Mr. SMITH of Washington, Ms. LORETTA SANCHEZ of California, Ms. CARSON, Mr. SHERMAN, Mr. FORBES, Mr. CONYERS, and Mr. LEWIS of Kentucky.

DELETIONS OF SPONSORS

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

H.R. 4011: Mr. LEWIS of Georgia.

H.R. 4881: Mr. POE.

United States of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 109th CONGRESS, SECOND SESSION

Vol. 152 WASHINGTON, WEDNESDAY, MARCH 29, 2006 No. 37

Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable SAM BROWNBACK, a Senator from the State of Kansas.

PRAYER

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

Let us pray.

Eternal God, Your love never ends. You continue to care about us through all of life's seasons. You give us confidence to work for a better tomorrow. Your grace prompts us to touch hurting lives.

Strengthen our Senators today to be good stewards of Your gifts. May they serve one another and our Nation with whatever talents they have received from You. Shine into their minds and hearts the light of Your wisdom that they may be heralds of hope in a time of despair.

Inspire us all to labor with patience, empowered by the sure hope that the harvest is certain. Continue to bless us with the precious gift of Your loving providence.

We pray in Your sovereign Name. Amen.

PLEDGE OF ALLEGIANCE

The Honorable SAM BROWNBACK led the Pledge of Allegiance, as follows:

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

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, March 29, 2006.

To the Senate:

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

TED STEVENS,
President pro tempore.

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

RECOGNITION OF THE MAJORITY LEADER

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

SCHEDULE

Mr. FRIST. Mr. President, I wish everyone a good morning as we start a very busy day in the Senate.

Yesterday, I think we defined a good glidepath to finishing the lobbying reform bill, after which we will return to the immigration issues.

Today, following our period of morning business, we will return to the consideration of the lobbying reform bill. Yesterday, we invoked cloture by a vote of 81 to 16, and therefore I believe we will be able to finish that bill at an early hour today. The order from last night provides that all amendments must be offered no later than 11 a.m. this morning. The bill managers will be here and will be able to call up amendments if Members are unable to get to the floor by 11 o'clock. Therefore, at 11 o'clock this morning, we will be able to determine how many remaining amendments will require votes before we go to passage of the lobbying reform bill. We already have a time agreement with Senator FEINGOLD on his amendment relating to gifts, and we will vote on that issue prior to noon today.

Once we complete the lobbying reform bill, we will proceed to the border control bill under the order entered yesterday. We will begin that bill for a period of debate first before we get into the amendment process. Many Senators have indicated that there is a desire to have opening statements before we begin to consider other immigration issues. Therefore, we have provided for that period for debate, and I encourage Members to take advantage of this opportunity today, this afternoon, or this evening.

Having said that, we will be voting today on a number of lobbying amendments as well as passage of the lobbying reform bill. I also encourage Senators to keep their schedules open for the remainder of the week as we get into the border control bill and related issues. We are providing ample time for the consideration of this bill, and we need to take advantage of each day between now and the recess for this bill.

It was now over 3 months ago that we said we would spend these 2 weeks on the issues of border control, of interior enforcement, and issues such as the temporary worker issues. We will be doing that over these 2 weeks. I believe we can complete that over the course of these 2 weeks. I do encourage our colleagues to get involved early, both in the debate and taking advantage of the time we are providing beginning today, tonight, and every day and every night between now and the next recess.

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

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

The legislative clerk proceeded to call the roll.

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

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

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

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RESERVATION OF LEADER TIME

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

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to a period of morning business for up to 1 hour, with the first 30 minutes under the control of the majority leader or his designee and the remaining 30 minutes under the control of the Democratic leader or his designee.

The Senator from Alabama.

IMMIGRATION REFORM

Mr. SESSIONS. Mr. President, the Senate Judiciary Committee has voted out a historic and monumental immigration bill. The work was intense and fast, and we spent less than, perhaps, half a day dealing with the entire area of the bill that is referred to as guest workers or what to do with those who are here today illegally—perhaps 11 million to 20 million individuals.

I have reached a conclusion, having been in law enforcement for the most part of my professional career, that the enforcement provisions are not going to be adequate—although there are some good ones there, some steps forward—and our approach to those who are here and those who wish to come here in the future has been poorly thought out and unprincipled.

I strongly believe that America has a tremendous opportunity to fix a broken immigration system. The system as it operates today makes a mockery of law, and we all know that. It rewards bad behavior. It places bureaucratic hurdles and delays in front of those who want to do the right thing in coming here.

The list of the ways the current system does not work, frankly, is almost endless. We have had hearings and discussions, and you have read in the newspapers so many of the things that are disturbing about why our system does not work. Our failure to develop a lawful system has had a number of perverse consequences. But one little-noted consequence is that many Americans, even those in this Senate, have come to believe that it cannot be fixed, that it is hopeless, that we cannot get control of our borders, that it is just a natural thing we should accept, that we go through the motions of doing something about it, but it really will never be fixed.

But the good news is that is not true. The failure of our current system is the result of identifiable defects, defects that can be fixed. It is not impossible. Fixing these deficiencies is not all that difficult. Although it will cost real money, it is affordable. So what we really need is the will to do it, the belief and the will and the determination to go forward and make this system work.

T.J. Bonner, who heads the National Border Control Council and who has repeatedly expressed the frustrations of our Border Patrol agents—he represents them—told us, at our Judiciary Committee, how to make the system work. He said: First, control the borders. Second: Workplace enforcement needs to be effectually carried out; that is, to make sure people who are not legal do not get jobs because the jobs are the magnets. A third and connected step is to make our entry and exit system biometric and easier to use. That is part of the concept that would be necessary to move us to an effective legal system.

Such actions, in my view, based on my study and the hearings I have attended, will allow us to quickly reach the magic ''tipping point.'' That is the point where those who want to come to this country will receive a clear message. And that message is this: It makes far more sense to enter our country legally rather than illegally.

Now, at this time, the opposite is true. Those who desire to enter America would rather pay a fee to some transporter, some ''coyote,'' to cross illegally rather than enter lawfully. The situation is so bad that while we apprehended 1.1 million last year entering our country illegally—think of that, 1.1 million—the number who have arrived successfully has surged to almost 12 million, according to the best estimates. Many say more. How bad is that? That is not good. This is not a policy which we can take pride in or have any confidence in, that we have almost as many people illegally as legally coming.

So what do we do to fix it? You say: SESSIONS, what are you going to do about it? What do you propose? There are some steps we can do. Unfortunately, because the system has been broken for so long, we are going to have to work very hard at first to get to that tipping point, to tip from illegality to legality.

But you see what happens when that occurs, when you reach that tipping point? Then the stress on the agents, who are out arresting thousands every night, is so much less because they have fewer to apprehend. You have fewer in our deportation centers. You have much less of a problem for those who are deported—other than Mexicans, who cannot readily be deported to their country—because fewer are coming because they know if they come they are likely to be apprehended and they will be immediately sent back to whatever country they came from.

It begins to work in a way that a lot of people do not think is possible, but it is absolutely possible, and that is, once we make clear you are not going to successfully be able to enter our country illegally, that you must wait in line to come legally, we will have far fewer people come here. Right now the word is out that we are open for anyone who desires to come, even if they don't desire to come legally. That is what is causing so much problem.

One of the things we learned in the 1986 amnesty was not to give amnesty again. You want to do the right thing, and we are going to do the right thing about the people who have come here illegally. We need to spend some time on it. We need to care about every single one of them. They are human beings with dreams and hopes, creatures of our Heavenly Father. Each one of them is entitled to respect, but they are not entitled to the same benefits a lawful entrant into our country has. Who would suggest that? I don't think that is a principled approach we can defend.

We learned in 1986 that we should not give amnesty. It failed. No serious commentator believes the amnesty of 1986 worked. It was widely held to encourage illegal entry. There was a commission appointed by the Congress, a bipartisan commission, 6 years after 1986 to review what happened when the legislation passed that created amnesty at that time. They said it failed. It should not be done again.

By any standard of the definition of the word ''amnesty,'' the bill that came out of committee is that. That is a loaded word. I don't want to be a demagogue with the word ''amnesty.'' But if amnesty has any meaning, it is that people who came illegally are given an opportunity to receive every single benefit, including citizenship, as a result of their illegal act. That is how we have always meant it. That is what was done in 1986. That is what was determined to be a failure.

Secondly, we must deal with and eliminate, as T. J. Bonner said, the magnet of jobs for illegals. It will not be hard to stop the hiring of illegals by requiring biometric identifiers of foreign workers. It will be easy. Most businesses will comply with what they understand to be the plain law. If they are told they should require identification and it should be checked through the computer system that is being set up and will be set up to determine whether this is a lawful applicant, they will do so. It will not be easy to prosecute those cases. We have learned, however, that in 2004, only three cases of fines were assessed against an employer for bringing people into the country or hiring people who were here illegally. So it has never been enforced. It is a mockery of the law. You have it on the books, but nobody has ever enforced it.

Businesses will comply. We will not have to prosecute all of them. As soon as they realize this is not the policy of the United States anymore, that the policy of the United States is you should check your workers before you hire them and make sure they are here legally, they will do so. All of a sudden, this magnet can be eliminated. Again, therefore, if you want to come to the United States to work lawfully, you are tipped into the idea of waiting in line, take your time, come and have your background check done to make sure you don't have terrorist connections and don't have a criminal record,

those kinds of things, and then you can come in.

Border enforcement is not easy. We have 1,900 miles on the border. People say we should not have a fence; it is something deeply wrong with that. I don't find anything wrong with that. I always heard the slogan ''good fences make good neighbors.'' It certainly has worked in San Diego. But in the most busy areas where illegal entry is occurring, that is a perfectly normal and natural thing. If we don't do that, it is an indication that we lack the will to see the matter through.

The House has a bill that deals with this issue. It proposes up to 700 miles of fencing in the worst areas. It has worked in the San Diego area. It can work here. So it is a test. Are we committed to the enforcement question?

The committee bill did deal with some important steps on enforcement, however. It had some important steps. I don't want to diminish that. I have used a metaphor to say, unfortunately, that it is like making an 8-foot leap across a 10-foot ravine. We are almost there, but we are not there. If we do a few more things, including barriers, including biometrics, including workplace enforcement and detention, not having anymore catch-and-release programs, those kinds of things, we could get there more quickly and more easily than most people think. We have made progress, but we are not there yet.

I have discovered, as a former attorney general and prosecutor, U.S. attorney, from my local police officers in Alabama that they are not welcomed to even voluntarily contribute their abilities in immigration enforcement. For example, there is a clear message told to local law enforcement—and I meet with groups of law enforcement officers whenever I am in the State and enjoy that. I ask them how their drug laws are going, what are they seeing on the streets, what problems do they have. And I usually ask them about immigration. The standard answer is, they have been told by the immigration enforcement officers that unless they have 15 people illegally they have apprehended, don't bother to call. They won't come and pick them up. They are not interested. What does that say about our intention to have a lawful system as opposed to an unlawful one?

I saw the front page of the Washington Times a few days ago. It had an article about an officer in the Midwest or the West who apprehended 15 illegal aliens. He called the immigration people and they said: Don't bother. Don't call us.

This has been going on for years. It is the standard policy out there. So this indicates to me we are not serious about having a lawful system.

It is absolutely possible for us to reverse this trend, to allow large numbers of people to come to our country to work, people who we know are not connected to terrorism or are not criminal elements, drug gangs and organizations of that kind. We absolutely can do that. But I am afraid the legislation we have moved forward does not do so. We are going to have some discussion about the majority leader's bill, the Frist bill. It is more focused on the enforcement question. It does not attempt to settle the huge, difficult human issue of how to handle in a humane and lawful way those who are already here unlawfully. That is a big deal, and we will have to spend some time on that. But I don't understand the purpose of it. We will spend a day or so on that and then apparently go to the committee bill.

It came out of committee with a pretty large vote, six ''no'' votes on the committee. The Judiciary Committee has produced their legislation. It is on the floor now, and it will be the main part of the debate as we go forward. The only thing about which I will express concern to my colleagues is that we haven't read it yet. I see the Presiding Officer, such an extraordinarily valuable member of our committee who cares about this issue deeply. We haven't even seen it printed yet. We passed amendments, and we agreed to amendments on the floor. We passed the agriculture jobs bill that was up here a year or so ago that got blocked. We passed it in a 5-minute discussion. I think it was maybe 50 or 100 pages. This bill is over 300 pages. We substituted the Kennedy-McCain bill for the chairman's mark and passed that. Who has read that?

Then they said: Well, it wasn't quite the same as everything you have heard about our bill. We have made improvements on it. What improvements? What does it say?

I urge my colleagues to not announce too quickly that they are in support of the legislation that came out of our committee because they don't know what is in it yet. I don't know what is in it, and I am on the committee.

We are dealing with one of the most momentous challenges of our time. We need to do it in the right way. We can do it in the right way. What I believe we should do is follow the lead of the House of Representatives. People say that is a harsh bill. It is not a harsh bill. It is a bill designed to make the legal system work. What is harsh about that? Unless you believe lawlessness is the appropriate way to handle business in America, unless you don't respect the rule of law. It is not harsh to create a legal system. They have concluded that the proper response to the crisis we face, with due respect to the concerns of the American people, is to, first, demonstrate that we can create an immigration system that actually works. That is what the House decided to do. That is what they focused on, and that is what they passed. They did not attempt, with a few hours debate, to deal with the colossal issue of human concerns of those who are here and to develop an architecture for who we want to allow to come in in the future and under what conditions.

That is what we should do. That is what most of our hearings in the committee have been focused on. Then we will have some credibility with the American people.

Let me share a couple of additional thoughts about matters I believe are important. The Judiciary bill—I don't want to call it Chairman SPECTER's mark because it was so altered and changed. It had quite a bit of difference. But the bill that came out of committee did a number of different things. One, it would immediately legalize the 12 to, some say, 20 million people who are here illegally. It would give them a green card in a relatively short period. It would then put them on an automatic path to citizenship. Once they become a citizen, they are able to bring in family members and even brothers and sisters, mothers and fathers. It would double the number of legal visas, I think, to 400,000. Each one of those would not be as though you have a visa to come in. These visas are not just to come in to work for 6 months or a year and go back to your home country. This 400,000 will allow you to stay up to 6 years and then allow you, at the end of 4 years, to apply for a green card. And once you get that permanent green card, you can apply for citizenship. So it will be about another 400,000.

We think, conservatively speaking, this bill would add 30 million people to our Nation in the next 10 years. We ought to spend some time talking about that. That is a big deal. That is a 10-percent increase in our population, and we ought to be thinking about what is in it. We spent very little time and we have spent very little national discussion in which the American people have had an opportunity to listen on this issue. It is hugely important. We want to do the right thing about it.

Let me share this: The enforcement mechanisms we passed in committee—many of which are good, some of which failed that were needed—are only a promise.

This is why the American people have a right to be cynical, they have a right to be nervous, they have a right to watch this Congress like a hawk because that is what happened in 1986. Once you pass the guest worker part of the bill—which is what it is being called, and I am not sure that is a very good description of it—that becomes law; the people become legalized; they put in for citizenship, and we double the number of people coming, et cetera, and that becomes our law right now.

What about the enforcement? We authorized UAV, the virtual fence. Virtual reality is all that is. That UAV is to see if somebody is out there, but that is of very little value if you don't have somebody go out and pick them up. Anyway, we increase the bed spaces and increase some Border Patrol officers by authorization. All the Judiciary Committee bill can do is authorize those actions to be made. They have no ability whatsoever to fund them and to make sure they get carried out.

What we learned after 1986 is that Congress hasn't funded the things necessary to make the border secure, and the Presidents—every one of them since that time—seem to have little interest in making sure it gets enforced. They don't come before Congress and say we have a problem at the border; we need more money, more agents, more detention space, and more barriers. They let it go. So this is a dangerous thing. I am not going to vote for any bill that is a ''let me see one hand and not the other.'' In other words, we are going to have one vote that will be a permanent decision about how to deal with those who are here illegally. But we will not be able to have any guarantee that the enforcement system is going to be made workable. That is why the House believes they should complete the enforcement mechanisms first, which is a good principle that we should be concerned about.

The stress on our system is going to be incredible. Some in the immigration system say, when they think what this will mean, they cannot imagine how this will ever work. They have a huge backlog on applications to come into the country. Our immigration service is expected to make some background checks to make sure we are not allowing criminals and terrorists to come into the country. If we more than double the number that are allowed to apply and enter, then their workload is going to be incredibly heavy. It is not working now. We can do better.

Finally, a lot of people have been unhappy with President Bush. They say he has been too much for amnesty. They say he is not serious about the border, and they have complained about that and so have I. I felt that he has not been sufficiently concerned about creating a legal system that works. But I have to tell you, the bill that came out of committee is way past that. Please know that, Senators. I heard Scott McClellan on the radio today, from the press conference he gave yesterday, and he stated the principles of the President. One of them is that those who come here illegally are not put on an automatic path to citizenship. That is what the President defines as amnesty. That is what he says he is not for.

But that is what this bill does. The bill puts the people who came here unlawfully on an automatic path to citizenship. If that is not amnesty, what is? The President does not support what is here. It is beyond what he wants to do. He has a very generous idea about immigration. He wants to do the right thing. All of us do, but we cannot defend the principle of granting amnesty because we know what happened in 1986. It did not work. The independent commissions have said that.

I will conclude by urging my colleagues to recognize how important this issue is to get right, how important it is that we do the right thing, so that 10 years from now, 20 years from now, we can be proud of what we did. And we can get there; we absolutely can. But this bill is not the vehicle to do it. We should not pass it in its present form. I say that with the caveat that nobody has seen the bill we will have on the floor. It hasn't even been printed yet. That is a pretty sad case, if you want to know the truth. It was so complex and rushed through our committee in such a hasty way.

Mr. President, I thank the Chair and my colleagues for giving me a chance to share these thoughts. I urge each and every one of them to spend some time on this issue. Let's study this legislation and let's don't be stampeded by politics or protests or that kind of thing. Let's try to do the right thing and make sure that whatever we do is something we can be proud of and our children can be proud of.

The PRESIDING OFFICER (Mr. VITTER). Does the Senator from Alabama yield back the majority's time?

Mr. SESSIONS. How much time remains?

The PRESIDING OFFICER. There is 1 minute 40 seconds.

The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, as I understand it, we have a half hour in morning business for the Democrats; is that correct?

The PRESIDING OFFICER. That is correct, and 29 minutes 15 seconds remain.

Mr. KENNEDY. I ask the Chair to notify me after I have used 12 minutes.

The PRESIDING OFFICER. The Chair will do so.

IMMIGRATION REFORM

Mr. KENNEDY. Mr. President, I always enjoy listening to my friend from Alabama. He has been very much involved and engaged in the discussion and debate on this issue in our Judiciary Committee. But I caution those watching this debate to examine his comments, where he said: ''Any individuals that came here illegally, this bill puts them automatically on a path for citizenship.'' That statement is categorically wrong. It does not. I will explain about the provisions of the legislation. I would not support that proposal. The members of the Judiciary Committee that supported the underlying legislation, the McCain-Kennedy legislation, don't support that proposal.

We gather here today to begin debate on our effort to correct a great historic wrong.

For decades, this country has turned a blind eye to the plight of the stranger in our midst, and looked away in indifference as undocumented immigrants have been exploited at the workplace and have been forced with their families to live in constant fear of detection and deportation.

We have ignored the tough conditions endured by the undocumented, and the harmful ripple effects undocumented employment has on some U.S. workers. For decades Congress has failed to take sensible steps to end undocumented immigration, and some of our policy choices have even contributed to the current crisis.

We first confronted this problem directly in 1952, passing a law known in the parlance of the time as the ''Wetback'' bill, which made it a crime to harbor or abet undocumented immigrants. But at the same time, over the vigorous objections of President Truman, Congress carved out the Texas Proviso—so called because it was drafted by agricultural producers from that State—which made it legal to employ undocumented immigrants. This decision protected the ''economic pull factors'' which have sustained illegal migration since that time.

In 1961 the Edward R. Murrow documentary Harvest of Shame directed the Nation's attention to the miserable conditions under which migrant farm workers toiled to bring cheap fruit and vegetables to our table. Congress responded by terminating the deeply flawed Bracero guest-worker program, and strict limits were imposed for the first time on labor migration from Mexico. I was part of that effort in the Senate to end that unacceptable and outrageously exploitive program. These changes to our immigration policy were well-intentioned, but with hindsight their result was predictable: by ending legal migration, but allowing employers to bid for immigrant labor, Congress all but guaranteed a generation of undocumented immigrants would emerge.

Since that time, economic disparity between the U.S. and its neighbors increased, globalization made travel in and out of the U.S. easier, and two whole generations of foreign workers and U.S. employers came of age in an economic system organized around illegal migration.

In truth, Congress has done little since then to confront this problem. In 1986 we passed the Immigration Reform and Control Act, but IRCA's employer sanctions provisions have never been enforced. Rather than confront the structural causes of undocumented immigration, Congress has repeatedly attacked the symptoms of this disease: building more fences and placing more agents at the U.S.-Mexican border, and imposing more restrictions on immigrants' legal rights. These blunt enforcement tools have not quenched employers' thirst for immigrant workers, and they have not given families the tools to be reunited with their loved ones. Instead, enforcement-only approaches have driven immigrants farther into the desert and deeper underground.

For decades, we tolerated undocumented immigration because it seemed like a win-win exchange: employers and consumers were given access to cheap labor and low-cost goods and services; but Congress was not required to make politically difficult decisions

about expanding legal low-skilled immigration.

But, of course, undocumented immigration has not been cost-free—far from it. And recent changes make continued indifference to this crisis impossible. Undocumented immigrants now live in every State in the Nation, and whole sectors of the economy—from construction, to food services, to health care, to agriculture—depend on undocumented workers to stay in business.

Labor and business alike now demand a system in which workers' rights are respected and in which workers are no longer vulnerable to deportation.

Millions of U.S. citizens now demand a system in which their husbands, wives, parents, children, and neighbors can plan for the future. And the continued health of the American economy demands a system in which all of these workers join the formal labor force, pay their taxes, and play by the rules.

United States relations with Mexico and other countries of origin have also changed, and changed dramatically. In 1965, when the foundation for our current system was put in place, Mexico was an authoritarian state and barely a top 10 United States trade partner. Now Mexico is a flourishing democracy, a partner in the North American Free Trade Agreement, and our No. 2 trade partner in the world. Over 300 million legal border crossings occur between the United States and Mexico each year, and trade across the border totals $650 million a day. Yet this relationship and our broader regional interests are jeopardized by this humanitarian crisis at the border and by the exploitation of immigrants within the United States.

President Bush is traveling to Mexico this week, and the crisis of undocumented immigration, including the enormous strain it places on our partnership with Mexico, will be at the top of the agenda.

And, of course, the 9/11 attacks remind us that undocumented immigration creates a crisis of insecurity. America spends billions of dollars tracking entries and exits at our ports of entry, but we have no idea about the identity of millions of immigrants already living among us. The vast majority of these undocumented immigrants are honest and hard-working, but our national security requires that we identify and monitor those who are not.

We all agree that the time has come for Congress to act, but how shall we do so? Fundamentally, we must choose between two alternatives.

Some would have us build higher and longer walls at the border. They would have us further restrict migrants' legal rights and make these hard-working men and women not just subject to deportation but also do time in U.S. prisons for the crime of living and working in this country. They would go much further, actually making felons of people such as Cardinal Mahoney and tens of thousands of other clergy and social workers who are offering counseling or humanitarian support to undocumented immigrants.

Yet the United States lacks the resources or the political will to actually remove all of the 11 million undocumented immigrants among us. Doing so would cost $240 billion, it would wreak havoc with our economy, and it would destroy millions of American families. Nor in a global economy do we truly have the desire or the capacity to build an impenetrable wall around ourselves.

The idea that blunt enforcement will disrupt this deeply entrenched system of undocumented immigration flies in the face of history and economics. Rather, this enforcement-only approach would simply replicate the policy failures of the past. Down this road lie further undocumented immigration, further insecurity, further economic polarization, and further exploitation of the poorest and most vulnerable among us.

I must say, on the issue of the wall, all we have to do is look at our recent history. We have spent $20 billion over the last 10 years. We have a wall now that is 66 miles long. There are 1,800 more miles along the Mexican border, if we are talking about building walls. We have tripled the number of border guards, built the wall along the border, and we find the present system is not functioning or working. How many times do we have to learn that lesson, and how much more would it cost us if we go that particular route? It is a route that is unacceptable, expensive, and unworkable.

We propose an alternative approach. We propose to end this system of exploitation and to right this historical injustice.

The PRESIDING OFFICER. The Senator has used 12 minutes.

Mr. KENNEDY. Mr. President, I yield myself 4 more minutes.

We believe that immigrants, like women and African Americans before them, have rights in this country, and the time is ripe for a new civil rights moment. We believe that a nation of immigrants rejects its history and its heritage when millions of immigrants are confined forever to second-class status and that all Americans are debased by such a two-tier system. The time has come for comprehensive immigration reform.

Our opponents believe that blunt enforcement can solve our current crisis. We believe that the culture and infrastructure of illegality can only be disrupted and our security and prosperity can only be assured through a three-pronged approach.

First, we favor smarter and tougher enforcement through greater reliance on technology, better screening at our consulates abroad, more international cooperation on migration enforcement, working with Mexico and the other countries in Central America—which our opponents never think about or have asked to or have a program to try to do—and also tracking terrorist mobility and more efficient screening at U.S. work sites.

Our national security and our immigration control efforts are both weakened when we fail to distinguish the millions of undocumented immigrants making vital contributions to our economy and the handful of extremists who would enter the United States to do us harm.

How can we seriously consider diverting our scarce resources to building a fence along the border? This is a 19th century solution to a 21st century problem. A fence—muro de muerte is the alternative, and we are saying that is the kind of wall we are going to build, with all the technology we have? It is a bankrupt policy.

The focus on the border will not prevent undocumented immigration. Almost half of all undocumented immigrants enter through legal channels, and others will always find ways to go over, under, or around the wall. More importantly, a United States-Mexico border fence does nothing to help us identify and track terrorists who would almost certainly choose other strategies for entry, including the use of fraudulent or legitimate documents, or entry anywhere along an unguarded northern border or coastline.

Second, in an economy which depends on immigrant labor, we favor the creation of legal opportunities so that all American workers have the right to labor with dignity and the protection of our laws. More opportunities must be created for workers and families to obtain green cards through our permanent visa system. And the 400,000 or so undocumented immigrants now joining our workforce each year must be offered access to temporary visas and to a spot in the formal economy when employers cannot find U.S. workers to take these jobs.

Our temporary worker program differs in fundamental ways from the failed approaches of the past. We include robust wage guarantees to ensure that temporary workers will not depress the wages and working conditions of American workers, which is happening at the present time, and we back up these guarantees with strong complaint procedures and protections for whistleblowers. We believe guest workers must not be tied to a single employer but, rather, must have the right to vote with their feet by changing jobs when employers would exploit them. And we believe workers must have the right to adjust to permanent status if their situation changes and they choose to remain in the United States.

Third, immigration reform will be fundamentally incomplete without a plan for bringing the undocumented immigrants already among us out of the shadows and into legal status. Our national security requires the United States to know who resides in our

country. Our economic prosperity requires that undocumented immigrants—5 percent of all workers in the United States—join the legal economy.

The PRESIDING OFFICER. The Senator has used his additional 4 minutes. There is 13 minutes remaining.

Mr. KENNEDY. Mr. President, I see my friend from Illinois here. I am going to take 1½ more minutes, and then I will yield the floor.

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

Mr. KENNEDY. Mr. President, countless American families want their undocumented relatives to have the opportunity to become residents. One million immigrants rallied in communities across the country last week, and the crowds included thousands of families waving American flags and celebrating America as their adopted homeland.

No one believes in amnesty for these immigrant workers and families, but we do believe in giving them a chance to earn—earn—legal status. That is the difference. Amnesty is a pardon. We are not pardoning any undocumented immigrants. What we are basically saying is: Come out of the shadows, pay a fine, pay your taxes, learn English, and after all those who are in line to come to the United States at the present time and have come to the United States, go to the back of the line and work your way to citizenship by playing by the rules. There are 70,000 permanent resident aliens who are serving in Iraq and Afghanistan. If you don't play by the rules, then you are subject to deportation. That is earning legal status, and that is the process we follow.

All undocumented immigrants deserve this chance, but only those who pay the stiff fines, work for 6 years, pay their taxes, learn English and pass a civics test will be permitted to remain in the United States.

Today, we embark on a historic debate. We have an opportunity to correct these historic wrongs. I look forward to the coming debate. Together, let us move forward, not backward, on genuine immigration reform.

Mr. President, I have been here when Republicans and Democrats have come together to accept the challenge of an issue that is not going away. This issue is not going away. We now have Republicans and Democrats working together. The President has talked about this issue as well. Surely we ought to be challenged to find a way where this Nation can make progress with Republicans and Democrats and hopefully even the administration working together to help do something that is sensible, responsible, workable, humane, and consistent with our national traditions.

I yield back whatever time is remaining.

The PRESIDING OFFICER. The Senator from Illinois is recognized.

EXTENSION OF MORNING BUSINESS

Mr. DURBIN. Mr. President, my colleague from Iowa has come to the floor and wants 15 minutes to speak. I ask unanimous consent for 5 minutes and my colleague from Iowa 15 minutes and that morning business be extended the necessary time for that to occur, and an equal amount offered to the other side, if they care to use it.

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

Mr. DURBIN. So it is my understanding, Mr. President, that after I speak for 5 minutes, the Senator from Iowa will be recognized for 15 minutes.

Mr. HARKIN. I thank the Senator.

IMMIGRATION REFORM

Mr. DURBIN. Mr. President, I thank the Senator from Massachusetts who has just spoken. Senator KENNEDY has led so many important fights in the Senate. This may be one of the most historic. We know our immigration system is broken. It just does not work.

In my office in Chicago, almost 90 percent of all of the work we do is on immigration. The stories will break your heart. There are people who have come to this country and, for reasons that often cannot be explained, are not in legal status today. As Senator KENNEDY said, approximately half the undocumented people in America arrived here legally. What happened? They were going to school on a visa and they didn't take the necessary course work to be a full-time student. They lost their legal status. They were part-time students. They started again as full-time students, and they are undocumented as a result, or they came and stayed beyond their visas or they came into circumstances that, frankly, created family situations so they could not leave: A woman falls in love with an American citizen, is married, and has children. Her husband is an American citizen, all her children are American citizens, but she is not. She is an undocumented person in this country.

But let me tell you one story or one group of stories that I think dramatizes some of the injustices of the current system that I think should be addressed. A few years ago, Senator ORRIN HATCH and I worked together in a bipartisan effort to pass what is known as the Dream Act. Senator HAGEL, Senator LUGAR, and I are now cosponsoring it on a bipartisan basis. It came to my attention because we got a phone call from a woman in Chicago, a Korean-American woman who works at a dry cleaners in Chicago 12 hours a day. She said she had a problem. Her problem was her daughter, who came to the United States at the age of 2 and became a musical prodigy. She played the symphony piano by the age of 8. She has played with the Chicago Symphony. She is an amazing, talented musician.

She was recruited by Julliard School of Music—the best in America—to develop her skills as a musician. When she started to fill out the application, she turned to her mother and said: It says here: Nationality. American, right? And her mother said: No, we never filed your papers. And here she was, a bright future ahead of her, and she called my office and said: What am I to do? We called the Immigration and Naturalization Service and they said: The answer is obvious. She has to go back to Korea.

Back to Korea? She had been in this country for 16 years. Through no fault of her own, she was not a documented citizen or in legal status. She had fallen through the cracks, one of the 11 million.

Let me tell you another story. It is about Diana, who was brought to Chicago at the age 6 by her family from Mexico. Diana is undocumented. She has lived her entire life in the United States. There is a 50-percent dropout rate among undocumented students in America—50 percent. She didn't drop out of school; she did the opposite. She stayed in school and made the dean's list all through high school. She graduated with a 4.4 average out of 4.0, taking advanced placement classes to pursue her dream of being an architect. She was accepted at Northwestern University and was so excited. She came to learn that because she was undocumented, she couldn't get financial assistance. She couldn't go to Northwestern. She went to another college. She is still trying to be an architect.

Tell me: Is America a better place if those two girls leave or is it a better place if they stay?

The Dream Act gives young people such as that a chance, people who came to the United States, young people, through no decision on their own—their parents made the decision. They did the right thing, followed the rules, didn't break any laws, went to school, were good students, studied, aspired, and dreamed of the opportunity in this country, and then learned, to their bitter disappointment, they were reaching a point where they could not pursue their education.

The Dream Act says this: If you are one of those people, if you have been here 5 years or more, if you entered the country under the age of 16, if you are in high school, you have a chance, and the chance is this: Complete high school and then either 2 years in college or a college degree in the next 6 years, or serve in our military for 2 years, and we will then give you a chance to start a long path toward citizenship. That is important.

I can't tell you the people who come up to me in the city of Chicago, students, for example, who are undocumented, who want to teach. We need them so badly. They want to teach math and science and critical languages. Yet, being undocumented, they can never be licensed to teach in my State of Illinois or virtually any other State.

Should these young people have a chance? Should they be allowed now to become part of America and our future? I think they should. The Dream Act is part of this immigration reform, and I urge my colleagues to support it. I yield to the Senator from Iowa.

Mr. HARKIN. Mr. President, first let me commend Senator DURBIN for his leadership on the Dream Act and making sure that it is now a part of the bill that came out of the Judiciary Committee. I was a cosponsor of that Dream Act, and I support it being a part of the bill.

For me, the current debate on immigration strikes very close to home. Those words at the base of the Statue of Liberty, ''Give me your tired, your poor, your huddled masses, yearning to breathe free,'' have a profound personal meaning to me.

On my wall in my office, I have a picture of the house in which my mother was born and raised until she was 20 years of age in the small town of Suha, Slovenia. It is a small house with a dirt floor. Yes, my mother was born and raised in a house with a dirt floor until she was aged 20. Then she got steerage on the SS Argentina and came to America. She was going to land at Ellis Island, but landed in Boston because of bad weather. I have a copy of the documentation from when my mother landed here in America, it had her name and where she was from, and what she owned. She had one suitcase, a train ticket to Des Moines, IA, and $7. That is how my mother came to America. When she came, though, she was welcomed into the American community. She got married, obviously raised a family. She has since obviously passed away, but she became a productive citizen, a loyal American who gave a lot back to her adopted homeland.

I know the current debate has stirred up a lot of passions, but this is nothing new. Across the centuries, successive waves of immigrants—Germans, Irish, and again on my father's side my great-grandfather, who was an immigrant from the northern part of Ireland; Chinese, Italians, Greeks, others—every time they have come here they have aroused strong emotions. But in every case, Americans eventually rose above their economic fears and ethnic prejudices. We were true to those Statue of Liberty words and, as a result, America has become stronger and richer and fairer. We are indeed the envy of the world.

Today, once again, we are in the midst of a difficult and often emotional national debate about immigration. I am optimistic that we can arrive at a bill that addresses legitimate national security and law enforcement concerns, while also being faithful to our tradition and history as a nation of immigrants. I commend the senior Senator from Pennsylvania, Senator SPECTER, for his skill and leadership in reporting a bipartisan bill from the Judiciary Committee that takes us in the right direction. I want to commend his ranking member, Senator LEAHY, and Senator KENNEDY for his strong work on getting this bill through and making it a decent, fair, but yet strong bill to protect our national security and to protect our law enforcement in this country.

My State of Iowa, I am proud to say, has a long history of welcoming new immigrants. We have a growing immigrant Muslim population from Asia and the Middle East. In fact, Cedar Rapids, IA, is home to the oldest mosque in America, and we are proud of that. A quarter of a century ago, responding to the plight of Vietnamese and Laotian boat people, former Governor Robert Ray introduced programs to bring more than 30,000 of these refugees to our State. Because of his courageous humanitarian leadership, thousands of Iowans opened their homes and their hearts to these new immigrants.

More recently, tens of thousands of immigrants have come to Iowa from Latin America and elsewhere. They have come here in search of two things: work and freedom. Work, in order to feed and clothe their families; and freedom, to learn and to develop their talents, and to grow. In most cases, they have found work. The Iowa economy is hungry for immigrants who are willing to do jobs that basically are physically demanding, oftentimes dangerous, one example, of course, being the meat packing industry.

But not all of these new immigrants have found freedom—the freedom to learn and to grow and to develop their talents. Earlier this month, at United Trinity Methodist Church in Des Moines, I met with a group of new immigrants, an undocumented family. They told me about the hardships they face. They live in constant fear. They live in the shadows. What do they want? They want to become loyal, contributing Americans, to pursue the American dream, to contribute as my mother did, as my great-grandfather and his descendants did, to building this country we call America. But, instead, they are living an American nightmare of anxiety, exclusion, and exploitation.

So it is time for us to find a constructive and positive way to bring these people out of the shadows and into the sunlight. One thing we all agree on is that the current immigration system is broken and needs reform. It is totally out of sync with today's social and economic realities. It is time to come up with a just and fair immigration system, one true to our values and our tradition. I know we can come up with a bill that is a win-win for all of us.

To that end, we need at least three things: One, we need tough, consistent, effective enforcement of reformed immigration laws. Two, we need to enforce sanctions against employers who hire immigrants unauthorized to work. Three, we need a temporary worker program with documentation that gives immigrants a reasonable path to earning full American citizenship. As Senator KENNEDY said earlier, we are not talking about amnesty. That would be wrong. We are talking about a process of earned legalization, giving people who are here a practical way to earn citizenship by working, paying taxes, paying a fine, learning English.

We need to deal with the reality before us. We have 11 million to 12 million undocumented people in this country, many of whom—as we listened to Senator DURBIN talk about—have lived here for many years, and many who came here as young children, as babies. Many of them who are here have children. They have other family members who are U.S. citizens. They are contributing to our prosperity. They are making a big contribution to our society. They may be undocumented; they may be living in the shadows; but make no mistake: They are de facto members of our American community. They are integrated into the fabric of our national life. They are filling jobs that, in most cases, go unfilled, and they are not going away. Frankly, we would face huge problems if they did. As the U.S. Chamber of Commerce said recently: ''If you kick out 11 and-a-half to 12 million people, it will bring our economy to a screeching halt.''

So let us acknowledge the reality. Let's establish a legal framework within which these immigrants can work and learn English and pass security background checks, pay a fine, the penalties that are necessary, and then earn the right to eventually become a U.S. citizen. At the same time, let's not delude ourselves with so-called simple solutions that are unworkable, unaffordable, or just plain mean-spirited. For example, the House has passed a bill that calls for criminalizing undocumented immigrants, rounding them up and deporting them, and charging with crimes anyone who might help, including clergy and church members.

Does anyone seriously believe we can round up 11 million to 12 million undocumented immigrants? Who is going to do it? Are we going to spend the $140 billion it would take to hire a vast army of agents to do this? And even if it were physically possible to round up 12 million people, how do you do it humanely? For example, would we be willing to break up families? Would we deport mothers and fathers but allow their U.S. citizen children to remain here? Would we deport an undocumented immigrant who is here, married, has children? Would she or he take the children with them, or leave them here? What is going to happen to all these people? How do you deal with this humanely?

Others advocate we spend tens of millions of dollars to build a 700-mile wall, a fence, across our southern border. That is nonsense. Did the Great Wall of China work? Maybe for a month or two. Think of the Berlin Wall. Just remember the Berlin Wall. And think about a wall between the United States

and Mexico. Now we are going to build a wall across the Canadian border, too? Let's get serious. This is nonsense, absolutely nonsense.

And does anyone want to talk about those who come to the U.S. and overstay their visas? There are an estimated 4 million people in the United States who have overstayed their visas. They get visas, they are here, they are working. They overstay their visa and do not go back to their home countries; they decide to stay here illegally.

It is time to acknowledge why immigrants continue to come across our border, making enormous sacrifices, risking their lives. They are coming for economic opportunity to better themselves and to reunite, a lot of times, with their families. In other words, they are coming for exactly the same reasons that my mother came to America—to get reunited with family members who were here, to work, to raise a family, to better her life and to better the lives of her children. The difference is they are coming now as undocumented because we failed to create a documented, legal avenue for our economy to get the workers we need. It is not their fault, it is our fault—because we have not designed a good immigration system.

We have heard it said that undocumented immigrants drive down wages for American citizens at the low end of the economic scale. According to this argument, undocumented immigrants are so desperate to work for the minimum wage or less, they will tolerate harsh, unsafe working conditions. Unfortunately, there is a lot of truth to that argument. So what is the answer, kick them out? No. The answer is to bring them out of the shadows. If they are given documentation and legal status, then employers will have to pay them a decent wage and treat them fairly. This will raise the floor. It will raise wages at the bottom rungs of the ladder, and this will benefit all American workers.

There is another huge cost and danger to allowing the status quo to continue. The current system has driven undocumented workers deep underground. We are not able to document, track, or control who is within our borders. This is the ideal environment for al-Qaida and others who aim to penetrate our society. Because of our preoccupation with chasing down undocumented immigrants, we are diverting scarce resources from addressing the real threats to our national security, and this needs to change. Instead, we are tracking down gardeners and dishwashers, let's focus on those who really want to do us harm.

Throughout America's history, the subject of immigration has lent itself to fearmongering, demagoguery, and simplistic so-called solutions. But to our credit—and to America's great social and economic benefit—we have listened to the better angels of our nature. We have refused to slam the door. We have been true to our tradition as a nation of immigrants.

Today, once again, we are challenged to rise above fear and prejudice and to do the right thing. Legally or illegally, immigrants will continue to come to America as they have for four centuries. We need smart immigration reform, reform that will protect our borders, crack down on employers who hire those who are unauthorized to work, while creating a guest worker program that gives immigrants the opportunity to earn legalization and to have family reunification.

In closing, I commend the Judiciary Committee for sending to the floor a bipartisan bill that would accomplish these important things. It would bring undocumented immigrants out of the shadows so we know who they are, where they live, where they are from, and so we can identify any who could be a threat to our homeland security. It would allow earned legalization for those who pass security background checks.

It is going to take more than 10 years for an undocumented immigrant to demonstrate that he or she is a person of good moral standing, is paying taxes, learning English, and has paid the necessary fines. These people will not jump ahead of anyone who is already in line for citizenship. I want to stress that point. There is a thought: Oh, they will get in front of everybody. That is not true, not under the bill from the Judiciary Committee. They would work 6 years before they could apply for legal permanent residency or green card status, and after that they would work for another 5 years before they could apply for citizenship. During this process, they would have to pay a fine, and with those fines would help pay for this system.

Last, we don't need a wall around our borders. We can use unmanned aerial vehicles, sensors, guard posts. We can do this without building a wall, and we can protect our borders much better than we are doing now. That is what is in the Judiciary bill. It is an excellent starting point.

Again, I commend Senator SPECTER and the committee. They have done a great service to the Senate and to our country. I hope this Senate will do the right thing in passing that bill.

I yield the floor.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. At this point, morning business is closed.

LEGISLATIVE TRANSPARENCY AND ACCOUNTABILITY ACT OF 2006

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 2349, which the clerk will report.

The assistant legislative clerk read as follows:

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

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

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

AMENDMENTS NOS. 2930, 2965, 2995, EN BLOC

Mr. DODD. Mr. President, on behalf of Senator OBAMA, of Illinois, I ask that it be in order to call up three amendments, and once the amendments are reported, that they may be set aside.

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

Mr. DODD. I call up amendments No. 2930, No. 2965, and No. 2995.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for Mr. OBAMA, proposes amendments numbered 2930, 2965, 2995, en bloc.

The amendments are as follows:

AMENDMENT NO. 2930

(Purpose: To clarify that availability of legislation does not include nonbusiness days)

On page 5, line 21, after ''hours'' insert ''or 1 business day, whichever is longer,''.

On page 6, line 7, after ''hours'' insert ''or 1 business day, whichever is longer,''.

AMENDMENT NO. 2965

(Purpose: To ban employment negotiations to become lobbyists by Members of Congress and required recusal for senior congressional staff while in office)

At the appropriate place insert the following:

SEC. ____. BAN ON IN OFFICE EMPLOYMENT NEGOTIATIONS.

(a) SENATE.—Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

''13. (a) A member of the Senate shall not negotiate or have any arrangement concerning prospective private employment if a conflict of interest or an appearance of a conflict of interest might exist.

''(b) An employee of the Senate earning in excess of 75 percent of the salary paid to a Senator shall recuse himself or herself from working on legislation if a conflict of interest or an appearance of a conflict of interest might exist as a result of negotiations for prospective private employment.

''(c) The Select Committee on Ethics shall develop guidelines concerning conduct which is covered by this paragraph.''.

(b) CRIMINAL PROVISION.—Section 208 of title 18, United States Code, is amended by adding at the end the following:

''(e) PROHIBITION ON EMPLOYMENT NEGOTIATIONS WHILE IN OFFICE.—

''(1) IN GENERAL.—No officer or employee of the executive branch of the United States Government, an independent agency of the United States, or the Federal Reserve, who is compensated at a rate of Executive Schedule Level I, II, or III, shall negotiate or have any arrangement concerning prospective private employment if a conflict of interest or an appearance of a conflict of interest might exist, as determined by the Office of Government Ethics.

''(2) PENALTY.—A violation of this subsection shall be punished as provided in section 216.''.

AMENDMENT NO. 2995

(Purpose: To expand the prohibition on lobbying in the year after leaving service to the Senate to include a prohibition on paid coordination activities)

At the appropriate place insert the following:

SEC. ___. PROHIBITION ON PAID COORDINATION LOBBYING ACTIVITIES.

Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

''13. A Member of the Senate or an employee of the Senate earning in excess of 75 percent of the salary paid to a Senator shall not engage in paid lobbying activity in the year after leaving the employment of the Senate, which shall include the development, coordination, or supervision of strategy or activity for the purpose of influencing legislation before either House of Congress.''.

Mr. DODD. Mr. President, I ask that the pending amendments be set aside.

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

AMENDMENT NO. 2960

Mr. DODD. On behalf of Senator LEVIN of Michigan, I call up amendment No. 2960, and once it is reported, I ask that it be set aside.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for Mr. LEVIN, proposes an amendment numbered 2960.

The amendment is as follows:

AMENDMENT NO. 2960

(Purpose: To require electronic filing and establish a public database for lobbyists for foreign governments)

At the appropriate place in the bill, add the following:

SEC. ___. ELECTRONIC FILING AND PUBLIC DATABASE FOR LOBBYISTS FOR FOREIGN GOVERNMENTS.

(a) ELECTRONIC FILING.—Section 2 of the Foreign Agents Registration Act (22 U.S.C. 612) is amended by adding at the end the following new subsection:

''(g) ELECTRONIC FILING OF REGISTRATION STATEMENTS AND UPDATES.—A registration statement or update required to be filed under this section shall be filed in electronic form, in addition to any other form that may be required by the Attorney General.''.

(b) PUBLIC DATABASE.—Section 6 of the Foreign Agents Registration Act (22 U.S.C. 616) is amended by adding at the end the following new subsection:

''(d) PUBLIC DATABASE OF REGISTRATION STATEMENTS AND UPDATES.—

''(1) IN GENERAL.—The Attorney General shall maintain, and make available to the public over the Internet, without a fee or other access charge, in a searchable, sortable, and downloadable manner, an electronic database that—

''(A) includes the information contained in registration statements and updates filed under this Act;

''(B) directly links the information it contains to the information disclosed in reports filed with the Federal Election Commission under section 304 of the Federal Election Campaign Act of 1971 (2 U.S.C. 434); and

''(C) is searchable and sortable, at a minimum, by each of the categories of information described in section 2(a).

''(2) ACCOUNTABILITY.—Each registration statement and update filed in electronic form pursuant to section 2(g) shall be made available for public inspection over the internet not more than 48 hours after the registration statement or update is filed.''.

The PRESIDING OFFICER. The amendment is set aside without objection.

AMENDMENT NO. 2963

Mr. DODD. Mr. President, on behalf of Senator FEINGOLD, I call up amendment No. 2963, and once it is reported, I ask that it be set aside as well.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for Mr. FEINGOLD, proposes an amendment numbered 2963.

The amendment is as follows:

AMENDMENT NO. 2963

(Purpose: To remove lobbyists all together from Member trips)

On page 9, after line 10, insert the following:

''(iii) the trip was not planned, organized, or arranged by or at the request of a registered lobbyist or foreign agent and

''(iv) registered lobbyists will not participate in or attend the trip;''.

The PRESIDING OFFICER. The amendment is set aside without objection.

AMENDMENTS NOS. 3181 AND 3182, EN BLOC

Mr. DODD. On behalf of Senator BYRD of West Virginia, I ask that it be in order to call up two amendments, and once the amendments are reported, that they be set aside.

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

Mr. DODD. I call up amendment No. 3181 and amendment No. 3182.

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Connecticut [Mr. DODD], for Mr. BYRD, proposes amendments numbered 3181 and 3182, en bloc.

The amendments are as follows:

AMENDMENT NO. 3181

(Purpose: To clarify the termination date of the Commission)

On page 50, strike lines 8 through 13 and insert the following:

(1) FINAL REPORT.—Two years after the date of enactment of this Act, the Commission shall submit to Congress a final report containing information described in subsection (a).

AMENDMENT NO. 3182

(Purpose: To clarify the subpoena powers of the Commission)

On page 46, after line 7, insert the following:

(d) LIMIT ON COMMISSION AUTHORITY.—The Commission shall not conduct any law enforcement investigation, function as a court of law, or otherwise usurp the duties and responsibilities of the ethics committee of the House of Representatives or the Senate.

Strike Sec. 266(a)(2) and (b).

The PRESIDING OFFICER. The amendments are set aside without objection.

AMENDMENTS NOS. 2980, 2981, 2983, 2961, 3175, 2970, 2936, 2937, AND 2982, EN BLOC

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, I ask unanimous consent to call up the following amendments en bloc and that they be temporarily set aside after they have been called up: amendments Nos. 2980, 2981 and 2893, introduced by Senator ENSIGN; amendment No. 2961, introduced by Senator CORNYN; amendment No. 3175, introduced by Senator COBURN; amendment No. 2970, introduced by Senator SUNUNU; and amendments Nos. 2936, 2937, and 2982, these by Senator INHOFE.

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

The amendments are as follows:

AMENDMENT NO. 2980

(Purpose: To include Federal entities in the definition of earmarks)

On page 5, line 2 strike ''a non-Federal'' and insert ''an''.

AMENDMENT NO. 2981

(Purpose: To clarify the treatment of out of scope matters in conference reports)

On page 3, strike line 9 and all that follows through page 4, line 20, and insert the following:

(a) IN GENERAL.—A point of order may be made by any Senator against consideration of a conference report that includes any new or general legislation, any unauthorized appropriation, or new matter or nongermane matter not committed to the conferees by either House. The point of order shall be made and voted on separately for each item in violation of this section.

(b) DISPOSITION.—If the point of order against a conference report under subsection (a) is sustained, then—

(1) the matter in such conference report shall be deemed to have been struck;

(2) when all other points of order under this section have been disposed of—

(A) the Senate shall proceed to consider the question of whether the Senate should recede from its amendment to the House bill, or its disagreement to the amendment of the House, and concur with a further amendment, which further amendment shall consist of only that portion of the conference report not deemed to have been struck;

(B) the question shall be debatable; and

(C) no further amendment shall be in order; and

(3) if the Senate agrees to the amendment, then the bill and the Senate amendment thereto shall be returned to the House for its concurrence in the amendment of the Senate.

(c) SUPERMAJORITY WAIVER AND APPEAL.—This section may be waived or suspended in the Senate only by an affirmative vote of ⅗ of the Members, duly chosen and sworn. An affirmative vote of ⅗ of the Members of the Senate, duly chosen and sworn, shall be required in the Senate to sustain an appeal of the ruling of the Chair on a point of order raised under this section.

(d) DEFINITIONS.—In this section:

(1)(A) The term ''unauthorized appropriation'' means an appropriation—

(i) not specifically authorized by law or Treaty stipulation (unless the appropriation has been specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law); or

(ii) the amount of which exceeds the amount specifically authorized by law or Treaty stipulation (or specifically authorized by an Act or resolution previously passed by the Senate during the same session or proposed in pursuance of an estimate submitted in accordance with law) to be appropriated.

(B) An appropriation is not specifically authorized if it is restricted or directed to, or authorized to be obligated or expended for the benefit of, an identifiable person, program, project, entity, or jurisdiction by earmarking or other specification, whether by name or description, in a manner that is so restricted, directed, or authorized that it applies only to a single identifiable person, program, project, entity, or jurisdiction, unless the identifiable person, program, project, entity, or jurisdiction to which the restriction, direction, or authorization applies is described or otherwise clearly identified in a law or Treaty stipulation (or an Act or resolution previously passed by the Senate during the same session or in the estimate submitted in accordance with law) that specifically provides for the restriction, direction, or authorization of appropriation for such person, program, project, entity, or jurisdiction.

(2) The term ''new or general legislation'' has the meaning given that term when it is used in paragraph 2 of Rule XVI of the Standing Rules of the Senate.

(3) The term ''new matter'' means any matter not committed to conferees by either House.

(4) The term ''nongermane matter'' has the meaning given that term when it is used in Rule XXII of the Standing Rules of the Senate.

AMENDMENT NO. 2983

(Purpose: To permit a Senator to raise a single point of order that several provisions violate Section 102)

On page 3, line 12, strike ''shall be made and voted on separately for each item in violation of this section'' and insert ''may be made and voted on separately for each item in violation of this section.

It shall be in order for a Senator to raise a single point of order that several provisions of a conference report or an amendment between the Houses violate subparagraph (a). The Presiding Officer may sustain the point of order as to some or all of the provisions against which the Senator raised the point of order. If the Presiding Officer so sustains the point of order as to some or all of the provisions against which the Senator raised the point of order, then only those provisions against which the Presiding Officer sustains the point of order shall be deemed stricken pursuant to this paragraph. Before the Presiding Officer rules on such a point of order, any Senator may move to waive such a point of order, in accordance with subparagraph (g), as it applies to some or all of the provisions against which the point of order was raised. Such a motion to waive is amendable in accordance with the rules and precedents of the Senate. After the Presiding Officer rules on such a point of order, any Senator may appeal the ruling of the Presiding Officer on such a point of order as it applies to some or all of the provisions on which the Presiding Officer ruled.''

AMENDMENT NO. 2961

(Purpose: To require lobbyist to distinguish whether clients are public or private entities)

On page 24, after line 22, insert the following:

''(8) for each client, immediately after listing the client, an identification of whether the client is a public entity, including a State or local government or a department, agency, special purpose district, or other instrumentality of a State or local government, or a private entity.''.

AMENDMENT NO. 3175

(Purpose: To require full disclosure of all entities and organizations receiving Federal funds)

At the appropriate place, insert the following:

SEC. ___. FULL DISCLOSURE OF ENTITIES RECEIVING FEDERAL FUNDING.

(a) IN GENERAL.—Effective beginning January 1, 2007, the Office of Management and Budget shall ensure the existence and operation of a single updated searchable database website accessible by the public at no cost that includes for each entity receiving Federal funding—

(1) the name of the entity;

(2) the amount of any Federal funds that the entity has received in each of the last 10 fiscal years;

(3) an itemized breakdown of each transaction, including funding agency, program source, and a description of the purpose of each funding action;

(4) the location of the entity and primary location of performance, including the city, State congressional district, and country;

(5) a unique identifier for each such entity and parent entity, should the entity be owned by another entity; and

(6) any other relevant information.

(b) DEFINITIONS.—In this section:

(1) ENTITY.—The term ''entity''—

(A) includes—

(i) a corporation;

(ii) an association;

(iii) a partnership;

(iv) a limited liability company;

(v) a limited liability partnership;

(vi) any other legal business entity;

(vii) grantees, contractors, and, on and after October 1, 2007, subgrantees and subcontractors; and

(viii) any State or locality; and

(B) does not include—

(i) an individual recipient of Federal assistance;

(ii) a Federal employee; or

(iii) a grant or contract of a nature that could be reasonably expected to cause damage to national security.

(2) FEDERAL FUNDING.—The term ''federal funding''—

(A) means Federal financial assistance and expenditures that include grants, contracts, subgrants, subcontracts, loans, awards and other forms of financial assistance; and

(B) does not include credit card transactions or minor purchases.

(3) SEARCHABLE DATABASE WEBSITE.—The term ''searchable database website'' means a website that allows the public to—

(A) search Federal funding by name of entity, parent entity, or type of industry, geography, including location of the entity and the primary location of the performance, amounts and types of federal funding, program sources, type of activity being performed, time factors such as fiscal years or multiple fiscal years, and other relevant information; and

(B) download data included in subparagraph (A) including outcomes from searches.

(c) WEBSITE.—The database website established by this section—

(1) shall not be considered in compliance if it links to FPDS, Grants.gov or other existing websites and databases, unless each of those sites has information from all agencies and each category of information required to be itemized can be searched electronically by field in a single search;

(2) shall provide an opportunity for the public to provide input about the utility and of the site and recommendations for improvements; and

(3) shall be updated at least quarterly every fiscal year.

(d) AGENCY RESPONSIBILITIES.—The Director of OMB shall provide guidance to agency heads to ensure compliance with this section.

(e) REPORT.—The Director of OMB shall annually report to the Senate Committee on Homeland Security and Government Affairs and the House Committee on Government Reform on implementation of the website that shall include data about the usage and public feedback on the utility of the site, including recommendations for improvements. The annual report shall be made publicly available on the website.

AMENDMENT NO. 2970

(Purpose: To revise the time period for Internet availability in the provisions relating to earmarks and availability of conference reports from 24 hours to 48 hours)

Beginning on page 4, strike line 21 and all that follows through page 6, line 7, and insert the following:

SEC. 103. EARMARKS.

The Standing Rules of the Senate are amended by adding at the end the following:

''RULE XLIV
''EARMARKS

''1. In this rule—

''(1) the term 'earmark' means a provision that specifies the identity of a non-Federal entity to receive assistance and the amount of the assistance; and

''(2) the term 'assistance' means budget authority, contract authority, loan authority, and other expenditures, and tax expenditures or other revenue items.

''2. It shall not be in order to consider any Senate bill or Senate amendment or conference report on any bill, including an appropriations bill, a revenue bill, and an authorizing bill, unless a list of—

''(1) all earmarks in such measure;

''(2) an identification of the Member or Members who proposed the earmark; and

''(3) an explanation of the essential governmental purpose for the earmark;

is available along with any joint statement of managers associated with the measure to all Members and made available on the Internet to the general public for at least 48 hours before its consideration.''.

SEC. 104. AVAILABILITY OF CONFERENCE REPORTS ON THE INTERNET.

(a) IN GENERAL.—

(1) AMENDMENT.—Rule XXVIII of all the Standing Rules of the Senate is amended by adding at the end the following:

''7. It shall not be in order to consider a conference report unless such report is available to all Members and made available to the general public by means of the Internet for at least 48 hours before its consideration.''.

AMENDMENT NO. 2936

(Purpose: To provide a 1-year prohibition against lobbying for senior career staff of executive branch agencies)

On page 40, after line 2, insert the following:

(c) SENIOR EXECUTIVE PERSONNEL GENERALLY.—Section 207(a) of title 18, United States Code, is amended by adding at the end the following:

''(4) ONE-YEAR RESTRICTIONS ON CERTAIN EMPLOYEES OF THE EXECUTIVE BRANCH AND INDEPENDENT AGENCIES.—Any person who is an officer or employee in the Senior Executive Service, is employed in a position subject to section 5108 of title 5, is employed in a position subject to section 3104 of title 5, or is employed in a position equivalent to a level

14 position in the General Schedule (GS–14) (including any special Government employee) of the executive branch of the United States (including an independent agency) and who, within 1 year after the termination of his or her service or employment as such officer or employee, knowingly makes, with the intent to influence, any communication to or appearance before any officer or employee of the department or agency in which such person served within 1 year before such termination, on behalf of any other person (except the United States), in connection with any matter on which such person seeks official action by any officer or employee of such department or agency, shall be punished as provided in section 216 of this title.''.

AMENDMENT NO. 2937

(Purpose: To amend the Lobbying Disclosure Act of 1995 to extend coverage to all executive branch employees)

On page 34, strike line 7 and insert the following:

SEC. 221. COVERAGE OF ALL EXECUTIVE BRANCH EMPLOYEES.

Section 3(3) of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1602(3)) is amended—

(1) in subparagraph (E), by striking ''and'' after the semicolon;

(2) in subparagraph (F), by striking the period and inserting ''; and'';

(3) by adding at the end the following:

''(6) any other employee of the executive branch.''.

SEC. 222. EFFECTIVE DATE.

AMENDMENT NO. 2982

(Purpose: To provide criminal penalties for lobbying by exempt organizations)

On page 25, after line 11, insert the following:

Section 7 of the Lobbying Disclosure Act of 1995 (2 U.S.C. 1606) is amended by adding at the end the following: ''An officer of an organization described in section 501(c) of the Internal Revenue Code of 1986 who engages in lobbying activities with Federal funds as prohibited by section 18 shall be imprisoned for not more than 5 years and fined under title 18 of the United States Code, or both.''.

The PRESIDING OFFICER. Without objection, the amendments are set aside.

Mr. LOTT. Mr. President, I believe we are ready to go forward with amendments postcloture. We did get an agreement last night to go to the Feingold amendment. I see the Senator from Wisconsin is on the Senate floor, so I yield to him to call it up at this time.

AMENDMENT NO. 2954

Mr. DODD. Mr. President, I ask my colleague to yield just to make a request.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I ask that an amendment by Senator BAUCUS of Montana, amendment No. 2954, be called up and that amendment be laid aside as well.

The PRESIDING OFFICER. Is there objection? Without objection, the amendment is called up and set aside.

The amendment is as follows:

AMENDMENT NO. 2954

(Purpose: To prohibit Members from using 501(c)(3) organizations for personal or political gain)

On page 16, strike line 1 and insert the following:

SEC. 113. PROHIBITION ON USING CHARITIES FOR PERSONAL OR POLITICAL GAIN.

(a) IN GENERAL.—Rule XXXVII of the Standing Rules of the Senate is amended by adding at the end the following:

''13. (a) A Member of the Senate shall not use for personal or political gain any organization—

''(1) which is described in section 501(c)(3) of the Internal Revenue Code of 1986 and exempt from tax under section 501(a) of such Code; and

''(2) the affairs over which such Member or the spouse of such Member is in a position to exercise substantial influence.

''(b) For purposes of this paragraph, a Member of the Senate shall be considered to have used an organization described in subparagraph (a) for personal or political gain if—

''(1) a member of the family (within the meaning of section 4946(d) of the Internal Revenue Code of 1986) of the Member is employed by the organization;

''(2) any of the Member's staff is employed by the organization,

''(3) an individual or firm that receives money from the Member's campaign committee or a political committee established, maintained, or controlled by the Member serves in a paid capacity with or receives a payment from the organization;

''(4) the organization pays for travel or lodging costs incurred by the Member for a trip on which the Member also engages in political fundraising activities; or

''(5) another organization that receives support from such organization pays for travel or lodging costs incurred by the Member.

''(c)(1) A Member of the Senate and any employee on the staff of a Member to which paragraph 9(c) applies shall disclose to the Secretary of the Senate the identity of any person who makes an applicable contribution and the amount of any such contribution.

''(2) For purposes of this subparagraph, an applicable contribution is a contribution—

''(A) which is to an organization described in subparagraph (a);

''(B) which is over $200; and

''(C) of which such Member or employee, as the case may be, knows.

''(3) The Secretary of the Senate shall make available to the public all disclosures filed pursuant to this subparagraph as soon as possible after they are received.

''(d)(1) The Select Committee on Ethics may grant a waiver to any Member with respect to the application of this paragraph in the case of an organization which is described in subparagraph (a)(1) and the affairs over which the spouse of the Member, but not the Member, is in a position to exercise substantial influence.

''(2) In granting a waiver under this subparagraph, the Select Committee on Ethics shall consider all the facts and circumstances relating to the relationship between the Member and the organization, including—

''(A) the independence of the Member from the organization;

''(B) the degree to which the organization receives contributions from multiple sources not affiliated with the Member;

''(C) the risk of abuse; and

''(D) whether the organization was formed prior to and separately from such spouse's involvement with the organization.''.

(b) EFFECTIVE DATE.—The amendment made by this section shall take effect on January 1, 2007.

SEC. 114. EFFECTIVE DATE.

The PRESIDING OFFICER. The Senator from Wisconsin is recognized.

AMENDMENT NO. 2962

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

The PRESIDING OFFICER. The clerk will report.

The assistant legislative clerk read as follows:

The Senator from Wisconsin [Mr. FEINGOLD] proposes an amendment numbered 2962.

Mr. FEINGOLD. 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:

AMENDMENT NO. 2962

(Purpose: To clarify the application of the gift rule to lobbyists)

On page 8, after line 16, insert the following:

''(iii) For purposes of this subclause, the term 'registered lobbyist' means any person or entity required to register pursuant to section 4(a) of the Lobbying Disclosure Act, and any employee of such registrant as defined in section 3(5) of that Act.''.

Mr. FEINGOLD. Mr. President, first of all, I commend my friend from Connecticut and also the Senator from Pennsylvania for their amendment on meals that was offered before the recess, and also the Senator from Mississippi, the chairman of the Rules Committee, for accepting it. If we are going to have a lobbyist gift ban, it clearly has to include meals. The provision in the underlying bill that allowed for Senators and staff to continue dining at the expense of lobbyists as long as those meals are disclosed on the Senator's Web site would have been an administrative nightmare and also created a subculture of lawbreaking just as, unfortunately, the $50 limit has done.

The way we avoid that is just to ban meals from lobbyists, as we have banned gifts in the underlying bill.

I am obviously not going to stand here and say that any Senator's vote can be purchased for a free meal or a ticket to a football game. But I do not think anyone can say that all lobbyists are buying these meals out of the goodness of their heart. At this point, no reform bill is going to be credible that does not contain a strict lobbyist gift ban. And no one has ever explained to me why Members of Congress need to be allowed to accept free meals, tickets, or any other gift from a lobbyist. If you really want to have dinner with a lobbyist, no one is saying that you cannot. Just take out your wallet and pay your own way. I can tell my colleagues from personal experience that you will survive just fine under a no-gifts policy. The Wisconsin Legislature has had such a policy for some 30 years and I brought it here with me to Washington. And I certainly have not gone hungry.

We ought to just stop the practice of eating out at the expense of others. It is not necessary. It looks bad. It leads to abuses. So I support the Dodd-

Santorum amendment on meals and I am glad that it was adopted.

Here is the problem that I seek to address in my amendment. We have just said that we want to ban all gifts from lobbyists—tickets, meals, presents, everything. But it is a little known fact that the Ethics Committee already has in place an interpretation of the term ''registered lobbyist'' that narrows it somewhat. That interpretation might make some sense for the prohibitions on lobbyists that are currently in our rules. But that same interpretation, if it is applied to this gifts and meals ban, will create a huge loophole.

Here is how it works. As my colleagues know, the Lobbying Disclosure Act requires organizations, trade associations, and companies that employ in-house lobbyists to file a single registration. The registrant is the organization, and it lists its individual lobbyists on its registration form. For purposes of the gift rules now, the Ethics Committee treats the actual listed lobbyists as registered lobbyists, but not the organization. If you do not believe me, look on page 43 of the Ethics Manual. Here is the language:

> For purposes of applying the special restrictions on lobbyists in the Gifts Rule, an organization employing lobbyists (outside or in-house) to represent solely the interests of the organization or its members will not be considered to be a ''lobbyist.''

If that interpretation is applied to the gift and meals ban, that means that the organization can continue to offer gifts and meals to Senators and staff.

So, for example, a company can give a Senator free tickets to a show or a baseball game, as long as a lobbyist doesn't actually offer or handle them. If the lobbyist's secretary makes the call or the organization's CEO president, that would be permitted, or a lobbyist can invite a Senator or staffer to dinner, as long as he brings along someone else from the organization to pick up the tab with the company credit card.

Let me read some of the companies and organizations that have registered under the LDA because they have in-house lobbyists. All of the organizations I am about to list, and hundreds more, will be able to continue to give gifts unless my amendment is adopted: Chamber of Commerce for the U.S.A.; Association of Trial Lawyers of America; General Electric Co.; American Medical Association; Northrop Grumman Corp.; Edison Electric Institute; AFL–CIO; Verizon Communications Inc.; Business Roundtable; Pharmaceutical Research & Manufacturers of America; National Association of Realtors; ExxonMobil Corp.; SBC Communications Inc.; Boeing Co.; Lockheed Martin; AT&T Corp.; General Motors Corp.; American Association of Retired Persons (AARP); Sprint Corp.; Microsoft Corp; American Council of Life Insurance; Pfizer Inc.; National Association of Broadcasters; Citigroup; J.P. Morgan Chase & Co.; Securities Industry Association; American Bankers Association; The Seniors Coalition; Ford Motor Co.; Merck & Co.; American Bankers Association; American Farm Bureau Federation; IBM Corp.; National Cable and Telecommunications; Association and state affiliates; Eli Lilly and Co.; Brown & Williamson Tobacco; American International Group Inc.; General Dynamics Corp.; Motorola Inc.; Southern Co.; BellSouth Corp.; ChevronTexaco; Investment Company Institute; Alliance of Automobile Manufacturers, Inc.; GlaxoSmithKline; DaimlerChrysler Corp.; Textron Inc.; Bristol-Myers Squibb Co.; United States Telecom Association; Intel Corp.; National Association of Manufacturers; Health Insurance Association of America; Time Warner; Marathon Oil Corp.; American Association of Health Plans; Abbott Laboratories; Union Pacific Corp.; American Chemistry Council; BP Amoco; Shell Oil Co.; United Technologies Corp.; Mortgage Insurance Companies of America; Honeywell, Inc.; Qwest Communications International Inc.; Property Casualty Insurers Association of America; Aircraft Owners and Pilots Association; Wyeth; Walt Disney Co.; Biotechnology Industry Organization; Prudential Financial Cos.; Merrill Lynch & Co. Inc.; Monsanto Co.; CTIA—The Wireless Association™ (formerly the Cellular Telecom Industry Association); The Bond Market Association; Asbestos Study Group; Johnson & Johnson, Inc.; Schering-Plough Corp.; Procter & Gamble Co.; American Forest & Paper Association; National Federation of Independent Business; American Institute of CPAs; Raytheon Co.; Visa USA Inc.; American Airlines; and International Paper Co.

These are all companies that have registered under the Lobbying Disclosure Act because they have inhouse lobbyists. So let me repeat. All of the organizations I just listed, and hundreds more, will be able to continue to give gifts, tickets, and meals unless my amendment is adopted. By the way, each of the organizations I just listed has reported spending between $15 and $200 million on lobbying activities between 1998 and 2004. So let me make this very clear. If these companies can still give gifts, we won't have a real lobbyist gift ban. We won't be able to look the American people in the eye and say, ''we just banned gifts from lobbyists,'' because we didn't.

We ought to just stop the practice of eating out at the expense of others. But we need to make sure it's a real ban. My amendment will do that. It simply says that for purposes of the gift ban only, the term ''registered lobbyist'' means any person or entity who is registered under the LDA and any employee of that entity. Very simple, and very fair.

Now let me point out one other thing before people get all worried. All of the exceptions in the current gift rule continue to apply to the meals and gift ban. That means it does not impact our colleagues, relatives, personal friendship, widely attended events, food and drink of nominal value, etc. So that means that employees of these organizations can still have their friends who work on the Hill over for dinner, they can still go out on dates, they can still exchange Christmas gifts, they can still get a housewarming gift from a neighbor. Organizations can still host receptions and Members and staff can attend and have a bit to eat. My amendment simply makes sure that organizations that are registered under the LDA can't get around the gift ban by having people other than their lobbyists offer tickets or meals or other gifts.

I say this with great respect for the Senators who have worked so hard in putting this bill together.

If we are serious about changing the rule on gifts and meals, we have to take the interpretation seriously. My amendment makes it clear that we mean what we say. The era of the free lunch will be over. For real. As it should be. If it is not adopted, there is no conclusion to be drawn but that we are trying to pull the wool over the eyes of the American people. I don't want that to be the story coming out of this debate. I hope the managers will accept this amendment and, if not, I urge my colleagues to support it.

Mr. LOTT. Mr. President I rise in opposition to the amendment. I have worked in this area to make sure that we did some things that were necessary and realistic. I think we should make it clear about gifts. We do that in this legislation. We can't accept gifts.

I am offended at the very idea that some meal is going to cause me to vote one way or the other. But it suits me fine. As I have said on this floor, I would be happy not to ever have to go to another luncheon or dinner. I would just as soon go home and order a Big Mac. But I think this goes a step further which is problematic in a way that I don't believe the American people expect us to do or that we would want to do.

Under the Lobbying Disclosure Act of 1995, individuals who lobby on behalf of other entities must register as a lobbyist. In addition, organizations such as corporations, trade associations, or a labor union that employs in-house lobbyists or outside lobbying firms are required to register under the act.

However, for purposes of applying the restrictions that are imposed on lobbyists under our gift rule, an organization that employs lobbyists to represent organizations or its members' interests is not considered to be a lobbyist.

Thus, for example, the AFL–CIO employs lobbyists. But for purposes of the Senate gift rule, the AFL–CIO can sponsor a congressional factfinding trip whereas if the AFL–CIO employed an outside lobbying firm, the lobbying firm cannot sponsor such a trip.

Under the proposed amendment, for the purposes of our new rule banning

gifts and meals, the employees of the AFL–CIO would all be considered to be registered lobbyists. Janitors at the AFL–CIO would all be considered registered lobbyists. The janitors at the AFL–CIO headquarters, the secretaries in the organization, all would be deemed to be registered lobbyists.

I am the son of a shipyard worker pipefitter union member. How far would this extend? Would you not be able to go to a meal with a supervisor of a pipe department because they have a lobbyist, not to mention the CEO?

So this is not just about corporate America. It is also about union member trade associations and other organizations. We are trying to deal with how we relate to lobbyists, but now we are going to extend it way beyond. You will not be able to go to a meal with the chairman of the board of a sardine manufacturing plant. And why not, when you are in your State and you have an opportunity to go meet with workers and sit down with them? Are we going to be able to have a cup of coffee and a donut?

I think we are beginning to go from the sublime to the ridiculous. It could go on and on.

I am a big fan of Domino's pizza and McDonald's and Big Macs. I love them. They are bad for you, but they are wonderful.

What about the kids working behind the counter? Would they be considered registered lobbyists because McDonald's has lobbyists? I assume they do. I don't think I have ever met one.

By the way, in the case of McDonald's, there are franchises. They own all the McDonald's in the Mississippi Delta, or they might own 10 or 12. Would I not be able to go to lunch with my longtime friend in the Mississippi Delta who owns those 12 McDonald's in the delta? Not only would I miss an opportunity to be with a friend, I would not have an opportunity to understand the challenges and difficulties of running a small business, or running a restaurant in these towns, problems with crime, workers' problems, workers' needs, the lack of insurance for entry-level employees.

How are we supposed to know all of this stuff? Like manna from heaven? We have to stay in touch with reality in order to serve here. We have turned ourselves into not citizen legislators but professional Senators in this room divorced of any opportunity to hear what people have to say. It is OK to talk to them so long as we don't have anything to eat. I think we are going a step too far.

Every company in the Fortune 1000 employs a lobbyist, either a private firm or an in-house lobbyist. Under this amendment, every person who works for Exxon, Wal-Mart, Home Depot—not exactly dangerous places—and countless other businesses that employ lobbyists in Washington would be considered registered lobbyists.

I honestly cannot believe that we want to pass an amendment that wants to turn every employee not only in corporate America but in management and labor and other associations into registered lobbyists. But I think that is what the effect of this would be.

If the Senator wants to ban the CEO and chairman of the board of the company from paying for a meal, or the head of a labor union, do that specifically. But this is so broadly developed I think it goes way beyond that.

I think we would be well advised not to accept this amendment. I reluctantly went along with accepting the amendment earlier about dealing with lobbyists, but that is OK. I am willing to do things that would prohibit improper conduct, or even the appearance of it, but I think this is a leap way too far.

I hope we would not accept this amendment.

I yield the floor.

The PRESIDING OFFICER (Mr. GRAHAM). The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I enjoyed listening to the remarks of the Senator from Mississippi. This reminds me of the experience in 1994 when there was stiff resistance to the idea of having a gift ban in the Senate. We achieved a significant victory by having at least a $50 limit which has been, unfortunately, abused to this day.

I would like, at this time, to get this done in a way that does not cause us to have to come back. The point I make to my friend from Mississippi is that this is a real loophole. I am not trying to find some esoterical problem. It is a real loophole if employees of large companies, where the companies are registered as lobbyists, if they are able to buy meals. It undercuts the whole idea that we are prohibiting meals by lobbyists and their employees.

I make two responses. First, this does not apply to companies that are not registered as lobbyists. For example, if the Senator from Mississippi were to have lunch with, say, a banker in Jackson, MS, whose company bank does not have a lobbyist, this does not affect that situation. Let's not exaggerate how far it goes.

What is more important, I don't understand the premise. The Senator said he would not be able to have lunch or have dinner with a CEO. Why not? All you have to do is split the bill. It is that simple. Maybe it is a different cultural tradition, but in Wisconsin if you go to lunch with someone, or dinner, more times than not, you split the bill. It seems to me that Senators know how to do that. It is not about the person trying to buy you a meal. It is just a good thing for us to do.

Whether this is practical or impractical, I say this again, we have had this rule in Wisconsin for over 30 years for our State legislature. It has worked just fine. Sometimes we kid around about it, the cup of coffee situation, but it is a good, clean rule. And people understand, when you are a legislator in Wisconsin, you pay your own way. That is all there is to it. It is that simple.

I don't want to prohibit the Senator from Mississippi or anyone else from socializing with whomever he wants, and I certainly enjoy sharing dinner with friends. Sometimes, they are lobbyists. There is no problem, though, with paying your own way.

If we don't do this, if we do not adopt this amendment, we are stuck with a big loophole. I think the fears about this being difficult to administer are exaggerated.

I retain the balance of my time.

Mr. DODD. How much time remains?

The PRESIDING OFFICER. The Senator from Mississippi has 13½ minutes; the Senator from Wisconsin has 9 minutes.

Mr. DODD. Mr. President, may I be informed when I have consumed 10 minutes. I see my friend from Maine is here. She would like 2 or 3 minutes, as well.

The PRESIDING OFFICER. Who yields the time?

Mr. LOTT. Mr. President, I yield 10 minutes to the Senator from Connecticut.

Mr. DODD. Mr. President, I say to my friend from Wisconsin, he and I have worked together on a lot of issues. I consider him one of my best friends in this institution. I appreciate his kind remarks about the adoption of the Dodd-Santorum amendment, about 3 weeks ago now, when our joint amendment provided a total ban on meals coming from lobbyists.

I never could keep straight exactly what the numbers were, for example, how much you could take at lunch and how much you could take at dinner. We decided we would require some bright line tests. Rather than going through and setting a dollar amount—people probably forget the number anyway and put themselves in jeopardy of being found guilty of something, unintentionally—we offered and passed a total ban on meals, without exceptions.

So meals from lobbyists are now banned when this legislation becomes law. If you violate the ban provision, the fine is a maximum of $100,000 under the legislation we are adopting.

The concern I have about my colleague from Wisconsin and his amendment is that it is broader and includes a much larger audience. This bill is about lobbyists. You become a lobbyist through registration under the Lobby Disclosure Act. It is not a self-selecting process where I decide tomorrow I'm a lobbyist. In fact, you have to register and go through a process to become a lobbyist.

We have been very concerned for obvious reasons, given the recent past history, of what happens when lobbyists engage in certain activities, some lawful and some unlawful, and the perception of whether Members of this institution have somehow compromised themselves in those dealings. We have been determined to try and draw that bright line. My concern is that we begin to blur that line because now we are going to be declaring de facto—not

by law, not because they have registered—that virtually hundreds of thousands of people have become lobbyists. They will have no idea they have become one, but they have become one under this amendment, subjecting themselves, potentially, to a $100,000 fine for purchasing a meal for a Member of Congress. As a practical matter, that is what will happen here.

If your organization hires a lobbyist, and most do—I presume even the bank in Mississippi has a lobbyist; today, almost every major institution, financial or otherwise, has someone who is representing their interests—the lobbyists have to register if they come to the Senate and talk to us. Therefore, they become not only de facto, but de jure lobbyist because they have had to register to do so. If you are an employee of that bank, however, and you live next door to someone, you are a longstanding friend, and my colleague from Wisconsin is correct in this regard, if a longstanding friend of my friend from Mississippi took him to lunch, that would be an exception to the rule. However, that longstanding friendship is subject, obviously, to some analysis as to how long the friendship is. That could pose this difficulty.

I don't think we want to extend this, in my view, and my colleagues may decide when we vote on this and reach a different conclusion, to dealing with this legislation on lobbyists and their relationship to Members of Congress, by expanding the universal definition of what is a lobbyist, to virtually every other employee of an organization that hires a lobbyist to represent their interest. This type of expansion goes too far and is overly broad.

Let me tell you one fact situation that worries me. I had hoped maybe my colleague might provide for some legislative language to close a potential loophole that I think could exist under the present circumstance. That fact situation is the following. The lobbyist invites the secretary to go out to have lunch with a Member of Congress. The secretary picks up the tab. The lobbyist is there. The lobbyist may have provided money to the secretary to provide lunch. Now, that would be an abuse of what Congress intended here because it then would be doing indirectly what cannot be done directly, in a sense, bringing someone who is not a lobbyist to lunch. The lobbyist is at the lunch, they buy the meal, but at least ostensibly the person who actually bought the lunch was not the lobbyist.

If there was some situation we could close that loophole, that would be abuse of what we are trying to do. But to extend broadly that every employee of every organization that hires a lobbyist would then become a lobbyist, in effect, for the consideration of this legislation, seems to me to go way beyond what we are intending to accomplish in this legislation.

Again, I made the case to my colleagues, reform is not a static event. It is an organic event. It grows over time. What we consider to be reform today or not reform today, may down the road be the case. I have been involved in every virtual effort on reform here for the last 25 years. Twenty-five years ago what was considered appropriate behavior, that no one had difficulty with, today we would consider very inappropriate behavior. And 5 years or 10 years down the road, maybe we will have different standards.

As of today, I urge my colleagues, as of today, on this bill, dealing with registered lobbyists, we have banned meals. That is a major step for this institution to take. Cut it out altogether. If you are a registered lobbyist, that is it, no more meals.

Let me also say, there is nothing in this legislation which permits any Member of Congress from doing that which they want to do. If a Member of Congress, a Member of this institution does not want to accept a meal from anyone, there is nothing in law which prohibits a Member from doing that. If a Member feels as though somehow it is wrong to be doing it, I strongly suggest that Member not do it. But it seems to me to extend this lobbying bill to people who have no intention of ever being a lobbyist, never see themselves in that regard, have relationships, as my colleague from Mississippi has pointed out in our own States, with delegations, with staff, with others, these have occurred hundreds and hundreds of times when Members are back in their own areas—not longstanding friends, not relatives, people they do not know that well at all but sit down under a variety of different circumstances, including home settings, picnics, barbecues, other things, where you may find yourself in violation of this law.

I don't think we want to do that. That goes a step further than what we should be trying to accomplish with this legislation. I don't want to have to say to my constituents, you are potentially guilty of a violation of law, subjected to $100,000 fine if you fall into this category, or to one of our colleagues as well.

We have done a good job, in my view, on this meals provision. It is a strong line. It is a bright line. There is no longer any question of whether it is a $10 meal or a $50 meal or a $100 meal; you cannot accept a meal from a lobbyist. That is it. If you do, you are potentially in violation of Federal law, or certainly civil penalties. That is where the bright line, in my view, ought to exist.

I have great respect for my colleague from Wisconsin. He has been a champion of reform efforts since the day he arrived. I respect him for it immensely. But in this one, we are taking it a step further than I believe we should go at this juncture.

I urge my colleagues to either table this amendment or reject it, depending on what the motion will be when the matter comes for a vote.

My respect for him is unlimited. I thank him for his thoughts in this regard but I urge the rejection of this amendment.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Will the Senator yield?

Mr. DODD. I am happy to yield.

Mr. FEINGOLD. Mr. President, I express my gratitude not only for the Senator's kind remarks to the Senator from Connecticut but I am pretty sure the McCain-Feingold effort that we fought for, for 8 years, would not have succeeded if not for the brilliant leadership of the Senator as manager on the floor, for which I am always grateful and also for his friendship.

I pursue the example that the Senator raised in a constructive way. In the scenario the Senator raised where the secretary would come with lobbyists, what is the Senator's thought about how she would be paying for that? Would she be paying for that with the company credit card, for example?

Mr. DODD. Again——

Mr. FEINGOLD. Or with a personal?

Mr. DODD. Under his amendment, that would be a banned activity.

Putting aside whether she showed up with a lobbyist—if she shows up, and you go out and have lunch, and she pays for it with the company credit card—under the amendment before the Senate, that would be a violation. She could be fined $100,000.

Mr. FEINGOLD. And does the Senator agree, under your current amendment, that the secretary would be able to use the company credit card to pay for it under the amendment we have agreed to?

Mr. DODD. That is correct. If she is not a lobbyist and she takes you to lunch and she decides that is how she is paying for it, she is not a registered lobbyist, she is not in violation of the law in the amendment we agreed to.

Mr. FEINGOLD. On this point—obviously, it may not be a secretary or a CEO of a company; it could be some other employee—would the Senator at least consider whether we should take the step of prohibiting the use of company resources or company credit cards? In other words, I think it should be broader. You have raised some concerns about that. What about allowing personal resources to be used but not company resources?

Mr. DODD. I would certainly consider it.

The point I make, about the goal of this bill—the Senator and I have talked about this at great length—is the bill should be narrowly tailored to registered lobbyists and their relationships to Members of Congress and senior staff.

My concern under this bill, is that by expanding that definition of a ''lobbyist'' to include anyone who would use resources that were not their own, we are opening up a universe and making the legislation overly broad. I don't

think we want to go that far at this particular juncture. That is my own sense of matters.

It turns virtually everyone who works for any of these associations, labor unions, trade association, a small business, a large corporation, into a defacto lobbyist. I think the opening up of a universe of that size based on whether the lunch was paid for by a company credit card or their personal credit card at that particular time, goes too far.

Mr. FEINGOLD. I think the Senator sees where I am going with this. I think the Ethics Committee and others will have to be very reasonable interpreters.

The PRESIDING OFFICER. The Senator from Connecticut has used 10 minutes.

Mr. FEINGOLD. I will have him respond on my time.

The situation is that you are raising situations with personal friends, and in those situations I don't disagree, I don't think there would be a problem. I think the exception would be properly interpreted.

I am asking the Senator to at least perhaps consider whether we really want the kind of scenario that the Senator posits, where a company basically lines up people to come in and act as the person that uses the company credit card. It seems to me we have an opportunity to fix something here, not go as far as I want to go but at least prevent the use of company resources and at the same time avoid the possibility of the true personal friendship situation from being affected.

Mr. DODD. If my colleague will yield, I cited that example, and I hope I did not invite those out there who may decide to use this as a loophole.

If this becomes a problem, we ought to revisit the issue and somehow prohibit it because that is abusing the intent of the legislation.

It seems to me to pass legislation which would turn virtually millions of people—when you start talking about the number of people who can be affected by this—into lobbyists, per se, on the abject possibility that someone may abuse this down the road goes to far.

It goes further than I would at this juncture. In time, if we see those who have engaged in this abuse have carved another loophole, I am prepared to come back and deal with that fact situation.

It is a fact situation that worries me. I say that to my colleagues. I am not unconcerned about it, but I am not so concerned about it at this juncture that I am willing to put everyone else—the millions of others who would not think about that, nor would they do that—in harm's way. That is my concern, putting innocent people, potentially, in harm's way. I do not think our intentions here, as Members, ought to be that.

We are dealing with lobbyists. We are dealing with registered lobbyists. They have to go through certain procedures to achieve that status. Once they have achieved that status, there is a concern. We are trying to deal with that problem. Taking people who go way beyond that definition, it seems to me, is a step that at least I do not want to go that far.

Mr. FEINGOLD. Mr. President, obviously, not only do I respect what the Senator from Connecticut is doing, but I know his intentions are absolutely to have the strongest possible bill we can have.

What I am trying to do, as strongly as I feel about this issue—because, again, Wisconsin has had this system, and it has worked just fine. So based on my own personal experience, this is not some kind of a crazy system. Nonetheless, what I am trying to get at is a way that we could have a rule, that even if somebody is technically considered a lobbyist—or we could do it some other way—they just could not use company resources to purchase the meal. That seems to me to be a very reasonable step.

When somebody goes out to lunch or dinner with somebody, it is one thing if they buy a friend or even someone they just met a meal, it is another thing when they are using that company credit card. So obviously I am interested in the amendment I have offered, but I would ask the Senator to think about whether what I am saying is an attempt to come to some kind of a reasonable agreement that actually addresses the hypothetical that he has raised.

Mr. President, I retain the remainder of my time.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, how much time is remaining in opposition?

The PRESIDING OFFICER. Three minutes.

Mr. LOTT. Three minutes.

Mr. President, I yield the remainder of our time, except for the final 15 seconds, to the Senator from Maine.

The PRESIDING OFFICER. The Senator from Maine.

Ms. COLLINS. Mr. President, I thank the Senator from Mississippi.

Mr. President, let me begin by expressing my admiration for the Senator from Wisconsin. He is a champion of good government. I worked very closely with him on the McCain-Feingold bill, and I think the world of him.

I know the intent of his amendment is admirable, but I do not think it is workable. It is far too sweeping, and it will lead to all sorts of problems. There are literally millions of Americans who work for LDA registrants. For example, I would imagine that nearly every employee of a Fortune 500 company fits in that category. Many of those employees have absolutely no responsibility for the lobbying activities of their companies. They probably have no idea their company, their employer, is an LDA registrant.

That is why I do not think this is workable. I think it will create all sorts of inadvertent violations of this important law. What we would be doing, as the Senator from Connecticut has pointed out, is treating rank-and-file employees as if they were registered lobbyists. That does not make sense.

The fact is, a lot of business in this country is done over lunch, an informal lunch. I have lunch occasionally with the union presidents from one of my shipyards. Is that all of a sudden going to become an offense under this proposal because the shipyard employs a lobbyist in Washington?

I think we need to think more thoroughly about the implications of this amendment. Its sweep is enormous. It brings millions of rank-and-file employees into the jurisdiction of the Lobbying Disclosure Act. I do not think that is addressing any problem.

Now, I do think it is important we strengthen this bill to make very clear that registered lobbyists cannot buy meals for Members of Congress. I support that reform. But let's have a sensible bill.

I do rise in opposition to the amendment from my good friend from Wisconsin.

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

The Senator from Mississippi.

Mr. LOTT. Mr. President, I believe we have had a good debate. I know the intent of the amendment's sponsor is an honest one, but I really think we are going down a trail we should not be. And I do not see how you can start parsing it back away from it. So I would move to table the amendment at this point and ask for the yeas and nays.

Mr. FEINGOLD. Mr. President, do I have any time remaining?

The PRESIDING OFFICER. The Senator from Wisconsin still has 5½ minutes remaining.

Mr. LOTT. All right. At the appropriate time I will move to table and will ask for the yeas and nays.

Mr. FEINGOLD. I thank the Senator from Mississippi.

Mr. LOTT. Mr. President, how much time is left?

The PRESIDING OFFICER. There is 5 minutes 15 seconds.

Mr. FEINGOLD. I do not know if I will use the whole time.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I have such regard for the Senator from Maine that I would consider an exception for any lobster in Maine because she and I have shared lobster in Maine, and that is a very special thing I think everyone would accept.

My admiration for this Senator from Maine on these issues is truly boundless. She is the one who, somehow, we convinced to join us very early on McCain-Feingold. And just like I said about Senator DODD, if not for Senator COLLINS, there is no way this major reform would have ever passed. So I am talking to some of the people who truly

have been reformers in Congress over the years, some of them much longer than I have been. And I say all of this with respect.

Let me say this. We know, because some of us have been working on this for some time, that these opportunities for reform do not come up every year. They tend to come up when something bad happens, whether it be the concerns about the 1996 campaign finance violations or the Abramoff scandal. It is not like we are going to have a chance to do this next year because that is not the way this place works. And, frankly, there are weightier matters that face this country.

But I am warning my colleagues, this is a chance to not have another embarrassing loophole. If we do not do what I am suggesting here, we are going to be embarrassed. There are going to be meals arranged—not the kind of scenario Senator DODD suggested: an innocent situation but a gaming of this meal ban to allow expensive meals to be bought by people who work for some of the companies I have listed.

I do not think people are going to feel good about that. I think it could raise some of the very things we talked about in terms of the whole Abramoff scandal that led to this. I think we are missing an important opportunity to make sure this bill passes the test with the American people. So again, with respect, I offer this amendment to make sure this amendment works.

Mr. President, how much time do I have remaining?

The PRESIDING OFFICER. Three minutes.

Mr. FEINGOLD. Mr. President, I yield 2 minutes to the Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. BIDEN. Mr. President, I thank the Senator.

I have been listening to the debate in my office, and I understand the concern the leadership is expressing. It seems to me it boils down to an inadvertent concern. But, folks, I think the Senator from Wisconsin has a point. I have had it as my practice since I have been in the Senate—and I don't think it is so hard—that when you sit down and have a meal, to just split the bill or you pay for it. I don't get that.

Now, I am going to vote with the Senator. I expect he is going to lose on a tabling motion. But maybe there is a way he can come back and tighten up this inadvertent piece. Because I do understand. I have been in a position where I have sat with someone, told them I cannot let them buy my lunch. They go ahead—and it is a friend or somebody who I have known for a while—and I found out later they paid with a company credit card. They told me they were.

Now, I know that is an exception. I know because the person is a friend, it would get me out anyway of the exception under this rule. But the point I am making is, I can picture someone saying ''Don't worry. I am taking care of my share,'' and it is a company credit card. If that is the worry, there ought to be a way to deal with that.

But I say, with due respect—there is nobody I am closer to and think has more wisdom than the Senator from Connecticut—but this one seems pretty simple to me. If someone buys you lunch, buys you dinner, buys you breakfast, you can say: Hey, I want half the bill.

I am going to support the Senator. But maybe if it loses, there is a way to come back at it a different way. I don't know.

The PRESIDING OFFICER. The Senator from Wisconsin.

Mr. FEINGOLD. Mr. President, I am grateful to the Senator from Delaware for his support and his ideas on this issue because he obviously knows what he is talking about, having been a Member of this body for a very long time.

I think, obviously, I will try to find some other way to do this. But he has stated the key point. This is not hard to do. This is what we have done in Wisconsin for decades. It is very simple to pay your own way. I do not know what it is, but I cannot understand what the problem is with having that kind of a clear prohibition. I think we will all be better off.

Mr. President, has the other side yielded their time? Has their time expired?

The PRESIDING OFFICER. Yes.

Mr. FEINGOLD. Mr. President, I yield my time.

Mr. LOTT. Mr. President, has all time been yielded back?

The PRESIDING OFFICER. That is correct.

Mr. LOTT. Mr. President, I move to table the amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The question is on agreeing to the motion.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

I also announce that the Senator from West Virginia (Mr. BYRD) is absent due to death in family.

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

The result was announced—yeas 68, nays 30, as follows:

[Rollcall Vote No. 80 Leg.]

YEAS—68

Akaka	Chambliss	Dole
Alexander	Cochran	Domenici
Allard	Coleman	Dorgan
Allen	Collins	Durbin
Bennett	Conrad	Ensign
Bond	Cornyn	Enzi
Brownback	Craig	Frist
Bunning	Crapo	Graham
Burr	DeMint	Grassley
Chafee	Dodd	Gregg
Hagel	Lieberman	Santorum
Harkin	Lott	Sarbanes
Hatch	Lugar	Shelby
Hutchison	Martinez	Smith
Inhofe	McCain	Snowe
Inouye	McConnell	Specter
Isakson	Mikulski	Stevens
Jeffords	Murkowski	Sununu
Johnson	Murray	Thomas
Kyl	Pryor	Thune
Landrieu	Reed	Voinovich
Lautenberg	Reid	Warner
Leahy	Roberts	

NAYS—30

Baucus	Dayton	Nelson (FL)
Bayh	DeWine	Nelson (NE)
Biden	Feingold	Obama
Bingaman	Feinstein	Salazar
Boxer	Kennedy	Schumer
Burns	Kerry	Sessions
Cantwell	Kohl	Stabenow
Carper	Levin	Talent
Clinton	Lincoln	Vitter
Coburn	Menendez	Wyden

NOT VOTING—2

Byrd	Rockefeller

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Nebraska is recognized.

Mr. HAGEL. Madam President, I ask unanimous consent to speak for no more than 4 minutes as in morning business.

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

(The remarks of Mr. HAGEL are printed in today's RECORD under ''Morning Business.'')

Mr. LOTT. Madam President, 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. SCHUMER. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

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

Mr. SCHUMER. I ask unanimous consent to go off the ethics bill for 5 minutes to speak in morning business to introduce a bill.

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

The Senator from New York is recognized.

(The remarks of Mr. SCHUMER pertaining to the introduction of S. 2468 are located in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

Mr. LOTT. Mr. President, I ask unanimous consent—and this is after extensive consultation during the noon lunch period by both sides, both committees, and Senators on both sides of the aisle. We would like to get this matter cleared up, and then I will be able to explain where we are and how

we can wrap up this important issue, hopefully within the hour.

I ask unanimous consent that it be in order at this time to raise one point of order against a series of amendments that violate rule XXII.

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

Mr. LOTT. Mr. President, I raise a point of order under rule XXII against amendments Nos. 2936, 2937, 2954, 2965, 2982, 3175, and 2995.

The PRESIDING OFFICER. Without objection, the point of order is well taken. The amendments fall.

AMENDMENTS NOS. 2930, 2960, 2961, AS MODIFIED, 2963, 2970, 3181, AS MODIFIED, 3182, 2979, 3184, 3185, 3186, 3187, AND 3188, EN BLOC

Mr. LOTT. Mr. President, I ask unanimous consent that the following amendments be agreed to en bloc, with modifications as indicated: amendments Nos. 2930, 2960, 2961, as modified; 2963, 2970, 3181, as modified; and 3182.

I further ask unanimous consent that a series of technical amendments that have been cleared on both sides and that are at the desk also be considered en bloc, agreed to, with motions to reconsider on each laid upon the table.

I ask unanimous consent that no other amendments be in order other than the pending amendments Nos. 2980, 2981, and 2983.

I further ask unanimous consent that following disposition of those amendments, the bill be read a third time, and the Senate proceed to a vote on passage of the bill, with no further intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. DODD. Reserving the right to object, and I will not object, we went through these numbers and procedures rather quickly. I would tell our colleagues that there were some very good ideas in these amendments. This is not a rejection of some of the concepts and ideas but, rather, under cloture we have to stick with the germaneness criteria.

If we started making exceptions, then this could have become an endless debate. It was painful in some cases because I substantively agreed with a number of these amendments. But the problem occurs, if we get into that process, we could be here for days trying to resolve these matters. We ended up following the rule saying if an amendment is not germane, it will have to fall.

Again I emphasize, this is not an indictment or criticism of the substance of some of these amendments but, rather, under the procedures we are operating, we cannot begin accepting some and rejecting others.

I thank my colleagues for offering these amendments. I presume we will see these amendments again under different circumstances where it will be appropriate to consider them. We have no other recourse but to apply rule XXII and ask the amendment be ruled out of order.

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

The amendments (Nos. 2930, 2960, 2963, 2970, and 3182) were agreed.

The amendments, as modified, were agreed to as follows:

AMENDMENT NO. 2961, AS MODIFIED

On page 24, after line 22, insert the following:

''(8) for each client, immediately after listing the client, an identification of whether the client is a public entity, including a State or local government or a department, agency, special purpose district, or other instrumentality controlled by a State or local government, or a private entity.''.

AMENDMENT NO. 3181, AS MODIFIED

On page 50, strike lines 8 through 13 and insert the following:

(1) FINAL REPORT.—Five years after the date of enactment of this Act, the Commission shall submit to Congress a final report containing information described in subsection (a).

The technical amendments were agreed to, as follows:

AMENDMENT NO. 2979

(Purpose: To clarify disclosure requirements)

On page 22, lines 12 through 14, strike ''the registrant or employee listed as a lobbyist provided, or directed or arranged to be provided,'' and insert ''the registrant provided, or directed or arranged to be provided, or the employee listed as a lobbyist directed or arranged to be provided,''.

AMENDMENT NO. 3184

(Purpose: To make a technical amendment)

On page 6, lines 13 and 14, strike ''Enrolling Clerks of the Senate and'' and insert ''Clerk of the''.

On page 6, line 16, strike ''and establish''.

AMENDMENT NO. 3185

(Purpose: To clarify that lobbying contacts for Congressional staff do not include seeking lobbying disclosure compliance information from the Clerk of the House of Representatives or the Secretary of the Senate)

On page 39, line 17, after ''employed.'' insert ''This subparagraph shall not apply to contacts with staff of the Secretary of the Senate or the Clerk of the House of Representatives regarding compliance with lobbying disclosure requirements under the Lobbying Disclosure Act of 1995.''

AMENDMENT NO. 3186

(Purpose: To provide a technical amendment)

On page 44, line 18, strike ''503'' and insert ''263''.

AMENDMENT NO. 3187

(Purpose: To provide a technical amendment)

On page 40, after line 2, insert the following:

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall take effect 60 days after the date of enactment of this Act.

AMENDMENT NO. 3188

(Purpose: To provide a technical amendment)

On page 27, lines 21 through 23, strike '', in addition to any'' and all that follows through ''House of Representatives.'' and insert ''. The Secretary of the Senate and the Clerk of the House of Representatives shall use the same electronic software for receipt and recording of filings under this Act.''.

Mr. LEVIN. Mr. President, I opposed the Ensign amendment on earmarks because I believe that it would have done more to hide earmarks than to expose them. Under the bill before the Senate, an earmark is defined as a provision, that specifies a non-Federal entity to receive assistance and the amount of that assistance. The Ensign amendment would have revised the language to include assistance provided to any entity, whether Federal or non-Federal. Every item of discretionary spending is directed to some entity. Most is directed to Federal entities, such as funding provided to the Department of Justice, the Department of State, or the Department of Defense, all of which are Federal entities. As I read the Ensign amendment, it would have categorized every item of Federal discretionary spending as an earmark. That would make the term meaningless. It would also hide the real earmarks in a huge list of routine funding provisions that none of us consider to be earmarks. The amendment is simply too broadly drawn, and that is why I opposed it.

Mr. LEAHY. Mr. President, I filed an amendment to the lobbying reform bill, S. 2349, on March 7. My amendment is the honest services amendment, No. 2924.

It is disappointing that there will not be an opportunity to offer my amendment—or to have it considered by the Senate—because cloture has been invoked and the strict rules governing amendments postcloture prevent me from offering this amendment.

The purpose of my amendment is to articulate more clearly the line that cannot be crossed with respect to links between special favors and gifts and official acts, without incurring criminal liability. My amendment would have offered an important and needed new dimension to the lobbying reform bill. Ironically, because my amendment offers a new element to the lobbying reform debate, it is now out of order.

It was only with the indictments of Jack Abramoff, Michael Scanlon, and Randy ''Duke'' Cunningham that Congress took note of the serious ethics scandal that has grown over the last years. If we are serious about restoring public confidence in Congress, we need to do more than just reform the lobbying disclosure laws and ethics rules. Congress must send a signal that it will not tolerate this type of public corruption by providing better tools for Federal prosecutors to combat it.

My amendment would have done exactly that. It would create a better legal framework for combating public corruption than currently exists under our criminal laws. It specifies the crime of honest services fraud involving Members of Congress and prohibits defrauding or depriving the American people of the honest services of their elected representatives.

Under my amendment, lobbyists who improperly seek to influence legislation and other official matters by giving expensive gifts, lavish entertainment and travel, and inside advice on investments to Members of Congress and their staff would be held criminally liable for their actions.

My amendment would also prohibit Members of Congress and their staff from accepting these types of gifts and favors or holding hidden financial interests in return for being influenced in carrying out their official duties. Violators are subject to a criminal fine and up to 20 years' imprisonment or both.

My amendment would strengthen the tools available to Federal prosecutors to combat public corruption in our Government. The amendment makes it possible for Federal prosecutors to bring public corruption cases without all of the hurdles of having to prove bribery or of working with the limited and nonspecific honest services fraud language in current Federal law.

The amendment also provides lobbyists, Members of Congress, and other individuals with much needed notice and clarification as to what kind of conduct triggers this criminal offense.

In addition, my amendment would authorize $25 million in additional Federal funds over each of the next 4 years to give Federal prosecutors needed resources to investigate corruption and to hold lobbyists and other individuals accountable for improperly seeking to influence legislation and other official matters.

The unfolding corruption investigations involving lobbyist Jack Abramoff and MZM demonstrate that unethical conduct by public officials has broad-ranging impact, including the devastating consequence of undermining the public's confidence in our Government. Earlier this month, the Washington Post reported that, as an outgrowth of the Cunningham investigation, Federal investigators are now looking into contracts awarded by the Pentagon's new intelligence agency—the Counterintelligence Field Activity—to MZM, Inc., a company run by Mitchell J. Wade, who recently pleaded guilty to conspiring to bribe Mr. Cunningham.

The American people expect—and deserve—to be confident that their representatives in Congress perform their legislative duties in a manner that is beyond reproach and that is in the public interest.

I strongly believe that public service is a public trust and that Congress must provide better tools for Federal prosecutors to combat public corruption in our Government. If we are serious about reform and cleaning up this scandal, we will do so. I am disappointed that we missed the opportunity this lobbying reform bill provided to bolster Federal corruption prosecutors, and I hope we will soon find another opportunity to act in the interest of all Americans.

Mr. MCCAIN. Mr. President, let me begin by commending the hard work of my colleagues in this effort. The chair and ranking member of the Governmental Affairs Committee, Senators COLLINS and LIEBERMAN, and the chair and ranking member of the Rules Committee, Senators LOTT and DODD, have worked tirelessly and in a bipartisan manner to bring a bill to the floor. I regret, however, that I find it necessary to vote against final passage of this measure because it simply doesn't do enough to address the critical need for comprehensive lobbying reform. We had a golden opportunity to institute real reform and prove to the American people that we are not completely oblivious to their concerns. Unfortunately, Mr. President, we dropped the ball.

While it does contain some good provisions to increase lobbyist disclosure and reporting requirements, the bill lacks imperative enforcement measures. We can pass all of the rules changes we want in this body, but they are useless unless we back it up with a tough enforcement mechanism. I was disappointed that the Collins-Lieberman-McCain amendment to create a Senate Office of Public Integrity was defeated yesterday. That office would have had the ability to investigate complaints of ethical violations by Senators, staff, officers of this Chamber. Headed by a Director appointed by the President Pro Tempore of the Senate upon the joint recommendation of the majority and minority leaders, the Office of Public Integrity would investigate complaints of rules violations filed with or initiated by the office.

At a time when the public is questioning our integrity, the Senate needs to more aggressively enforce its own rules. We should do this not just by making more public the work that the Senate Ethics Committee currently undertakes but by addressing the conflict that is inherent in any body that regulates itself. By rejecting the creation of a new office with the capacity to conduct and initiate investigations, and a perspective uncolored by partisan concerns or collegial relationships, we neglected to address this longstanding structural problem.

The proposed Office of Public Integrity would not only have assisted in performing existing investigative functions, but would also have been charged with approving or denying requests for travel by members and staff. Rather than prohibit official travel paid for by any entity other than the Federal Government, as some have proposed, our proposal would have required that all travel to be precleared. The purpose of this preclearance was to ensure that the trips serve a legitimate governmental interest, and are not substantially recreational in nature. The Office of Public Integrity would have been an appropriate entity to conduct these review, but, sadly, the Senate voted to maintain the status quo.

Another critical aspect of reform that is not addressed in this bill is the ability of a Member to travel on a corporate jet and only pay the rate of a first-class plane ticket. Because cloture was invoked on this bill yesterday, Senator SANTORUM and I were prevented from offering an amendment that would have required Senators and their employees who use corporate or charter aircraft to pay the fair market value for that travel.

Senator SANTORUM and I were well aware that our amendment would not be popular with some of our colleagues, but we felt that the time had come for us to fundamentally change the way we do things in this town. Much of the public views our ability to travel on corporate jets, often accompanied by lobbyists, while only reimbursing the first-class rate, as a huge loophole in the current gift rules. And they are right; it is. I have no doubt that the average American would love to fly around the country on a very comfortable corporate-owned aircraft and only be charged the cost of a first-class ticket. It is a pretty good deal we have got going here. We need to face the fact that the time has come to end this Congressional perk.

There is a public perception that these lobbyist-arranged flights unduly influence Members of Congress and serve as a way for lobbyists to curry favor with legislators and their aides. We must change that perception. There was nothing in our amendment that would have prohibited a Member from using corporate aircraft. It simply required that they pay the fair market value of the flight. It was a fair, reasonable approach designed to prove to the American public that we are serious about reform and would do what is necessary to restore the public's trust. But, again, the Senate chose to maintain the status quo by preventing us from offering our amendment.

Finally, this bill does not go far enough to rein in the practice of earmarking Federal funds in the annual appropriations bills. Together with Senators COBURN, ENSIGN, FEINGOLD, KYL, DEMINT, SUNUNU, and GRAHAM, I was prepared to offer an amendment that would amend the Senate rules to allow points of order to be raised against unauthorized appropriations, earmarks, and policy riders in appropriations bills and conference reports in an effort to rein in wasteful porkbarrel spending. If the point of order were successful, the objectionable provisions would be stricken and the related funding would be reduced accordingly. Once again, we were blocked from offering this amendment as well.

In my judgment, if we are really committed to addressing comprehensive lobbying reform in a meaningful and effective way, we need to include earmark reform provisions in this legislative package. The process is clearly broken when each year Congress continues to earmark billions and billions of taxpayer dollars, sometimes with little or almost no knowledge about the specifics of those earmarks by most of the Members of this body. Sadly, the scandal that has come to light recently concerning the earmarking by one former Member of the House is a pox

not just on him, but on each of us and the process that we have allowed to occur on our watch. The American public deserves better and that is what my amendment was about.

In 1994, there were 4,126 earmarks. In 2005, there were 15,877—an increase of nearly 400 percent. But there was a little good news for 2006 solely due to the good sense that occurred unexpectedly when the Labor-HHS appropriations bill was approved with almost no earmarks, an amazing feat given that there were over 3,000 earmarks the prior year for just that bill. Yet despite this first reduction in 12 years, it doesn't change the fact that the largest number of earmarks have still occurred in the last 3 years—2004, 2005, and 2006.

Now, let's consider the level of funding associated with those earmarks. The amount of earmarked funding increased from $23.2 billion in 1994 to $64 billion in fiscal year 2006. Remarkably, it rose by 34 percent from 2005 to 2006, even though the number of earmarks decreased. Earmarked dollars have doubled just since 2000, and more than tripled in the last 10 years. This is wrong and disgraceful and we urgently need to make some changes in this process.

We, as Members, owe it to the American people to conduct ourselves in a way that reinforces, rather than diminishes, the public's faith and confidence in Congress. An informed citizenry is essential to a thriving democracy. And, a democratic government operates best in the disinfecting light of the public eye. This bill could go so much further to balance the right of the public to know with its right to petition government; the ability of lobbyists to advocate their clients' causes with the need for truthful public discourse; and, the ability of Members to legislate with the imperative that our government must be free from corrupting influences, both real and perceived. We must act now to ensure that the erosion we see today in the public's confidence in Congress does not become a collapse of confidence. We can, and we must, do better than this bill.

Mr. FEINGOLD. Mr. President, when Jack Abramoff pled guilty in January, it was clear that the Senate would have to address lobbying and ethics reform this year. For a short time, it seemed like significant reforms had become possible. While this bill contains many positive provisions, it falls too far short of what I hoped could be achieved for me to support it. So I will vote no.

Ethics reform is not something that happens around here every year. Unfortunately, it takes a perfect storm to get Congress to address these difficult issues. We had that perfect storm this year with the Jack Abramoff scandal, which exposed the seamy side of relations between lobbyists and Members of Congress. We had a chance to take decisive action and really change the way things work in Washington. Unfortunately, we have missed that chance.

We had the chance to give the American people what they want and deserve—a strong brew of tough lobbying and ethics reforms. Instead, all we gave them is weak tea.

The lobbying and ethics reform bill before us today includes a number of significant provisions, such as improvements in lobbying disclosure. But the Senate missed a once-in-a-decade opportunity to address the most serious ethical problems plaguing Congress. It left open a major loophole in the lobbyist gift ban, it retreated from earlier promises to get rid of privately funded travel, it allowed Members to continue getting around revolving door restrictions by simply avoiding direct conversations with their former colleagues while accepting millions of dollars to run a lobbying office, and it refused to even vote on a proposal to make Senators pay the charter rate if they want to fly on corporate jets. Perhaps most important, the Senate rejected a thoughtful proposal to establish an independent ethics enforcement office.

The American people want to have confidence that their elected officials are held to the highest ethical standards. My judgment is that this bill doesn't meet that test.

Mr. KERRY. Mr. President, today the Senate failed to live up to its responsibility to keep faith with the American people and change the way business is done in Washington. I oppose the lobbying reform bill because it does not go far enough to effectively change the way business is done in Washington.

It is not enough to reform the earmarking process. It is not enough to ban gifts and meals from lobbyists. It is not enough to rein in pay-to-play schemes like the Republican K Street project. Changing the rules does no good if we have ineffective enforcement and fundamental reform is needed.

It is not reform if business as usual continues and the fox is left guarding the chicken coop.

We need an outside entity, whether a congressional inspector general, as I proposed, or an ethics commission, as Senator OBAMA proposed, or an Office of Public Integrity as Senators COLLINS and LIEBERMAN proposed, to police Congressional ethics violations. It is wrong that the Senate failed to establish an Office of Public Integrity. Some of my colleagues apparently are fine with the status quo. I couldn't disagree more strongly. We need an independent entity to ensure Members act ethically. We need an independent entity to ensure that no one changes the rules as they play the game as the House tried to do just last year. We need an independent entity to ensure that violations are investigated and that offenders are punished. Without such an independent entity, this attempt at ethics reform runs the risk of not being considered real or serious.

The fact is that Congress has not been able to effectively investigate or appropriately punish its Members for ethical violations. Last year, House Republican leaders were forced to rescind their attempts to change their Ethics Committee rules to protect former House majority leader TOM DELAY from further ethics investigations. The House Ethics Committee never sanctioned Randy ''Duke'' Cunningham, and neither the House nor the Senate Ethics Committees has opened an investigation into the Jack Abramoff scandal. We can tinker with disclosure and gift rules all we want, but until we get tough on enforcement, no significant change will happen.

A few weeks ago, former Representative ''Duke'' Cunningham received the longest prison sentence ever imposed on a former Member of Congress. His crime? Collecting $2.4 million in homes, yachts, antique furnishings, and other bribes—including a Rolls-Royce—from defense contractors. This disgraceful conduct—beyond comprehension for me and most of my colleagues—earned him 8 years and 4 months in a Federal prison and orders to pay the Government $1.8 million in penalties and $1.85 million in ill-gotten gains.

What is almost as shocking as Duke Cunningham's bribes is that under today's rules, the American taxpayer is still paying for his congressional pension—a pension worth approximately $40,000 per year. Under today's rules, Duke Cunningham will collect his pension—paid for by the American taxpayers—while he sits in jail for violating the law and ethics as a Congressman. That is simply unacceptable. And it has got to change.

That is why Senator SALAZAR and I introduced the Congressional Pension Accountability Act and attempted to offer as an amendment to the lobbying reform bill. Our amendment would have denied Federal pensions to Members of Congress who are convicted of white-collar crimes such as bribery—Members who perform acts like Randy ''Duke'' Cunningham.

As elected representatives, we must hold ourselves and all those who represent the Federal Government to the highest ethical standards. The principle is a simple one: Public servants who abuse the public trust and are convicted of ethics crimes should not collect taxpayer-financed pensions. Right now, only a conviction for a crime against the United States, such as treason or espionage, will cost a Member of Congress their pension. There is no reason the law should not be changed to ensure that Congress does not reward unethical behavior. But because debate on the lobbying reform bill was unnecessarily limited, I was prevented from offering my amendment to prevent Duke Cunningham and other Members who violate the law from collecting their pensions.

There are other important issues that the lobbying reform bill fails to address. For example, although the bill bans gifts and meals from lobbyists, it does not apply to the organizations that employ the lobbyists. Nor does it

apply to lobbyists paying for parties to ''honor'' or ''recognize'' Members. And although the bill increases the amount of time that Members and senior executive branch officials are prohibited from making lobbying contacts and conducting lobbying activities from 1 to 2 years, it does include organizing and directing a lobbying campaign in the prohibited activities. Thus, a former Member or senior executive branch official cannot make contact directly, but they can direct partners or employees in a lobbying strategy. The bill does not include any restrictions on lobbyists soliciting and organizing fundraisers or serving as treasurers on officeholder committees, nor does it prohibit special interest groups from paying for and organizing congressional travel junkets.

These are serious problems with this lobbying reform legislation. It simply does not go far enough to have a real impact on the way business is done in Washington. And, frankly, it is not surprising given the limited amount of floor debate we had on the bill and the number of important amendments that were never offered or debated because we were rushed to a cloture vote. I am disappointed that we could not take advantage of this unique moment in history and enact serious lobbying reform. I am voting against this package because the American people deserve a strong reform bill and this does not meet that test.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, to clarify where we are, we do have three remaining amendments by Senator ENSIGN, and there are other Senators who are working on those amendments and discussing them with Senators who have some concerns. Hopefully, we can work out all of them or a couple of them. It may be a few more minutes.

When that is done, we will then dispose of those amendments one way or another, and we will be able to go to final passage.

I will be glad to yield the floor at this time so Senator DODD can make some comments, maybe go over some of the items we have in this legislation, and I will join him at some point.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. DODD. Mr. President, I thank my colleague from Mississippi. I would like to do that while we are awaiting final resolution of these remaining issues which we can, hopefully, conclude in short order and then go to final passage of this bill.

I begin by again commending my colleagues from Mississippi and from Maine, Senator LOTT and Senator COLLINS, and my colleague from Connecticut, Senator LIEBERMAN, and their staffs and our staffs for the tremendous work they have done on a bill going back some weeks now.

As my colleagues recall, we began consideration of this matter some weeks ago. We were derailed for reasons that were beyond our control. There were matters that arose of national significance and importance, and Members rightly wanted to consider some of those issues in the midst of this debate.

Nonetheless, I believe we put together a good product. It does not include every idea that surfaced during the consideration of these proposals, but I think it is a very solid effort and one in which my colleagues can rightfully claim credit and with some degree of pride for what we have done.

I again commend the Committee on Homeland Security and Governmental Affairs for handling a major part of this effort, and again the Rules Committee for coming out with a bill, a unanimous vote out of our committee, with matters we considered and presented to our colleagues for their full consideration.

This is not a perfect bill. In my 25 years, I have yet to see one of those. But we have a pretty good one, given the constraints of time and invocation of cloture which left behind some very important amendments, amendments which I would have strongly supported had they been offered.

Nonetheless, this is a strong bill. It bans gifts and meals from lobbyists altogether. That is a major step in reform.

It requires additional and more frequent disclosure of lobbying activities.

It places tight new limitations, including Ethics Committee preapproval, on congressional travel funded by outside sources.

It increases the transparency of the earmark process. It toughens the conflict of interest rules for Members. It tightens the revolving door provisions of Senate rules and bans floor privileges for former Members who become lobbyists.

Further, it bans inappropriate attempts to influence hiring decisions by lobbying firms, such as the K Street Project.

It broadens disclosure requirements for massive grassroots lobbying efforts.

It requires that conference reports be available on the Internet before they are considered by the full Senate. And it makes other important changes to strengthen and tighten current lobbying laws.

This is no small achievement. Just those provisions alone are included in this bill which we will be voting on in very short order.

This bill is the result of the work, as I mentioned earlier, of two separate committees, the Homeland Security and Governmental Affairs Committee and the Rules Committee of this body. Both of these committees held hearings and markup sessions on those issues within their jurisdiction and reported measures on a bipartisan basis to improve the transparency of our legislative work.

I know it doesn't happen with great frequency any longer, but it is how this institution is supposed to operate: have hearings, have markups, try to build bipartisan consensus whenever we can. Unfortunately, that bipartisan process is becoming the exception, not the rule, I say with a great degree of disappointment. It used to be that this was standard operating procedure. I am saddened to say now it has become the exception, as I said, unfortunately, and not the rule.

These two bills were joined together in one piece of legislation on the Senate floor. Consideration of this matter has been truly a bipartisan effort. I have been honored to serve as the floor manager, along with the majority floor manager who is here, the distinguished Senator from Mississippi, Mr. LOTT, and I commend my colleague for his diligence in bringing this legislation to the floor. He advised me very early in the session that he intended to craft a lobbying reform bill, to have a full and open markup in the Rules Committee, and offer all members of that committee the opportunity to offer amendments. That is what he did, and that is why I think we ended up with as strong a bill as we did. Because we had the opportunity to fully debate and amend the chairman's mark in the committee, we were able to produce an original bipartisan bill that was reported to the Senate unanimously. That beginning boded well for this legislation.

I also want to commend, of course, our comanagers of the bill—I have mentioned already Senator COLLINS of Maine—and my colleague from Connecticut, Senator LIEBERMAN, for their very similar bipartisan approaches to this legislation. As I noted earlier, it is unusual to have a bill that is reported from two different committees merge together on a single measure on the Senate floor, but even more unusual, I suspect, is that the bill would be managed by Senate colleagues from the same State, in this case my colleague from Connecticut, Senator LIEBERMAN, and I. This may be the first time that has ever happened, I might point out, in this Chamber.

I also want to commend our leaders, Senator FRIST and Senator REID, for their efforts to accommodate this bill in the very busy Senate schedule and for allowing this measure to remain the pending business, even in the face of other priorities. In particular, I commend Senator REID for his leadership on lobbying reform and for his efforts in introducing the very first comprehensive lobbying reform measure in this Congress. In large part we are here today because of Senator REID's early and persistent efforts to respond to this crisis of confidence of the American people following the Jack Abramoff scandal in the House of Representatives, a matter involving the bribery conviction of a Member of that body and the legal proceedings against certain administration officials involving allegations of lobbying-related improprieties.

That is why we are here debating this measure, because of that scandal of the

illegal activities of a lobbyist, Jack Abramoff, that rocked the House of Representatives. The serious allegations have led to guilty pleas by former Members and their staffs, and the activities of Abramoff and his cronies, wherein they violated current lobbying gift and ethics rules, creating a climate of disillusionment, unfortunately, and distrust of the United States Congress. I suspect we have not seen the end of the indictments, nor the full breadth of this scandal, unfortunately.

But to the credit of my colleagues, Democrats and Republicans, the United States Senate has acted not in haste but in a measured response to this scandal. Our goal is to ensure the confidence of the American people in their system of representative government by ensuring that special interests cannot operate under a cloak of darkness.

This bill, with its extended disclosure requirements of lobbying activities and its restrictions on the type of influence lobbyists can exert over Members of Congress through lobbying gifts, I think, can go a long way toward restoring the confidence of ordinary Americans in their Government. We must now get this bill married to the House bill and get it enacted into law, and that will be a task, given the shortened calendar of this election year. But we cannot neglect this final chapter in our effort to bring real reform to Washington.

Lobbying reforms are important and certainly will change how business is done in our Nation's Capital. But these changes alone will not address what I have consistently stated is the core problem, the one that still hangs out there, and that is the need for true, meaningful campaign finance reform that breaks the link between the legislative favor seekers and the free flow of special interest private money. That would be a much more significant reform, in my view, than all of the reforms that we have accomplished with this legislation, as important as they are.

I am grateful to my colleagues for heeding the concerns that we not mix lobbying reform and campaign finance reform in one measure, and I remain committed to seeing that this body addresses real campaign finance reform. But I am equally committed to seeing that we do not do so on this important piece of legislation.

We are all aware that the House leadership has included major campaign finance measures in its lobbying reform bill. I am very grateful to our colleagues in seeing to it that our efforts down the road will exclude those kinds of provisions in the final product. In the meantime, I welcome the opportunity to have as complete a debate on campaign finance reform issues as we have had on lobbying reform. Chairman LOTT, my good friend, has indicated his willingness to hold a hearing on this issue in the Rules Committee. I would like to go further than that and hear him commit to a markup on the bill. He has not gone that far yet, but he has committed to a hearing. I will take victories as I can get them. If I can get a hearing, I will take the hearing, and then I will be lobbying him, without buying him a lunch, to see if we can't get a markup of a good campaign finance reform bill.

But for now, we should commit ourselves to moving forward to conference with the House. I urge the House to move forward as well on this important lobbying reform bill. If the introduced version is any indication, as it appears, the House-passed bill will be substantially weaker than the job we have completed here—in a number of key respects. We must hold fast to our stronger provisions whenever possible as we move forward. The American people are looking forward to us putting our house in order and ensuring that lobbying scandals of the House are not repeated anymore in this Chamber.

So, again, I commend my colleagues for their tremendous work on this bill. It is a good bill. It is one we can be proud of, and I look forward to its adoption and moving to conference with the House of Representatives.

The bill before us has been improved by the amendments offered and debated here in the Senate. There is no reason to believe that we cannot continue to build on these provisions in conference with the House. Although the Majority in the House only recently introduced their lobbying reform measure, I encourage the Leadership to move the measure expeditiously so that we can complete a conference on this measure before Congress gets bogged down in the fall campaigns.

I commend my colleagues, Senator LOTT and Senator COLLINS, and my colleague from Connecticut, Senator LIEBERMAN, for their leadership in bringing this bill to this point. I also want to thank the capable staff of the Senate Rules Committee, Majority counsel Alexander Polinsky and staff director Susan Wells, for their many courtesies and assistance both during mark-up of this measure in Committee and during the floor debate.

I also want to thank the staff of the Homeland Security and Governmental Affairs Committee for their efforts to successfully merge these two bills and jointly support the managers. In particular, I want to thank the Majority staff director and chief counsel, Michael Bopp, and Senator LIEBERMAN's Democratic staff, in particular his staff director and counsel, Joyce Rechtschaffen, chief counsel Laurie Rubenstein, and counsel Troy Cribb.

I also want to thank my very capable staff, including my committee staff director and chief counsel, Kennie Gill; our elections counsel, Veronica Gillespie, and Democratic staff members Candace Chin, Joe Hepp, Colin McGinnis, and Carole Blessington.

And of course, no legislative effort of this magnitude could be accomplished without the assistance of our floor staff. Marty Paone and David Schiappa are invaluable in their efforts to structure our unanimous consent requests to accommodate our colleagues and the Senate schedule. Lula Davis and our cloakroom staff as well as our leadership staff are indispensable to us in our roles as floor managers.

I say to all of these staff, and the many hundreds of others who work night and day to bring good legislative ideas to fruition and work to manage the Senate floor and its proceedings, job well done. This is legislation that will truly make a difference in how the American people view their government and will hopefully help to reconnect us to the people we serve.

I appreciate the cooperation of our colleagues and look forward to working with them as we move this bill to conference with the House.

I yield the floor.

Mr. LOTT. Mr. President, I commend and respond in the same sense and vein of the distinguished Senator from Connecticut. Before I do that, and talk further about our relationship and how the Rules Committee package came together, I would like to call on my colleague, the distinguished Senator from Maine, to go over the specifics of what is included in the bill out of her committee work, and with Senator LIEBERMAN. I have never worked with a floor manager who has been more enjoyable than working with the Senator from Maine, her attitude and her help, her tenacity, and also, of course, Senator DODD. But I thought before I respond further to Senator DODD, I would like for us to understand the details of what was in the legislation that came out of the Homeland Security and Governmental Affairs Committee.

Ms. COLLINS. Mr. President, first let me begin by thanking my colleague from Mississippi, the chairman of the Rules Committee, for his extraordinary leadership in bringing this bill forward. I also want to commend the ranking member of the committee, Senator DODD. This has been an unusual and extraordinary experience where we have two committees that produced bipartisan bills with overwhelming support—only one negative vote between the two committees—and have brought legislation to the Senate floor where it was married together and presented to the full Senate. I am very proud that there has not been a single party-line vote that has occurred as we considered this bill, both in committee—in my committee, anyway—and also here on the Senate floor. I do think this is a model for how the Senate should act, that we can act together in a bipartisan way and look at how much we can get done when we do so.

So I salute Senator LOTT and Senator DODD for their extraordinary leadership. I also thank the ranking Democrat on the Homeland Security Committee, Senator LIEBERMAN, for all that he has done to advance this very important cause. Senators MCCAIN and SANTORUM also were key figures. Senator MCCAIN introduced one of the earliest bills. Senator SANTORUM brought

together a bipartisan group which agreed on certain principles that became the foundation of the legislation before us. The Senate majority leader, Senator FRIST, and the minority leader, Senator REID, worked together to ensure that we would complete action on this bill. I must say, when the bill was pulled before, I was worried about whether we would return to finish the job. We have done just that, and I am proud of that activity.

This legislation is a strong bill. It may not be a perfect bill—we probably would all have different definitions of what a perfect bill would be—but it is a strong bill that I believe will help to enhance public confidence in the integrity of Government decisions. Let me describe some of the major provisions of the bill as approved and, in particular, the emphasis on the Homeland Security and Governmental Affairs Committee's provisions.

First of all, we greatly strengthened the disclosure required by lobbyists. The legislation requires quarterly filings rather than the present semiannual filings by lobbyists, and it ensures that the information is made available to the public on the Internet. We will have stronger, more accessible disclosure reports. This is important in terms of ensuring that there is adequate sunshine on these activities. Our goal, which would be accomplished by this bill, is to have lobbying disclosure reports on a searchable, easily accessible public database, so that the public can evaluate the spending that is occurring, and so that they know who is lobbying whom. I think disclosure is going to make a big difference, and we put some teeth in the disclosure process by doubling the maximum penalty for noncompliance to $100,000. I think that is going to provide ample incentive for prompt and full disclosure.

Another provision of the bill will provide for auditing and oversight of the lobbyists' disclosure reports by the Comptroller General, the head of the Government Accountability Office. The GAO will do some random audits, give us advice, and help us understand weaknesses in the current system.

Another important provision that really hasn't been discussed much on the Senate floor is that the legislation provides for mandatory ethics training for Members of Congress and congressional staff. I think this is important as well. I think a lot of times people aren't fully informed of what the rules are. We are going to require mandatory training for both Members and their staffs.

Another provision of the legislation addresses the so-called revolving door issue where Members of Congress and high-ranking staff leave Government for jobs focused on the institution in which they once served. We extend the cooling off period during which a former Member of Congress or a former senior executive branch official may not lobby from 1 year to 2 years. We also make an important change in the so-called revolving door provisions as they apply to senior staff. Right now the limitation is that a staff member cannot lobby the specific office for which he or she worked for a 1-year period. We retain that 1-year period—the cooling off period—but we extend it to the entire Senate or the entire body in which the staffer worked. So I think that is a significant strengthening of the revolving door provisions.

Our legislation also, for the first time, prohibits lobbyists from providing gifts and travel that Members and staff are prohibited from accepting under the ethics rules. The burden has always been on Members. We have a parallel requirement placed now, for the first time, on lobbyists, and I think that is going to make a difference as well. I am pleased that we adopted an amendment on the Senate floor to draw a bright line to make it clear that lobbyists cannot provide gifts to Members, including meals.

Another provision of our bill, this provision authored by Senator COLEMAN, would create a commission to look over our ethics laws and rules and to make recommendations to Congress by July 1 of this year on any further changes that would be appropriate.

Again, I think this is an excellent bill. It is an important step forward toward the goal of restoring public confidence in the decisions that we make.

Some people asked: Why does this matter? Why should we be even spending time strengthening our lobbying disclosure laws, prohibiting practices that might undermine the public's confidence in Government?

The reason this is so worthwhile and so important is that we cannot tackle the big issues facing our country if the public doesn't trust us to act in the public interests. Too often, the public is convinced that the big decisions are tainted by undue influence. Lobbying conjures up images of all-expense-paid vacations masquerading as factfinding trips, or special access that the average citizen does not have, or decisions that are tainted by improper influence. That means the public doesn't have confidence that we will do the right thing, that we will act in the public interest rather than to meet the wishes of some special interest. That is why this matters. The experts tell us over and over again that there are so many important issues—entitlement reform, for example—that we should be tackling. But if the public doesn't trust us, if the bonds of trust between public officials and their constituents are frayed, then it is very difficult for us to make the difficult choices, for us to make the hard decisions. That is why this matters. That is why this legislation is so important. In many ways, it is the foundation that allows us to proceed to tackle the challenges facing our great Nation.

I am very pleased and proud today that we have come together. I believe this legislation will be overwhelmingly adopted by the full Senate, and that is as it should be. I am also very pleased to see the ranking Democrat on the Homeland Security Committee has joined us on the floor. As I said earlier when he was not on the floor, he has been such a valuable partner. His commitment to good government and to repairing the public trust in government is second to none. It has been a pleasure to work with him as well as with Senator LOTT and Senator DODD as we brought forward this bipartisan endeavor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. LIEBERMAN. Mr. President, I rise to support the bill. Let me first thank my chairman, Senator COLLINS, for her extraordinary leadership in a good cause and in a characteristically, for her, not partisan way. I thank her for her kind words. I appreciate that she said them when I wasn't in the room. Somebody told me after I had been in Washington for a while, if somebody compliments you when you are not in the room, then you know they really mean it. I appreciate that from Senator COLLINS.

It has been a pleasure to work with Senator LOTT and Senator DODD, my dear friend, my senior Senator from Connecticut. This has been a strong foursome. Probably there should be an alliterative ''F,'' like the faithful or ferocious foursome. But this has been an important precedent and one that has served the Senate well.

We had two committees, each with jurisdiction over part of lobbying reform. The leadership worked together to meld the products of both committees so we could consider this matter. It is actually quite a valuable precedent for other large subject matter interests Members of the Senate have which often get divided into pieces based on committee jurisdiction. I am very grateful to my three colleagues, and with some real sense of pride, I rise to express strong support for the Lobbying Transparency and Accountability Act on which we will vote shortly.

This legislation contains very significant reforms in a number of critical areas. It ends all gifts to Members from lobbyists. It requires significantly increased disclosure from those who are paid to influence Members of Congress. For the first time ever, it would shine sunlight on the activities of those who are paid to generate advocacy—phone calls, letters to congressional offices, so-called grassroots lobbying. It significantly slows the so-called revolving door by doubling the ban on lobbying by Members once they leave Congress and significantly expanding the rules covering who staff can and cannot lobby.

This is not popular stuff inside here, but it is the right thing to do, and we are about to do it. In short, this legislation upends the status quo with regard to oversight of lobbying and the relationship between lobbyists and Members of Congress. This upending of

the status quo is justified by the recent scandals that have afflicted us here in Washington, most prominently the crimes of lobbyist Jack Abramoff.

Trust between the people and their elected leaders is essential to our democracy. The behavior of Mr. Abramoff and his associates and some Members of Congress has undercut that trust and sent the message to too many people across our great country that in Washington, results go too often to the highest bidder, not to the greatest public good. That is not the truth. But this legislation upends that perception, I believe, and the status quo.

There are many people to thank. I begin as I have with Senator COLLINS for her usual outstanding leadership. After a hearing in late January, she was ready to mark up legislation a month later, despite a large workload our committee had in conducting the ongoing Katrina investigation. The legislation we passed out of our committee contained significant reforms that will not only change the way lobbyists and Members of Congress interact but again, I believe, provide the American people with additional information that they have not had before, and that the media has not had access to before, about where billions of dollars for lobbying are being spent and for what purpose.

The measure approved by our Homeland Security and Governmental Affairs Committee requires lobbyists to report more details, significantly more details, and to report more frequently about their activities, including lobbyists' campaign contributions to Members of Congress, lobbyists' contributions to political action committees, and lobbyists' fundraising events hosted or sponsored by lobbyists or for their benefit for Members of Congress. They would also be required to disclose travel they arrange for Members of Congress or executive branch officials. All lobbyists' disclosures would have to be made quarterly rather than semiannually, and they would have to be made online so that anyone who wished to monitor lobbyists' activities would be able to do so online and do so, obviously, on a public, searchable database.

For the first time ever, a relatively new but significant aspect of lobbying Congress would be subject to disclosure of the money they spend. These are the so-called grassroots lobbying campaigns, familiarly known around here as Astroturf campaigns because they are manufactured. They are not just grass that naturally grows or letters or e-mails and calls that naturally come to Members of Congress on an issue, but they are organized. That is OK. No matter how it happens, when we hear from members of the public, it is important for us. But a lot of money is spent on these campaigns. It is a significant part of lobbying in Washington today. Those lobbyists ought to disclose how much money they earn or spend.

I thank my friend and colleague from Michigan, Senator CARL LEVIN, for working with me on this effort. He has fought for this for a long time—more than a decade. I believe this is a significant victory, and it directly responds to the activities of Mr. Abramoff and his associate, Michael Scanlon, who sought and received multimillion-dollar contributions from Native-American tribes to a grassroots lobbying effort. In fact, Mr. Abramoff received enormous kickbacks from that grassroots organization.

The major impact on grassroots lobbying firms is simply that they will, for the first time, have to disclose. There is nothing in here that inhibits grassroots lobbying. There is nothing in here that inhibits in any way the freedom of the American people to petition their Government, the freedom of companies to hire out—make money—to organize the public to petition Members of the Government. It is simply a requirement that they reveal how much money they have charged and how much money they have spent.

That requirement to disclose clearly would have stopped this scheme, this scam which Mr. Abramoff and Mr. Scanlon were carrying out because the disclosure of the grassroots lobbying firm would have shown enormous amounts of money coming in, much more than was being spent. The result, obviously, the answer to that puzzle, was that too much was going to Mr. Abramoff in kickbacks.

The Homeland Security and Governmental Affairs Committee, as I mentioned, slows the revolving door between Congress and K Street by doubling, to 2 years, the amount of time a former Member of Congress must wait before lobbying his or her former colleagues. This is a significant change; not one that I would say is inherently popular here, but it is the right thing to do, and this legislation does it.

The leadership of the Rules Committee, as I said earlier, Chairman LOTT and Senator DODD, ranking member, has done a great job in producing a strong bill from their committee which, combined with ours, is now on the Senate floor. Their bill prohibited most gifts from lobbyists to Members of Congress and required preapproval and greater disclosure of all congressional travel. It also addressed an issue of deep significance to an increasing number of citizens by requiring that earmarks attached to legislation be listed, explained, and the Member behind the earmark be identified. Those are significant changes.

These reforms were further strengthened on the Senate floor in this debate with an amendment by Senator DODD to make sure that all gifts from lobbyists are banned. All gifts from lobbyists to Members of the Senate are banned—including meals. This is a real victory for those who believe the relationship between Members of Congress and lobbyists has grown too cozy.

The bill was additionally strengthened with an amendment from Senators GRASSLEY and WYDEN that would abolish the practice of secret holds on legislation.

I also thank Senators MCCAIN, OBAMA, and FEINGOLD all stalwarts of reform and indispensable allies in this endeavor.

Senator MCCAIN led the hearings of the Indian Affairs Committee which—I was going to say revealed—really blew open the Abramoff scandal and, when those were finished, drafted legislation to reform our lobbying laws, building on what he had learned in the Abramoff investigation. I was proud to join him as original cosponsor of this legislation.

Senator FEINGOLD actually submitted a lobbying reform package a year ago, even before we understood the Abramoff scandal.

Senate Minority Leader REID provided essential impetus and I would say muscle to the reform cause when he introduced his own reform package supported by almost the entire Democratic Senate caucus earlier this year.

Of course, Senator COLLINS and I are disappointed that the Senate yesterday rejected our amendment, introduced with Senators MCCAIN and OBAMA, that would have established an independent Office of Public Integrity. I believe this office would have given further assurances to the American people that we in Congress are not only dead serious about reform, we are dead serious about the enforcement of that reform. I regret that a group of us were unable to offer an amendment to increase the reimbursement costs of airplane travel provided to Members by private entities. But even without those two additional reforms, this legislation we are about to adopt sends a clear and powerful message that in Washington we ourselves, in pursuit of greater legitimacy and credibility and trust of the American people, are taking significant steps to make sure that here in this Congress, results go to the greatest public good and not ever to the highest bidder.

I have said many times throughout this debate that we have a once-in-a-generation opportunity now to reach bipartisan agreement on a broad set of reforms that will reduce cynicism, prevent abuse, and restore trust of the American people in their Government here in Washington. I believe this bill does exactly that.

On a final note, I wish to thank several staff members of all four Senators for their long hours and exceptional hard work on this legislation. On my staff, I particularly thank Troy Cribb, who led our efforts on this bill, as well as my staff director Joyce Rechtschaffen and chief counsel Laurie Rubenstein. They labored to make this bill as good as it could possibly be.

I also thank Michael Bopp, Jennifer Hemmingway, Ann Fisher, and Kurt Schmautz on Senator COLLINS' staff and Kennie Gill and Veronica Gillespie on Senator DODD's staff, and Senator LOTT's able staff as well. I thank them all, I thank my colleagues.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. LOTT. Mr. President, I don't want to repeat everything that has been said here because we do have the need to move forward. We have some amendments we need to dispose of, but let me take a minute to comment as to Senator DODD and Senator LIEBERMAN and Senator COLLINS and their leadership and the way we work together.

I wish to do that by reminding you a little bit of history. When we started off this year, there were problems that were reflecting on the Congress and the way we do business—the Abramoff matter, as Senator LIEBERMAN has described. There was a feeling that we needed to address some of those concerns. We needed to take a look at our lobbying laws and the rules of the institution. There was a concern about, was this going to be a panic reaction? Was this going to be everybody taking their partisan positions and not ever actually getting anything done, just looking for political advantage?

That could have been what happened, but that is not what happened. It started off by strong leadership on both sides of the aisle. Senator SANTORUM was designated by Majority Leader FRIST to pull together a task force to begin working on issues that needed to be addressed, and solutions. Senator REID stepped right out and started developing a package on the Democratic side.

By the way, I think one of the ways we came to the point where we are is that there were some good things in the Reid proposal. When I brought up the chairman's mark in the Rules Committee, several of the pieces of that legislation came from the Reid ideas. Then it continued to move forward with important areas being addressed. I wound up in a meeting that was somewhat of an amazement to me because it was a bipartisan meeting that included Senator COLLINS, Senator MCCAIN, Senator SANTORUM, Senator DODD, Senator OBAMA, Senator ISAKSON—a large group from both sides of all different political persuasions working together to see if we couldn't come up with bipartisan legislation.

I guess it was about that time when I started talking to Senator DODD, saying: Can we do this together and make it a truly cooperative thing? He wanted to do that, but both of us had to make sure leaders were OK with that, and they were. They told us: Yes. Do your job and operate the way a committee is supposed to act—hold hearings, have a markup, report a bill, regular order. That is what we did.

I am pleased the way this has come about.

I could go around and commend everybody who has been involved but that has already been done very legitimately.

But this is a case study of an issue that could have blown up. It was very tough. It could have produced nothing but acrimony. That is not what happened, no.

It is not a perfect bill. But we have addressed some tough issues. When you start talking about outright ban of gifts, outright ban of meals from lobbyists, taking action with regard to the flights and transparency and disclosure, saying that former Senators cannot come onto the floor of the Senate when we are debating legislation where they are registered lobbyists, and that also applies to former officers of the institution, except for ceremonial events. We also have very tight postemployment restrictions, and we address the question of earmarks.

I, for one, think that earmarks—and I don't particularly like that description, but where you have a Senator or a Congressman exercising their right to have language included in a tax bill or in a highway bill or in an appropriations bill for the benefit of some entity that they are familiar with or something in their State, I think we should have that right. I think it is our constitutional right, as a matter of fact, and I will fight for that. I will fight for it even if my colleague from Mississippi were not the chairman of the Appropriations Committee. But he worked with us on how we could deal with this issue by making sure that it wasn't just about appropriations. It was about tax bills coming out of the Finance Committee, and authorization bills, too.

I must say, while I think the language in this area still is not totally artfully crafted, we made some real progress there. This was a problem that I believe people were concerned about where there was an earmark in a conference that had not been considered by either body and there was no way to get at it—at a particular item—without a point of order, without taking down the whole conference.

That doesn't make sense. That is not the way the Byrd point of order works. So we include that here.

I think that is where we need to go. We will continue to work with Senators on both sides of the aisle, from all persuasions, to make sure that we have thought that through carefully and produced the right result. But we didn't duck the issue. We stepped up and addressed it by bringing people in and talking about the best way to deal with the earmarks issue.

But that leads me to the point that there are some amendments pending now and the only three left that do get into this particular area.

In the effort to move forward and expedite these issues and come to conclusion, I think now would be the time to move to an amendment that is pending, which I guess would be 2981. I believe Senator ENSIGN has an amendment.

The PRESIDING OFFICER (Mr. MARTINEZ). The Senator from Nevada.

AMENDMENT NO. 2981 WITHDRAWN

Mr. ENSIGN. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The amendment is pending.

Mr. LOTT. Mr. President, I raise a point of order against the amendment.

Mr. ENSIGN. Mr. President, I have the floor.

The PRESIDING OFFICER. A point of order may be raised.

Mr. LOTT. Mr. President, I raise a point of order—

Mr. ENSIGN. Mr. President, don't I have a right to be heard before the point of order is raised? I was recognized.

The PRESIDING OFFICER. The Senator from Nevada may proceed.

Mr. ENSIGN. Thank you, Mr. President.

Mr. President, Senator MCCAIN and I understand that our amendment is going to be ruled nongermane. Previously, it was going to be ruled germane. Since then some items were pointed out that has caused the amendment to be ruled as nongermane. Despite that fact, I would hope that the managers of the bill will work in conference to clarify the language of this bill. I know the chairman of the Rules Committee has said that he will review this language. I believe he will. Our amendment seeks to clarify that if things are put into a conference report that were not in either the House bill or the Senate bill, a Senator would have the chance to take those items out without taking down the entire conference report. One section of this bill creates a new point of order against items that are slipped into conference reports. The provisions in the bill seek to address what has become a very significant problem around here. A member slips something in, without debate. That certainly is not an open process. The purpose of this lobbying reform bill is to make sure there is more transparency and our amendment is consistent with that.

The way the bill is drafted, there is a problem. The bill uses the term matter without providing a definition or examples of anything that would be considered a matter.

According to our discussions with the Parliamentarian, that definition would not allow a point of order to be raised because there could be no way for the Parliamentarian to interpret the new rule. This point of order would basically be null-and-void.

Our amendment was attempting to clarify the bill by providing a definition. That way we will ensure that we have openness in the process of conference reports. That certainly is the purpose of our bill and of our amendment.

Without losing my right to the floor, I ask the chairman if he would submit to a question through the Chair. I ask the chairman of the Rules Committee if he would commit to working on this definition in conference so that it will meet with the criteria stated by the Parliamentarian to give effect to the rule. That way the provisions of this bill will meet with the intent of what

the Chairman said in his previous statement.

Mr. LOTT. Mr. President, for purposes of debate only, I said in my comments before the Senator offered his amendment that I realize it is not perfect language. It has been difficult to achieve what we would like to achieve. He worked on it in the Rules Committee. Senator COCHRAN made some very important points, and we actually made some changes as we went forward. But I think we still have some more work to do to accomplish what we are trying to accomplish.

I will commit to work with Senator ENSIGN to try to find language that does what we are trying to do and which has the support of all involved in the discussions this afternoon. I am not sure what the Senator is trying to do is what we want to do. But I also realize that the language, the wording we have in there, the critical word is pretty nebulous. And we will have to work on that.

Mr. ENSIGN. Mr. President, very simply, I will let people know what the intent is. I have worked with Senator MCCAIN. I applaud his efforts. He has been doing this a lot longer than I have.

All we are trying to do is say if something was not in the Senate bill, not in the House bill, and it was put in, in the conference, a point of order could be raised against that item without bringing an entire bill down.

Right now nobody wants to raise a point of order against a bill because they don't want to bring the whole bill down. Senators know we have to fund the Government, so nobody wants to bring a point of order against a bill that does that. Nobody wants to vote on a point of order that brings down the whole bill either. But if something was put in which was not in the House bill and not in the Senate bill, we want to be able to surgically strike that provision to make sure that we have a cleaner process in government. This is not new ground as the Senate already has this rule with respect to Budget reconciliation bills.

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

Mr. ENSIGN. I will yield for a question without losing my right to the floor.

Mr. MCCAIN. I ask my colleague, isn't it true that the reason this amendment is being proposed is because the Parliamentarian looked at the present language and informed the Senator and myself that it is not clear enough language that we could actually achieve the purpose of the bill that the Senator from Mississippi and the Senator from Connecticut have proposed—in other words, we are in keeping with the intent of the language in the bill, and we are trying to clarify it because the Parliamentarian said that it is not clear. All we are asking, I think, is the managers of the bill to fix it so there is no doubt that we can carry out the intent of the legislation which is before this body. That is all we are talking about.

It is also true, if it is not clarified, I will tell my dear friends, you will see this amendment again. You will see it again and again. This goes to the heart of what we are trying to stop. We are trying to stop ANWR from being put into a bill that has nothing to do with it. We are trying to stop liability protection for a flu vaccine added at midnight which we have never seen before. It is an outrageous abuse of the rights of the Members of this Senate who are not members of the Appropriations Committee; is that correct?

Mr. ENSIGN. Mr. President, those and many other things have been put in. Sometimes good things are put in. But that is not the way the legislative process is supposed to work. We are supposed to have an open process. Senators should be able to see what is in a bill. We should provide transparency so that the public can scrutinize what is going on. The current process is broken when we are forced to enact provisions that were not in either one of the bills.

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

Mr. ENSIGN. Mr. President, I will yield to the Senator from Connecticut for a question without losing my right to the floor.

Mr. DODD. The Parliamentarian may have suggested something other than, but for the purpose of the legislative intent—and sometimes debate can be enlightening—legislative intent, as far as this Senator is concerned, is exactly as the Senator from Nevada described and the Senator from Arizona described, if there is a matter which is neither in the House bill nor the Senate bill, and if it ends up in conference, that matter is subject to a point of order—and for the very reasons which my colleague described.

I do not know how that is confusing language. If it is, I am certainly committed to trying to straighten it out. I believe that is the appropriate way to go.

Mr. MCCAIN. Mr. President, if the Senator will yield for a question, why would the Senators raise a point of order when this is simply a clarification of the intent of the legislation, according to the Parliamentarian who has told us—I am asking a question.

The PRESIDING OFFICER. The Senator from Nevada has the floor.

Mr. ENSIGN. I yield for a question.

Mr. MCCAIN. Does the Senator from Nevada see my point? There is no reason to raise a point of order if all we are doing is clarifying. We are wasting the time.

Mr. ENSIGN. I agree with the Senator from Arizona. I appreciate the manager of the bill when he said he would work with us. I wanted it on the record that the managers have committed to working with us to ensure that the intent of the bill is clear. Which is exactly what our amendment seeks to do. The bill managers have put it on the record that it is their intent. We hope in this process, as this bill moves forward, that the language that is ultimately adopted will include some kind of a definition, as we have tried to do, so that the intent of the Senate is clear. It needs to be done. We need to clean up the appropriations process we have going on in the Senate.

I don't see any reason to raise a point of order. I think it would be easier to ask unanimous consent to withdraw the amendment.

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

Mr. LOTT. Mr. President, if the Senator wishes to proceed with his next amendment.

Mr. ENSIGN. If the Senator could give me 60 seconds.

Mr. LOTT. I thank the Senator for his approach on this.

Let me make a couple of points. Again, in a way, there is not as big a problem here as indicated. For instance, I have been assured the example that was used about ANWR, this, in fact, would apply to that and a point of order would be in order against the ANWR amendment being added in conference that had not been in the other body. We will work through this.

The second point is and one of the reasons why I was prepared to make a point of order, Senator DODD and I, postcloture, have been very meticulous; even when there were amendments he or I or both of us supported, if they were not germane, we have not included them in the managers' package. We have held the line because once you start allowing exceptions, there is no end to it. We were trying to get through with as strong a package as possible.

With that, I yield the floor.

AMENDMENT NO. 2980

Mr. ENSIGN. I call up amendment No. 2980.

The PRESIDING OFFICER. The amendment is pending.

Mr. ENSIGN. Mr. President, let me discuss this amendment very briefly. I want to be cooperative with the managers of the bill. I know they want to wrap up this legislation.

This amendment is germane. We will have a recorded vote on this particular amendment, unless the chairman of the Committee on Appropriations agrees to a voice vote that we would win.

Section 103 of this bill creates a new Senate rule. Each Senator knows that we create very few new Senate rules because the rules we create are hard to change once created. The rules we make today will govern the Senate's conduct for years to come. It is important we get language right the first time so we do not have any unintended consequences.

Within the proposed rule in this bill is a definition of the term ''earmark.'' Many people in my home State of Nevada have heard the phrase earmark, as people across the country have. As taxpayers, Nevadans understand some earmarks can be costly, some can be beneficial. Earmarks are often the result of Senators using their influence

to require Federal agencies to spend significant dollars in their States. In some cases, earmarks are given to State or local governments or charitable or philanthropic organizations. In many cases, these earmarks are justifiable. In many cases, these earmarks have a national impact and can be justified because they meet a national purpose.

Each Senator has seen the abuse of the earmark process. That is why we have offered this amendment. To clear up abuses. Our amendment provides a clear definition of what an earmark is. Our definition clarifies that earmarks are not limited solely to non-Federal entities. The definition also includes Federal entities. Spending for federal, as well as non-Federal, entities in the earmarking process can be abused.

The Senator from Mississippi argued earlier it is a Senator's right to offer things that are good for their State. Senators have ideas about how money should be spent. I actually have no problem with that philosophy. I agree to a great degree with that philosophy. The problem is that such a process has been abused in too many cases. For instance, the military provides a procurement list to the Armed Services Committee that includes lists of things the military says they need. In order to benefit their state, Senators will contradict the decisions of the military and override the military's request. They ignore what is in the best interest of the military in order to benefit their State. Military is a Federal project but this bill does not provide accountability. This bill would continue to allow Senators to put their political interests before the needs of the military.

That is why our amendment expands the definition of earmark to both Federal and not just non-Federal entities. That is why we should support this amendment.

Mr. LOTT. Will the Senator yield?

Mr. ENSIGN. I yield.

Mr. LOTT. The Senator started moving toward giving an example. So that I will fully understand exactly what the Senator is trying to get at here, can he give me a couple of examples? He has referred to military, for instance. I don't want to use any particular weapon system because I don't want to make anyone mad, but take generic helicopter. If the Pentagon or the President's budget only included 100 helicopters and a Senator of the Committee on Armed Services, in conference, said no, we are going to make it 200, would that be an example of where the Senator is trying to get this language to apply?

Mr. ENSIGN. I would say to the Senator from Mississippi, if one Senator were to raise a point of order against the item you have described, the process laid out in this bill would be to have the entire Senate decide the matter. If the rest of the Senate believes that the additional helicopters are justifiable, then the——

Mr. LOTT. That is the type of example.

Mr. ENSIGN. I will give the Senate a more specific example. I will not use the exact example I had mentioned to the Senator from Mississippi previously because I don't think it is appropriate to discuss specifics like this on the Senate floor. The military tells Congress that they need certain items for the troops. They want something produced. Perhaps similar products are produced in different States so there are competing products. The military has said, We like this item made by one company, it is far superior. What is happening today is that some members, perhaps one on the Military Subcommittee on Appropriations, who represent a state with a similar product will use their influence to direct spending to products made in their own State. Even though the Pentagon says we like product A, Congress tells them they must buy product B. When the bill comes back from conference, spending gets shifted. Spending is earmarked to go to one product instead of for a product that the military said would be best for our fighting men and women.

That is exactly some of the things we are trying to avoid.

Mr. LOTT. If the Senator would yield for a further question, the language we have would allow for that kind of designation to continue?

Mr. ENSIGN. It would allow for the designation to continue.

I would say to the Senator from Mississippi, this amendment does not affect the point of order in the bill. I apologize if I was unclear on that. This amendment affects the requirement that Senators be given a report that identifies which members have requested which earmarks. It requires that all earmarks be included in that report. That is all this amendment is doing. We want Members, if they are going to request earmarks and redirect spending, to be identified. If they want to direct spending to go to their State, they should be willing to be identified. This is a simple sunshine provision. I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

Mr. McCAIN. Mr. President, for a second I will discuss again what the amendment is. It requires that all earmarks included in a bill or conference report should be clearly listed—the sponsor identified, explanation, et cetera.

I fully support the intent of that requirement. However, the underlying definition of the earmark is only ''non-Federal'' at this time.

The point the Senator from Nevada is trying to make in the amendment, there are plenty of Federal pork barrel projects, if I may be so blunt. Let me give an example. The Army Corps of Engineers is clearly a Federal entity. In 2006 we spent $600,000 in the Army Corps of Engineers, a Federal entity, to study fish passage in Mud Mountain, WA; $275,000 to remove the sunken vessel State of Pennsylvania from the Christina River; $7 Million for the Arctic Energy Office—guess where—Alaska. Aren't you astonished? And $500,000 for the collection of technical and environmental data to be used to evaluate potential rehabilitation of the St. Mary's storage unit facility's Milk River project, Montana. The list goes on and on.

These are all out of a Federal entity called the Army Corps of Engineers. They should be listed. They should be in the sponsorship, they should be required to be listed, and as a Federal entity. So, clearly listed, sponsor identified, accompanied by information of the essential Government purpose of the legislation.

We are saying there are earmarks that are Federal entity as well as non-Federal entity. That is all this amendment does. It changes it from Federal to as well non-Federal.

I yield the floor.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. COCHRAN. Mr. President, it was interesting to notice the arguments of the Senator from Arizona right before we had the vote on cloture on this bill. He pointed out what the consequences of cloture would be, one of which would be that nongermane amendments could not be offered, and he listed two examples, one of which was amendments on earmarking.

I think this amendment, just as the previous amendment, should be subject to a point of order. The Parliamentarian sustained the point of order that was raised by the chairman of the Committee on Rules and Administration, but I am advised that the Parliamentarian would not rule that a point of order lies against this amendment. It is clear and obvious that it would.

But notwithstanding that disagreement, this amendment would have the most impractical effects and unintended consequences of any I have seen offered. What the Senator is suggesting is that anytime you identify a project or a program or an entity that is enlarged or constructed in any bill—an appropriations bill, an authorization bill from any of the authorizing committees—you have to separately list or include in the conference report, it is not clear, the identity of those who support the inclusion of that or who authored it.

There are many things here that are sponsored by one Senator, cosponsored by many others. In order to meet the criteria of this requirement, we would have a voluminous stack of documents presented to the Senate when a bill is presented, showing which Senators in committee may have offered that amendment or suggested to the committee that it be included in the bill, and why.

We already have committee reports that accompany most pieces of legislation that come to the Senate. In that committee report, the provisions are discussed, described. It boggles the

mind to think what the consequences of this one provision would do, the paperwork, bookkeeping, and the like. I don't know of any Senator who does not want his name associated with a provision that he suggests or she suggests be included in a bill, whether it is authorizing language or whether it is in an appropriations bill. There is nothing wrong with that. I am not arguing that should not be included. It usually is well known.

I plead with the Senate, let's not include this amendment on this bill at a time when we are right about to go to final passage. The bill reflects the consensus of the Rules Committee. The two managers of this legislation did an excellent job of carefully reviewing all the suggestions that were out there for lobbying reform, reforms of the way the Senate does its business. We are going to have to go to conference with the House. If there are better ways to word this earmarking provision that is in the bill, there is a provision in the bill, the committee signed off on it, and we are coming to the very end of the consideration. We are nitpicking. That is what this is, nitpicking. I don't know of a better word to describe this amendment. It does not serve any useful purpose to inform the public.

What member of the general public is going to look through documents that will be 2 feet high associated with almost any legislation that authorizes or appropriates funds for a department's activities for an entire year? Think about it. Do not approve this.

I support the idea that we need to do a better job of controlling spending. We need to achieve more in the way of ensuring that projects are justified, that they are reviewed more carefully. That is a part of this process. That is why this provision is in the bill. I voted for it. I supported it in the markup session of our Rules Committee. I am a member of that distinguished committee. My colleague from Mississippi is the chairman of the committee. I am here supporting the work of his committee.

Friends and colleagues who want to be more demonstrative and more zealous and more volatile on the issue of spending restraint now come along and insist that we vote on an amendment such as this. We should say enough is enough. We have listened to all of the arguments. We have brought this bill to the Senate. The consensus has been achieved.

So, Mr. President, I move to table this amendment, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER. The motion to table is nondebatable.

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER. Is the Senator seeking consent?

Mr. McCAIN addressed the Chair.

The PRESIDING OFFICER. The Senator from Arizona is recognized.

Mr. McCAIN. Let me say to the Senator from Mississippi, with all respect and affection——

Mr. COCHRAN. Mr. President, a point of order: Is a motion to table debatable?

The PRESIDING OFFICER. No, it is not.

Is there objection to the Senator continuing?

Mr. ENSIGN. 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. COCHRAN. 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. COCHRAN. Mr. President, I understand the Senator from Arizona was suggesting that he be allowed 2 minutes to comment on this amendment. I have no objection to him having 2 minutes. So I ask unanimous consent that he be granted 2 minutes to speak on this amendment.

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

The Senator from Arizona.

Mr. McCAIN. Mr. President, I would just amend that unanimous consent request, in case the Senator from Mississippi wants to respond to those 2 minutes, that he would have an additional 2 minutes, if he needs it.

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

Mr. McCAIN. Mr. President, I would like to respond as to why this amendment is necessary and why I do not think it is nitpicking. I think a lot of us would have liked to have known who sponsored the amendments that were put into the Defense appropriations bill by former Representative Cunningham, who is now in jail. We would have been very well illuminated by the tens of millions of dollars that were somehow put into an appropriations bill in the middle of the night that none of us had ever seen or heard of. And we did not know who was behind it until he was on trial.

It is perfectly clear—it is perfectly clear—that this is not a nitpicking amendment. The people of this country deserve to know who puts in these projects in conference in the middle of the night, as a former Congressman was able to do named Cunningham, ripping off the taxpayers of tens if not hundreds of millions of dollars. That is why this amendment is not nitpicking.

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

The PRESIDING OFFICER. The question is on agreeing to the motion. The yeas and nays have been ordered. The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

I also announce that the Senator from West Virginia (Mr. BYRD) is absent due to a death in the family.

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

The result was announced—yeas 57, nays 41, as follows:

[Rollcall Vote No. 81 Leg.]

YEAS—57

Akaka	Domenici	Lott
Alexander	Dorgan	Lugar
Allard	Durbin	McConnell
Baucus	Feinstein	Mikulski
Bennett	Frist	Murkowski
Bingaman	Grassley	Murray
Bond	Gregg	Nelson (NE)
Brownback	Hagel	Pryor
Bunning	Hatch	Reed
Chambliss	Hutchison	Reid
Cochran	Inouye	Roberts
Coleman	Jeffords	Sarbanes
Collins	Johnson	Schumer
Conrad	Kennedy	Sessions
Craig	Landrieu	Shelby
Crapo	Lautenberg	Snowe
Dayton	Leahy	Specter
Dodd	Levin	Stevens
Dole	Lincoln	Voinovich

NAYS—41

Allen	Ensign	Nelson (FL)
Bayh	Enzi	Obama
Biden	Feingold	Salazar
Boxer	Graham	Santorum
Burns	Harkin	Smith
Burr	Inhofe	Stabenow
Cantwell	Isakson	Sununu
Carper	Kerry	Talent
Chafee	Kohl	Thomas
Clinton	Kyl	Thune
Coburn	Lieberman	Vitter
Cornyn	Martinez	Warner
DeMint	McCain	Wyden
DeWine	Menendez	

NOT VOTING—2

Byrd	Rockefeller

The motion was agreed to.

Mr. COCHRAN. Mr. President, I move to reconsider the vote.

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

The motion to lay on the table was agreed to.

The PRESIDING OFFICER. The Senator from Mississippi is recognized.

AMENDMENT NO. 2983 WITHDRAWN

Mr. LOTT. Mr. President, I have been asked by the sponsor of the amendment to ask unanimous consent to withdraw the final pending amendment.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LOTT. With that, we have finished our amendments on this very important legislation. I believe we are almost ready to hear from the leaders, and then we will be ready to go to final passage.

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

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

Mr. REID. Mr. President, I am very happy to be here today as we are very near to passing the ethics and lobbying reform legislation. This is important

legislation, and it is legislation the American people care about. I am so glad the Senate has been able to take the lead in enacting these important reforms.

Let's step back a minute from the details of the legislation and remind Members of the Senate and the American public why we are here. In the past year, America has been shocked, and some have certainly been disgusted, by revelations of corruption in our current system. While much of the behavior at issue in some of these scandals is already illegal, the scandals have shown that some outsiders and insiders believed they could act with impunity. It has shaken public confidence in the Congress and our entire Federal Government.

Congress needed to act aggressively and swiftly, and we did that. I am very proud of those on this side of the aisle, in my caucus. When we returned to session earlier this year, the first thing we did as Democrats was unite behind the Honest Leadership Act. We moved beyond principles and speeches and introduced a strong reform bill, with the support of virtually the entire caucus. The entire caucus worked to achieve the effort here today. Senators OBAMA and FEINGOLD led the way. Then we arrived at the committee structure, where on my side of the aisle, Senators DODD and LIEBERMAN worked with integrity and swiftness, intelligence, experience, and part of that was that they worked with their counterparts, Senator COLLINS and Senator LOTT, to allow us to arrive at the point where we are today.

The baseline was a bill that we introduced. But people kept pushing and we have gotten something done. As I have already said, the Rules Committee and Homeland Security Committee worked in a bipartisan way. We worked in a bipartisan way to get where we are today. Included in the bills that came to this floor was much of what was contained in the legislation we introduced, the Honest Leadership Act.

I express my appreciation to Senators LOTT, DODD, COLLINS, and LIEBERMAN, who have acted, I believe, in an exemplary way in moving legislation forward.

This is a good day for the Senate. I repeat, we are here as a result of bipartisan legislation. We are going to complete this legislation. This is not a perfect bill, I know that. I would like to have seen some other things in this legislation, as would other Democrats, and I am sure other Republicans. But the bill makes a number of extremely important changes to lobbying disclosure rules and Senate ethics rules. In many cases, the legislation is exactly what Democrats called for in our Honest Leadership Act.

Let's talk about what we have done today. We are going to have pundits talk about what we didn't do. But let's talk about what we did do. We should be proud of what we have done. We are going to extend and strengthen rules against the revolving door. We are going to end gifts and meals from lobbyists. We have new rules for privately paid travel, requiring preclearance and added disclosure. What we will do in this legislation is clarify the pay-to-play scheme that some have referred to as the K Street Project that is unethical and violates Senate rules. This legislation eliminates floor privileges for former Members who become lobbyists. This legislation strengthens lobbying disclosure rules, and that is an understatement. This legislation requires new disclosure of ''astro turf'' lobbying campaigns and stealth coalitions used by business groups. This legislation reforms rules regarding earmarks, scope of conference, and availability of conference reports. We should all feel that is an improvement and a significant step forward.

I repeat that this bill is not perfect, but it is a significant improvement over current law and it will help restore the public's confidence in Government. I am proud of the efforts of my colleagues to get this legislation passed today. I urge my colleagues to support it.

Mr. President, the majority leader and I are seen in the eyes of the public as always being like a couple of bighorn sheep in rutting season, running and bashing heads and moving back. That is what the public sees. But this legislation could not have come to the floor today but for the work we did together—we did together—not anything on which we gave speeches and issued press releases. We are here today as a result of the work we did together.

Only the majority leader and I know how difficult it is to get a bill to the point it is today. So I extend my hand to the majority leader for working with us to get lobbying reform done. I repeat for the fourth time during my short remarks today, this is not perfect, but people focus on how much we have done to improve the system. There are other days and other legislation that can come forward, but today, let's feel good about a bipartisan piece of legislation.

I again express my appreciation to the managers of this bill. They did remarkably good work.

The PRESIDING OFFICER. The majority leader.

Mr. FRIST. Mr. President, earlier this year, I made a commitment, with the Democratic leader, to make lobbying and ethics reform a top priority this year and not just another political talking point. By passing lobbying reform today, the Senate, in a way that demonstrates us working together in a bipartisan way, will fulfill that commitment.

I am pleased the Senate has led the way. We were the first to develop ideas through a bipartisan working group, the first to introduce a comprehensive lobbying reform package to two committees, the first to have those committee hearings and markups, the first to debate those issues on the floor of a body, and today we will pass the first lobbying reform bill in Congress in over a decade.

The goals of this legislation are simple, they are straightforward. It is about trust. It is about transparency. It is about accountability. Trust is the foundation of our democratic government. We are a government of the people, by the people, and for the people. The American people have entrusted us with their votes, have entrusted us with their hard-earned tax dollars, and they expect us to uphold the highest standards of honesty, of integrity. With public opinion of Congress at an alltime low, we have to do a better job of regaining that trust and that confidence. We must bring more transparency and accountability into our Government. We must conduct our Nation's business focusing on the public interest and not special interests. By passing this bill to reform our lobbying and ethics rules, we will do just that.

Among its many provisions, the bill will enhance public disclosure of lobbyist activities and campaign contributions, ban gifts and meals from registered lobbyists to Senators and staff, require enhanced scrutiny and Ethics Committee preapproval for privately funded travel, slow the revolving door between Government and lobbying, and reform our earmark process to cut pork-barrel spending.

I also thank the managers—Senator LOTT, Senator COLLINS, Senator LIEBERMAN, and Senator DODD—for their tremendous work both in their respective committees and, indeed, on the floor.

I thank Senator SANTORUM, who very early on, on the Republican side, stepped forward and with his leadership began a lobbying reform working group upon which much of this work has been based. Many of the provisions in this bill are, in large part, a result of the meetings he had.

I also thank all of my colleagues, again, as expressed by the Democratic leader, on both sides of the aisle—and especially the Democratic leader—for their cooperation in moving this legislation forward in a way and in a manner which I believe really dignifies this body working together.

A lot of people say we have moved way too fast. An equal number say we have moved too slow. Right now, there are many people coming forward saying: No, we need to change these provisions. Adding to what the Democratic leader said, this is not a perfect bill, but this bill is a major step forward. It is a product of working together, Democrats and Republicans.

In closing, most everyone agrees that we have taken the issue of lobbying and ethics reform seriously. Indeed, we have. We have produced a strong and meaningful result that will have implications for years to come.

Mr. President, I yield the floor.

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.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The bill having been read the third time, the question is, Shall the bill, as amended, pass? The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from West Virginia (Mr. ROCKEFELLER) is necessarily absent.

I also announce that the Senator from West Virginia (Mr. BYRD) is absent due to death in family.

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

The result was announced—yeas 90, nays 8, as follows:

[Rollcall Vote No. 82 Leg.]

YEAS—90

Akaka	Dole	McConnell
Alexander	Domenici	Menendez
Allard	Dorgan	Mikulski
Allen	Durbin	Murkowski
Baucus	Ensign	Murray
Bayh	Enzi	Nelson (FL)
Bennett	Feinstein	Nelson (NE)
Biden	Frist	Pryor
Bingaman	Grassley	Reed
Bond	Gregg	Reid
Boxer	Hagel	Roberts
Brownback	Harkin	Salazar
Bunning	Hatch	Santorum
Burns	Hutchison	Sarbanes
Burr	Inouye	Schumer
Cantwell	Isakson	Sessions
Carper	Jeffords	Shelby
Chafee	Johnson	Smith
Chambliss	Kennedy	Snowe
Clinton	Kohl	Specter
Cochran	Kyl	Stabenow
Coleman	Landrieu	Stevens
Collins	Lautenberg	Sununu
Conrad	Leahy	Talent
Cornyn	Levin	Thomas
Craig	Lieberman	Thune
Crapo	Lincoln	Vitter
Dayton	Lott	Voinovich
DeWine	Lugar	Warner
Dodd	Martinez	Wyden

NAYS—8

Coburn	Graham	McCain
DeMint	Inhofe	Obama
Feingold	Kerry	

NOT VOTING—2

Byrd	Rockefeller

The bill (S. 2349), as amended, was passed, as follows:

(The bill will be printed in a future edition of the RECORD.)

Mr. LEAHY. Mr. President, I move to reconsider the vote, and I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KOHL. Mr. President, I take no contributions from special interest PACS or lobbyists. My office operates under a set of rules governing our interaction with lobbyists that is stricter than current law. Regardless of any legislation, I always hold myself and my office to the highest standard of conduct in our service to the people of Wisconsin.

The past several months, however, have highlighted for congressional action on lobbying and ethics reform. Public concern has increased about both illegal and unethical activities involving lobbyists. These include well-funded special interest groups that disguise their activities through the formation of coalitions, associations, and grassroots campaigns; improper campaign finance practices; lavish gifts to Members of Congress and their staffs apparently in violation of current congressional ethics rules; and earmarks slipped into legislation as favors for lobbyists without debate on proper consideration.

The actions of others have made it clear that our current regulations on lobbying are outdated and ineffective. That is why I supported S. 2349, the Legislative Transparency and Accountability Act of 2006. It is my hope that this legislation will move us toward restoring the public confidence in Congress by shining light on congressional processes and cracking down on lobbyist influence.

I realize that this bill falls short in certain areas. I was an original cosponsor of the Honest Leadership Act, which would have gone even further than the Senate-passed bill in reigning in inappropriate gifts, travel, and influence on Members of Congress. I supported amendments that would increase the transparency of Senate actions and voted against cloture to give other Senators a chance to offer amendments to strengthen the bill.

If the legislation passed by the Senate today had gone further in increasing accountability for Members of Congress, it would have gone further in restoring the public faith. However, I believe it is also our responsibility to balance far-reaching legislation with the time constraints before us. This bill is far from perfect but it is an important first step in putting an end to the ''culture of corruption'' that has become a part of Washington.

Serving in Congress is a great honor—one we must earn by always making the welfare of our constituents and the Nation our sole motivation. The current lobbying scandals show how far we have drifted from that ideal. But the reforms will do much to correct our course. And, as always, I will continue to hold myself and my office to the highest standard of conduct in our service to the people of Wisconsin.

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

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

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

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

SECURING AMERICA'S BORDERS ACT

Mr. FRIST. Mr. President, pursuant to the order of March 28, I ask that the Senate now begin consideration of S. 2454. I further ask unanimous consent that the time until 8 p.m. be equally divided between the two leaders or their designees.

I further ask unanimous consent that when the Senate resumes consideration of the bill tomorrow, the time until 12 noon be equally divided in the same form for debate only, and that at noon the chairman be recognized in order to offer an amendment; provided further that there then be debate only until 5:30, with the time divided in a similar fashion.

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

The clerk will report the bill by title.

The assistant legislative clerk read as follows:

A bill (S. 2454) to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes.

The PRESIDING OFFICER. Who yields time?

The majority leader.

Mr. FRIST. Mr. President, to clarify, we are now on what will be passionately discussed over the next several days, a very important piece of legislation that addresses the range of border security issues surrounding enforcement, interior enforcement, temporary worker programs—a debate which I know and expect will be civil and held with dignity, but what is a very difficult debate.

I will make a brief opening statement and then turn to the chairman and ranking member, but also I would like to make a statement shortly after they do.

Mr. President, this debate, when you boil it down to its essence, is about the American dream and the home that this country offers for so many hard-working people—a difficult debate, an important debate. But it is also an issue about what it means to be a nation, and every nation must keep its citizens safe and its borders secure.

That is why we are starting with the Securing America's Borders Act, a bill I introduced prior to the March recess. This bill acknowledges the overriding principle that we must protect our citizens by securing our borders. A nation that cannot secure its borders cannot secure its destiny or administer its laws.

The situation along our southern border now ranks as a serious national security challenge, second only to the war on terror. Every day we discover new facts that show how delay and inaction is making America less safe and less secure.

In January, officials discovered a massive tunnel stretching nearly a half mile from Tijuana to San Diego. We don't know how many more snuck in. We do know that mixed in with the families seeking a better life are drug dealers, human traffickers, terrorists, and common criminals who cross our border into this country every day.

But the danger is not only to America. It is danger to those who try to

cross our borders as well. Unofficial data collected along the Arizona border shows that nearly 225 people died last year crossing that border. About 10 percent perished under circumstances that suggest foul play.

We all know the terrible stories of criminals who prey on vulnerable migrants, who charge outrageous prices to smuggle them across the border and then often abandon them at the moment trouble strikes. It is wrong. It is time for us to act. And over the next week and a half on this floor we will act.

The bill that I introduced includes a number of commonsense consensus measures that improve security along our physical border, crack down on human smugglers, simplify the process of deporting wrongdoers, and make it easier for employers to confirm their employees' legal status.

First and foremost, we need better enforcement and we need more manpower on the ground. Last year, the Senate led the charge to provide funding for 1,000 additional officers, more equipment, and more detention beds. That was a start but only a start.

My proposal adds nearly 15,000 more officers over the next few years in a sustained and focused effort to buttress the nearly 20,000 already deployed to work on border issues.

It also requires new investments in unmanned aerial vehicles, cameras, and sensors, and a comprehensive national border security strategy.

It establishes a long-term project of building a virtual barrier to cover every mile of our 1,951-mile border with Mexico.

This will both make America safer, and it will reduce the number of people endangering themselves trying to come into our country.

In addition to physically strengthening our border, the bill makes it easier for the Department of Homeland Security to catch people who violate our immigration laws.

It enhances the collection of biometric data about who enters the country. And it allows the department to set up additional border checkpoints. Moreover, the border security bill creates tough, new penalties for human smugglers and document forgers.

Under this bill, terrorists, dangerous gang members, and others with serious criminal connections face expedited removal from the United States.

But this bill doesn't just draw on the common sense of the American people for its provisions. It also looked to the 9/11 Commission Report for guidance. This Commission recommended that we consolidate border screening systems. The border security bill does just that.

It encourages the use of biometric data to keep track of who is coming and going. Again, the border security bill does just that. It identified the need of State and local officials to work with Federal agencies to identify terrorist suspects. The border security bill does just that.

Securing the border and enforcing our laws are crucial first steps to making America safer. But much more remains to be done. And we will address these other issues over the next week and a half.

There are over 11 million people in this country llegally. Congress simply cannot turn a blind eye to this growing number. We need to act. Our Nation is founded on the rule of law by generations upon generations of immigrants. We should not have to choose between these founding principles. Instead, we need to honor both traditions.

In my view, neither the House bill nor the bill reported by the Judiciary Committee yet quite strikes that appropriate balance, and both need to be improved. I believe the House bill is incomplete because it fails to provide a comprehensive solution to our immigration situation, one that allows for necessary and helpful legal immigration and that welcomes those who play by the rules.

We should reward those who respect the rule of law, who made it here the right way, and who are trying to make it here the right way. I believe the committee bill by contrast goes too far in granting illegal immigrants with what most Americans will see as amnesty.

I disagree with this approach not just as a matter of principle but because granting amnesty now will only encourage future and further disrespect for the law. It will undermine our efforts to secure our homeland. There are better ways to address this issue.

Senator KYL and Senator CORNYN have a proposal. Senator SPECTER had a chairman's mark and a proposed compromise, and all of these approaches created a temporary worker program without a grant of amnesty. We need to find a legal way for employers to find the people they need to keep their businesses running and continue to grow the economy. Creating legal paths of immigration is a way to do this.

In the end, it is my hope we will have a bill which has both strong enforcement mechanisms with additional border and interior security and real employer accountability that addresses the humanitarian and economic challenges we now face without amnesty.

America has always been the place where one can come to live out a dream of improvement and renewal. But while we welcome those who refresh and restore our American spirit, we have always done so within a framework of the law. The full Senate should have a chance to discuss, to deliberate, to debate, and to decide how we balance that rule of law with the situation as we find it. We are here to solve problems and not to stand by as problems get worse. Those problems are getting worse. We need to work together so that all 100 Senators have the opportunity to work within our rules to solve this problem.

The committee bill, while not perfect, makes real and significant progress in many areas. I believe it can be improved upon. It has formalized a new consensus in the Senate, one that did not exist a year ago, on aggressive provisions to protect our borders, including new detection technologies, significant new increases in Border Patrol agents, tough provisions on alien smuggling and, for the first time, a real employer verification enforcement title.

As is the right of the chairman, the Judiciary Committee product will be offered as an amendment to the Border Patrol security bill that has been introduced. Moreover, I expect a whole series of amendments which will attempt to tighten the amnesty and temporary worker provisions in the judicial bill. I intend to support those amendments.

I recognize we have important principled differences that will be expressed in the Senate with conviction and with passion over the next several days. I expect the debate to be contentious. I also expect it will be civil and it will be respectful. I invite all who have ideas to work with us. Together we can bring our best to bear on the problem of illegal immigration so America is safer and is more secure.

As I said when I introduced my bill, I want this coming debate to reflect our commitment to the rule of law and to our proud immigrant inheritance. We are a nation of immigrants. We have all benefited from America's uniquely inclusive ethos. But America is also a nation of laws. Our laws bind us and protect us. They transform us from seekers into citizens. They are the very foundation of our democracy.

I am glad many agree on the need to ensure our debate is in the best keeping of the Senate's tradition. We ought to be honest about the problems we face, face them directly, and be honest about the outcomes we seek, within a framework of conversation that does credit to the Senate and to the Nation. We will conduct this debate with respect and seriousness.

I look forward to a thorough discussion over the coming days.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. SPECTER. Mr. President, the Senate has an opportunity to take what could be a historic stand on reforming our immigration system, where many problems exist, including border security, ports, people coming into our country whom we cannot identify, posing a potential security risk from terrorists entering the United States. There are some 11 million undocumented aliens in the United States who are unwilling to step forward because of their concern of being prosecuted and deported. We have an economy which relies very heavily on immigrant labor.

We have now come to the point where legislation has been introduced which tackles these problems. The majority leader has said there will be passionate

arguments. That is certainly true. Emotions run very high on these issues.

Some say we are a nation defined by the rule of law and that has been flagrantly violated by the 11 million people who have come to this country without conforming to the U.S. law. Many others who have come on visas have overstayed their leave. And, at the same time, we pride ourselves on being a compassionate nation. No one can deny that the United States of America is a nation built by immigrants. No one can deny that.

In my own personal situation, my own family is Exhibit A. My father came to this country in 1911 when he was 18 because the Czar wanted to send him to Siberia. He preferred Pennsylvania. So he came to the United States. My mother came at the age of 6 with her family and settled in St. Joe, MO. My brother and my two sisters and I have contributed to life in America. Our story is replicated by millions of people who have come from foreign shores and who have created a life for themselves, as the majority leader says, the American dream. And people still clamor to come to the United States because of the quality of life in this country, because of our democratic institutions, because of freedom of speech, because of educational opportunities and economic growth, and a chance to have a better livelihood and a superior way of life.

When the majority leader comments about the committee bill and says it is amnesty, I disagree with him head on. It is not amnesty. It is not amnesty because the lawbreakers are not being unconditionally forgiven for their transgressions. The lawbreakers, in order to move forward and stay in the United States and move toward a citizenship path, have to pay a fine. They have to pay their back taxes. They have to undergo a rigorous background examination. They have to work for 6 years. They have to earn the right to move toward a citizenship track.

If there is a better way to bring these 11 million people forward so that we can identify them, we are open to any suggestions which anyone may have. The Judiciary Committee has worked on this issue for months. We have had hearings. We have had analysis in the committee on markups. We faced the leader's requirement that the bill be finished before yesterday, before Tuesday, or the Senate would proceed on the leader's bill as opposed to the committee bill.

The Judiciary Committee prides itself on getting its work done. We got our work done. It was not easy, but we did it. In an unusual session, people returned early from the recess, came back on a Sunday. It doesn't happen around here, unfortunately. It should, but it doesn't. We ought to work more Mondays. We are going to work Friday of this week on this bill. We started at 10 o'clock on Monday morning and with a short recess break we worked through until past 6 o'clock in the afternoon. People who are watching C–SPAN may not be too interested in what a quorum is, but that is when 10 Senators are present out of 18. That is hard to do, especially when some Senators are in Iraq.

With the cooperation of the distinguished ranking member, Senator LEAHY, and the committee members generally, we were able to complete our task and complete and report out a bill on Monday of this week. That bill will be the replacement bill on behalf of the leader's bill.

While the leader is still on the floor, I say in his presence, his bill is up about noon tomorrow. The committee bill will be a replacement bill which will form the substance of the Senate deliberation.

I thank the committee members for their hard work. We have taken thoughtful, constructive legislation introduced by Senator MCCAIN and Senator KENNEDY, and thoughtful, construction legislation introduced by Senator KYL and Senator CORNYN, and suggestions made by other Senators, and have molded them into what we call a chairman's mark. That is the name for the amalgamated bill that was the basis for our consideration.

We have moved ahead. It was my hope that we might have structured accommodation, a compromise among the competing ideas. After debating it extensively on Monday afternoon, it was determined we could not accomplish that, but we are still working on it. We yet may be able to structure a bill which will have more of what Senator KYL and Senator CORNYN were looking for than the final committee product. But all of that remains to be seen.

However, we have produced a bill and the majority leader characterized it as ''while not perfect, significant progress,'' and I would not disagree with the majority leader's characterization that it is not perfect. I have been here a while and I haven't seen a perfect bill yet. I hope to be here a while longer and I do not anticipate seeing a perfect bill. This bill, however much it is improved, is not going to be perfect, in any event.

We have provided for border security. We have what we call a virtual fence. Unmanned drones will patrol the borders. There will be overhead satellite control. We have very vastly increased the number of border agents. We have provisions for employer verification, worked out with the cooperation of Senator GRASSLEY, who is not only a member of the Committee on the Judiciary but also chairman of the Committee on Finance. That is on a title which is yet to be added and will be added on the floor. We have a little jurisdictional issue, but we have worked out employer verification. Employer verification is a very major aspect of securing our borders.

We are going to have people come to the United States because of opportunity here, no matter what we do. We want to avoid the circumstance President Bush described in a Saturday address last week of having people come to the United States in 18-wheelers. What is an 18-wheeler? It is a big truck that has 18 wheels and people are stuffed into it. Many have died trying to come into this country in that way.

We have the realistic prospect of having an identification card, much like a credit card, which can go through an electronic process so that prospective employers will know whether the applicant for a job is here legally. If the employer hires the applicant knowing they are illegal, there will be tough employer sanctions to try to stop that practice.

As long as there is opportunity in this country, and without a guest worker program which will satisfy the needs of our economy, we are going to have people who will be determined to come here legally or illegally, any way they can get here.

We had a very important amendment offered by Senator FEINSTEIN, who had worked with Senator CRAIG, on agriculture. The statement was made by Senator CRAIG, and I believe it to be accurate, that agriculture in America would collapse—tough word—collapse without migrant labor. This committee bill includes a worker program which has been the cornerstone of what President Bush has urged.

I was pleased today to hear that Speaker DENNIS HASTERT commented he favors a guest worker program, which would be a significant addition to what the House of Representatives has passed, an enforcement program. That is the recognition that it is necessary for the American economy to have people come into this country to help us on the farms, in the hotels, in the restaurants, in so many lines of American work.

It is a good sign that when we function in conference under our bicameral system—the House has passed a bill; I am confident we will pass a bill in the Senate on immigration; and it is subject to modification and the will of the Senate—but with the recognition by the Speaker of a guest worker program, that is a very positive sign.

We have improved the situation with respect to visas for highly qualified people. William Gates was in Washington, lobbying—a pretty high-priced lobbyist—to come talk about the needs of Microsoft—a marvelous company, high tech, enormous advances for America—he wants more people with Ph.D.s and wants a larger quota of visas for those people to come in. We have accommodated that. And we have created more opportunities for people to come in who are students. If we can bring more brains to the United States, we are going to be anxious to do so.

I believe it is important to say, simultaneously, that we are making strenuous efforts to avoid bringing people into this country where there are Americans who can handle the jobs. If

Americans can handle the jobs, we are not going to be bringing in other people. We will give those jobs to Americans first. And before employers may seek guest workers, under our legislation, there has to be a showing that the jobs could not be filled by Americans.

We have tackled, in the committee bill, the 11 million undocumented aliens, candidly, as best we could. We pride ourselves on being a nation of laws, and those who are here undocumented have come into the United States in violation of our laws. And now the question is, what do we do? We do not want to have a fugitive class in America. We do not want to have an underclass in America.

To contemplate, to even theorize about going out and taking 11 million people into custody is an impossibility. And if you took them into custody, they have to be detained before they have a deportation proceeding. Where will you detain them? Where are there detention facilities? Where are there beds? Where are there accommodations to keep them for deportation proceedings?

So if we have a realistic expectation that these undocumented aliens will have to come forward, there is going to have to be a program which will encourage them to come forward. We are not going to go out and arrest them and find them. And they have to know there is consideration for their plight, even though they are here without complying with U.S. law. And they do have to pay a fine. They do have to pay their back taxes. They do have to work for 6 years. And they have to undergo a background check. They have to comply with U.S. laws.

So it is not a free ticket. It is not amnesty. This word ''amnesty'' is a code word. It is a code word to try to smear good-faith legislation to deal with this problem. If you move away from the label, if you move away from the smear word and analyze what is going on, I think it is fairly stated that we do not have amnesty.

One line which we have not yet finished is the issue of judicial reform, judicial review. We need to have more in the way of immigration judges—better trained, better qualified—to handle the tough jobs which they have.

Then, we have an appellate line, the Board of Immigration Appeals, where the number has been cut from 23 to 11, and they are filing one-page opinions, which puts an enormous burden on judicial review in the circuit courts. Our bill will return that number to 23. We will call upon the Board of Immigration Appeals to write opinions so the circuit court will know what their reasons are, to take a burden from the circuit court of being required to start from ground zero to figure out what is going on in a case.

The chairman's mark has a provision that will consolidate appeals in the Federal circuit. We have had a good bit of objection to that from the Judicial Conference and from very prominent judges. Before moving ahead, we did not include that in the bill which we reported out of committee. Instead, we are going to have a hearing next Monday. We may even get in the habit in the Senate of working on Mondays. Who knows what may come from this bill?

We are going to bring in experts in the field. We are going to bring in the chief judge of the Federal circuit. We are going to bring in the chief judge of the Second Circuit, which has a very heavy burden. The chief judge of the Ninth Circuit is not available. We will have other representation from the Ninth Circuit to analyze that issue, to know more about the structure as to what we will be doing there.

But I believe we are off to a good start. I believe that when we replace Senator FRIST's bill with the committee bill, we will have a comprehensive reform package on the table. Then we will work the will of the Senate. We came close to striking a compromise, as I said, on Monday afternoon, and it was not successful. But it is going to be revisited. I think we may yet be able to take portions of the Kyl-Cornyn bill and integrate them into the committee bill, which relies very significantly on McCain-Kennedy, to present an even more balanced approach.

May I say, in conclusion, that we ask Senators to file their amendments. We have a difficult job. Instead of having 2 weeks, we are going to have, starting on Thursday—and Friday is always subject to some question as to how late in the day we can go, if at all—and then we have next week. And the temper of the Senate is to try to finish on Thursday when we look toward a recess, especially the Easter recess. I am being very pragmatic here as to what we are doing, but I would not be surprised if the leader was prepared to keep us in beyond Thursday night, beyond even Friday.

So I urge—and I know my distinguished colleague, Senator LEAHY, joins me in this—Senators to come forward with their amendments and be prepared to debate them and to start to think about time limits and to be aware that we are going to hold the votes to 15 plus 5. We have many votes which are held into the 30- to 40-minute category, which cuts into the floor time to get this important work done.

And now, with another pat on the back to Senator LEAHY for his tireless efforts and support, and who had a lot of things he wanted to do in Vermont—it is hard to get Senator LEAHY out of Vermont any earlier than absolutely necessary—he was back here on Sunday, and he was there on Monday. And with the help of the committee—and we had pretty good attendance—we reported out a bill. I accept the leader's characterization: while not perfect, significant progress. Let's make some more progress, and let's get some real immigration reform.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I thank the senior Senator from Pennsylvania for his kind words. I have told him privately, and I will say it publicly, he has acted as a chairman should. I have been here 31 years, now going on my 32nd year. I have seen great chairmen in both parties in this institution. I have seen others who were chairmen in both parties.

Senator SPECTER is in the mold of the great chairmen. He took a very difficult bill, by his own force of will—as he has with others—and kept us together, made sure we had discussions. We went across the political spectrum. We had people who feel very strongly, and rightly so, who had differing views—all distinguished Members of the Senate. He herded them together, kept us together, and kept us in, doing what has been a rarity: the type of Monday session he had to make it work.

I can assure colleagues, both Republicans and Democrats, we would not have this bill on the floor, in an ability where the Senate cannot only work its will but do a fine piece of legislation, were it not for Senator SPECTER. Senator SPECTER made it possible with his leadership.

Senator KENNEDY, on our side, has worked on these issues since before any of us presently on the floor were in the Senate. And with the work of Senators from both sides of the aisle, we have a bill that provides a realistic, a reasonable system for immigration.

We voted in a bipartisan majority. We have seen, over the years, the Judiciary Committee become more polarized. We have seen, in the past couple of years, more and more strongly bipartisan votes. In this case, it was a bipartisan majority with a vote of 12 to 6, with two-thirds of the members of the committee voting in favor of a bill that protects America's borders, strengthens enforcement, and—and this is what is so important—remains true to American values.

The Judiciary Committee has confronted the challenging problem of how to fix our broken immigration system head on. It has sent to the Senate a good product. The committee met six times to debate a proposal offered by the chairman, meeting for long hours and considering dozens of amendments. The debate was substantive. It was civil. It was bipartisan. It was effective. And it was productive.

I might say, had it not been for superb staff on both sides of the aisle, this would not have been possible. I think of the members of my own staff. I would log on sometimes at midnight, when I would get home from other things, and their e-mails were pouring in from the work they had done. I would go back on the e-mails at 5 or 6 o'clock in the morning, and there were new ones. They were working around the clock.

We were given a deadline of March 27 by the Senate Republican leadership. I understood that the majority leader

had committed to turn to the committee bill if we were able to meet his deadline and report a bill by Monday night. It was difficult. At times it was a Herculean task that seemed almost the task of Sisyphus. It seemed undoable and the deadline impossible, but under the steady leadership of the chairman, with the hard work and dedication of so many members of the committee—again, I compliment Senator KENNEDY of Massachusetts on our side who worked so hard on this—we worked through the long hours and numerous amendments and accomplished what seemed to be the impossible.

When I mention those two Senators, it is not to leave out other Senators. We had so many who brought up amendment after amendment, who worked hard on it, all trying to get a bipartisan bill.

The Judiciary Committee sent this resounding message, as I said, with a bill with a bipartisan vote of 12 to 6, with strong bipartisan support of every key amendment. These were not partyline amendments. These were bipartisan amendments. It is a bill that is strong on enforcement and in some ways stronger than the bill passed by the other body.

It includes a provision added by Senator FEINSTEIN, for example, to make tunneling under our borders a Federal crime. It is tough on employer enforcement. And it is tough on traffickers.

It is also comprehensive and balanced. It confronts the problem of 12 million undocumented immigrants who live in the shadows. It values work. It respects human dignity. And it includes guest worker provisions that have been supported by both business and labor. It includes a way to pay fines and earn citizenship that has the support of religious and leading Hispanic organizations.

These provisions are not amnesty. I spent enough years in law and enough years as a prosecutor. I know what amnesty is. These are not amnesty. Undocumented immigrants already in the country would not get to cut to the front of the line, but, in accordance with the committee's bipartisan plan, will need to pay fines, pay back taxes, work hard, and wait in line for green cards. They have to pass background checks and play by the rules. With fines and hard work and going to the back of the line, after 11 years, by following a regular path to legal status, the currently undocumented will join as full participants in American society. Following this plan, we could create an orderly system for immigration that is consistent with traditional American values and our history.

Opponents of a fair, comprehensive approach are quick to claim that anything but the most punitive provisions are amnesty. They are wrong. We had an amnesty bill. President Reagan signed an amnesty bill in 1986. This is not an amnesty bill. An editorial in the New York Times entitled ''It Isn't Amnesty'' makes the point that painting the word ''deer'' on a cow and taking it into the woods does not make that cow a deer. Frankly, in the State of Vermont, we deer hunters know the difference between a cow and a deer. We better. Our committee bill should not be falsely labeled. Our bill is more properly called what it is—a smart, tough bill.

The committee also voted to add several constructive and practical measures to the chairman's mark. We added a new version of the Agricultural Job Opportunities, Benefits, and Security Act, or AgJOBS, a bill I have long supported. I was joined in that bipartisan effort by Senator Larry Craig. AgJOBS will reform the H–2A visa program for temporary agricultural labor. This new version will help dairy farmers in Vermont and many other States to legally hire foreign workers. The bipartisan provision approved by the panel would make dairy workers able to work under visas for up to 3 years, with the opportunity to adjust to permanent residence and achieve their full potential to become eligible for higher paying occupations.

The American people are engaging with us in this debate. The Nation's newspapers reflect the public's growing interest in how these decisions will be settled. In my home State, the Burlington Free Press and the Rutland Daily Herald have offered thoughtful editorial observations about these issues. I commend these editorials to the attention of my colleagues, and I will at the end of my statement include them.

The committee also adopted an amendment to include the bipartisan Development, Relief, and Education for Alien Minors Act, called the DREAM Act. This provision will allow immigrant students to attend college and become permanent residents if they follow the rules established in the act. It will free eligible students from the constant fear of deportation, while allowing them to work so they can afford to pay for college. By our bipartisan committee vote, we hope to extend Hispanic young people greater educational opportunities so they may realize the American dream and achieve their potential.

The committee agreed—wisely, I believe—to drop several controversial provisions. Early in the process, I led an effort to remove a provision directing the Department of Homeland Security to study building a barrier, a fence, a wall along our northern border with Canada.

If I might just for a moment, I live less than an hour's drive from Canada. I see people go back and forth across that border all the time, families who live on both sides. My wife is a first-generation American. She was born in Vermont literally a couple hundred yards from the Canadian border. Her parents were naturalized citizens coming from the Province of Quebec. When I come home and she is speaking French on the phone, I know she is talking with some of her relatives in Canada. But tens of thousands of families, probably far more than that, cross the northern border.

There are also businesses. We even have a store in Vermont where there is a line painted down the center of the store, a cash register on one side of the store with Canadian money and a cash register on the other side with U.S. money. Why? Because half the store is in Canada and half in the United States. With the proposal that was before us of this barrier, this fence, it was going to be Joe would get a passport and bring me that box of Rice Krispies from the other side of the store. I mean, it gets down to that. There are businesses up and down the same way. When this proposal faced the light of day, we understood it easily.

There were other controversial provisions that we wisely dropped, provisions that would have exposed those who provide humanitarian relief—medical care, shelter, counseling, and other basic services—to undocumented aliens to possible prosecution under felony alien smuggling provisions of the criminal law. If somebody is running a food bank or a shelter for battered children and women and they give aid, they help people, they feed the hungry, if you have an order of nuns who feed the hungry, under those circumstances, they faced a chance of being charged with a crime. For shame, for shame. Let's accept the beatitudes as something that should go across all faiths, across all laws. I thank so many in the relief and religious communities for speaking out on this matter. Those criminal provisions should be focused on the smugglers. Under the committee bill, that is what we do—go after the real criminals, the smugglers, people who trade in human lives.

The committee also voted down a measure that would have criminalized mere presence in an undocumented status in the United States. Illegal status is currently a civil offense with very serious consequences, including deportation. But criminalizing that status was punitive and wrong. Let's be realistic. Are you going to go out and lock up over 10 million people? It would have led to further harsh consequences. It would have trapped people in permanent underclass status, unwilling to move into the mainstream of society.

These policies, which were included in the House-passed bill and supported there by congressional Republicans, understandably sparked nationwide protests. They were viewed as anti-immigrant and inconsistent with American values and history, American values that attracted my grandparents to come here from Italy to settle in Vermont or my great grandparents to come from Ireland and do the same.

The committee bill was tough on enforcement and very properly so tough on the smugglers. It is smarter and fairer.

Finally, I thank the chairman for setting aside provisions in the mark

that would have consolidated all immigration appeals from around the Nation into the jurisdiction of the Federal circuit, the court of appeals for the Federal circuit. That is a court we have wisely set up in recent years in Washington because it has specialized jurisdiction. It was created to hear patent appeals and cases involving technical intellectual property issues, those issues which have so much to do with the economy of our country. It was not set up to hear immigration appeals. In fact, the Judicial Conference, chaired by now Chief Justice John Roberts and Federal judges from across the country, expressed serious concerns with these proposals. The chairman did the right thing when he agreed to hold a hearing and further consider what provisions will best correct the problems created by former Attorney General Ashcroft's ill-conceived actions with respect to these matters in cutting down the number of people who could handle such matters.

I ask everybody to look at the peaceful demonstrations around the country over the last week. I will pick just one—in Los Angeles, half a million people. I can't help but notice that. We have slightly over 600,000 people in my State. They had almost the population of my State in a peaceful demonstration in Los Angeles. They were calling on us, calling on the Congress, the U.S. Senate and our colleagues in the other body, to recognize the human dignity of all. These aren't numbers. These aren't numbers. These are human beings. Do the right thing. We can do it in keeping with the longstanding American values. Let's not take the attitude that we are here, so no one else should be here. We are a nation of immigrants. We really are. In this case, if we are going to truly have the American dream, we also need a comprehensive solution to what has become a national problem. We need a fair, realistic, and reasonable system that includes both tough enforcement but immigration reform provisions. The bill reported by the Judiciary Committee is that bill.

This could be a pivotal moment in helping to achieve that goal. The Judiciary Committee's debate has produced a bill that I believe would make my grandparents proud. But I think it would make the ancestors of all of us proud. It is worthy of our support. We should stop and think for a moment in this body, this exclusive body—there are only 100 of us who get a chance at any given time to represent almost 290 million Americans—should we not do something that makes the country proud, makes those other 290 million Americans proud and makes us in this body proud?

I thank the many individuals and organizations who were so helpful to us during committee consideration of the bill. Included among those supporting this measure are many labor unions, the U.S. Chamber of Commerce and other business groups, leading Hispanic organizations such as the Mexican-American Legal Defense and Education Fund, the National Council of La Raza, many religious organizations, including the United States Conference of Catholic Bishops.

I ask unanimous consent that editorials from the Rutland Daily Herald, the Burlington Free Press, and the New York Times be printed in the RECORD.

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

[From the Rutland Daily Herald, Mar. 28, 2006]

ONE WORLD

Vermont's economy is sending a mixed message. Unemployment is low, and median family income is growing. But economic growth is imperiled by a shortage of workers, and the costs of housing and health care are becoming increasingly burdensome.

The labor shortage is having several effects in the economy. One of them is the appearance of large numbers of illegal immigrants to work on the state's dairy farms. The problem of illegal immigration will come before Congress this week, and it is a contentious and complex issue. The situation in Vermont is a microcosm.

It is often argued that workers from Mexico, legal or illegal, are essential to the economy because they are willing to do work that U.S. workers are unwilling to do. But as Paul Krugman notes in the column below, workers shy away from low-paying jobs because they are low-paying. If a farm worker earned as much as a school teacher, there would be more people willing to milk cows for a living. But farmers are in a bind. If they had to pay that much for farm labor, they would either have to raise the price of milk or they would have to absorb a cost that few could afford. The price of milk is out of their hands, and as long as illegal immigrants are available to hire, they play a role providing low-cost labor.

Thus, farmers who refuse to hire illegal immigrants find themselves at a competitive disadvantage, forced to pay higher wages for the same labor. That's why business interests are among the chief proponents of allowing guest workers into the country legally. Business reaps the benefit of low-cost labor.

The result is that there is an underclass of workers, legal or illegal, willing to work at wages below what is deemed by many to be livable in the United States. It is a consequence of our proximity to Mexico. Substandard wages in this country are desirable to many Mexicans who, even earning low wages, manage to send home money to support family members left behind. The economic inequities between Mexico and the United States cannot be abolished by passing a tough immigration law, and the result is downward pressure on wages for Americans.

That downward pressure exists in the industrial sector as well. Many old companies have departed over the past 40 years, replaced by a new brand of high-tech company or by service sector jobs that pay less than traditional factory jobs. Vermont has regained its footing after the industrial decline that hurt Springfield, Rutland and Bennington so badly, but continued industrial growth remains hampered by the labor shortage caused by an aging population.

On top of these pressures are the extra burdens of high housing and health care costs, which hit low- and middle-income workers the hardest. Market forces beyond Vermont are driving up those costs, and efforts in Montpelier by the Douglas administration and the Legislature to ease the burden of those costs are essential to future economic growth in the state.

Thus, it is impossible to talk about Vermont's economy without talking about the economy of the nation and the world. The influx of farm workers from Mexico makes that clear, but the rest of the economy, too, remains enmeshed with the broader, changing world.

[From the Burlington Free Press, Mar. 28, 2006]

IMMIGRATION BILL SHOULD HELP FARMERS

Vermont needs immigrant labor to help on dairy farms. There are currently more than 2,000 Mexicans filling relatively low-paying farm jobs that Vermonters won't accept. Without that immigrant work force, some dairy farms would go bankrupt.

That's a reality.

As the U.S. Senate focuses this week on immigration reform changes, Congress should recognize the needs of farms for this critical labor source. The Senate should create a program to allow hard-working immigrants to legally hold jobs in this country.

That might be structured much like the current program that allows immigrant labor—primarily from Jamaica—to work for less than a full year in Vermont picking apples.

The Senate Judiciary Committee on Monday passed a good version supported by Sen. Patrick Leahy, D–Vt., that suggests a three-year work program that can be renewed.

The changes cannot create a permanent ''underclass,'' as some have suggested. Instead, it should be based on ''common sense, decency and reality,'' said Vermont Agriculture Secretary Steve Kerr.

This is not a partisan issue. Vermont Sens. Jim Jeffords and Leahy support such a change. President Bush has also expressed a desire to enable immigrants to cross the border and fill job vacancies, and Sen. Larry Craig, R–Idaho, has sponsored an agricultural jobs package.

There is resistance, however, from some senators who worry about security threats linked to opening the borders in such a way, and those who don't want to reward immigrants who have broken the law to enter this country.

While it is important to tighten border security, this does not preclude taking responsible steps to allow carefully screened immigrants to hold jobs in Vermont that provide income for their families and help the state's struggling dairy industry.

''This is a deciding issue,'' Kerr told the Free Press on Monday, as the Senate Judiciary Committee in Washington began serious work on immigration legislation. ''This is a litmus test.''

Kerr said Vermont farmers would certainly prefer to hire local labor for these jobs. But, he said, it is virtually impossible to find people willing to take these low-paying, physically demanding jobs. The Mexican workers are paid roughly $8 an hour, and the farmer provides many of the basics, including housing and heat.

Creating a program that documents the arrival of those workers makes sense. Local law enforcement would know who is living in their communities, and the workers would have the security of moving freely off the farm and knowing they aren't at risk of automatic deportation.

Most importantly, farmers would have a reliable, hard-working group of people helping with the milking and other demanding farm tasks. For some, that might be the difference between staying In business or throwing In the towel.

[From the New York Times, Mar. 29, 2006]

IT ISN'T AMNESTY

Here's one way to kill a cow: take it into the woods in hunting season, paint the word ''deer'' on it and stand back.

Something like that is happening in the immigration debate in Washington. Attackers of a smart, tough Senate bill have smeared it with the most mealy-mouthed word in the immigration glossary—amnesty—in hopes of rendering it politically toxic. They claim that the bill would bestow an official federal blessing of forgiveness on an estimated 12 million people who are living here illegally, rewarding their brazen crimes and encouraging more of the same.

That isn't true. The bill, approved by the Senate Judiciary Committee in a 12–to–6 vote on Monday, is one the country should be proud of. Four Republicans, including the committee's chairman, Arlen Specter, joined eight Democrats in endorsing a balanced approach to immigration reform. The bill does not ignore security and border enforcement. It would nearly double the number of Border Patrol agents, add resources for detaining illegal immigrants and deporting them more quickly, and expand state and local enforcement of immigration laws. It would create a system to verify workers' identities and impose tougher punishments on employers who defied it.

But unlike the bill's counterpart in the House, which makes a virtue out of being tough but not smart, the Specter bill would also take on the hard job of trying to sort out the immigrants who want to stay and follow the rules from those who don't. It would force them not into buses or jails but into line, where they could become lawful residents and—if they showed they deserved it—citizens. Instead of living off the books, they'd come into the system.

The path to citizenship laid out by the Specter bill wouldn't be easy. It would take 11 years, a clean record, a steady job, payment of a $2,000 fine and back taxes, and knowledge of English and civics. That's not ''amnesty,'' with its suggestion of getting something for nothing. But the false label has muddied the issue, playing to people's fear and indignation, and stoking the opportunism of Bill Frist, the Senate majority leader. Mr. Frist has his enforcement-heavy bill in the wings, threatening to make a disgraceful end run around the committee's work.

The alternatives to the Specter bill are senseless. The enforcement-only approach—building a 700–mile wall and engaging in a campaign of mass deportation and harassment to rip 12 million people from the national fabric—would be an impossible waste of time and resources. It would destroy families and weaken the economy. An alternative favored by many businesses—creating a temporary-worker underclass that would do our dirtiest jobs and then have to go home, with no new path to citizenship—is a recipe for indentured servitude.

It is a weak country that feels it cannot secure its borders and impose law and order on an unauthorized population at the same time. And it is a foolish, insecure country that does not seek to channel the energy of an industrious, self-motivated population to its own ends, but tries instead to wall out ''those people.''

It's time for President Bush, who talks a good game on immigration, to use every means to clarify the issue and to lead this country out of the ''amnesty'' semantic trap. He dislikes amnesty. Mr. Frist dislikes amnesty. We dislike amnesty, too.

The Specter bill isn't amnesty. It's a victory for thoughtfulness and reason.

Mr. LEAHY. I yield the floor.

The PRESIDING OFFICER. Who seeks time?

The Senator from New Mexico.

Mr. DOMENICI. Before the distinguished Senator leaves the Senate floor, Mr. LEAHY, might I say that I was present while you spoke this afternoon. I was here when the distinguished chairman of the committee spoke. I commend both of you for the diligent and obviously hard work you put in on a very hard subject for the American people. I think we got off to a good start today. Your hearings set the right pace for Americans to begin to understand that immigration is a complicated issue but that it can be solved. I am much more optimistic than I was a couple of months ago that even with these timeframes which have been tough on you all, these mandates by our leader that you get things done by a time-certain, we have both been here long enough to know that maybe that is how you get it done.

Mr. LEAHY. Mr. President, I thank the distinguished senior Senator from New Mexico. We have known each other for over 30 years. I appreciate his words. I thank him.

Mr. DOMENICI. Mr. President, I am going to speak today very personally because I don't think very many people know, certainly looking here at my good, new friend occupying the chair from the State of Oklahoma, I am quite certain he doesn't know that this Senator was born by a mother who unknowingly was an illegal alien. She happened to be Italian. We are now talking more about Hispanics, although not exclusively. But today in the Senate Hart Building, the Senator from New Mexico had before him on the floor of his office, and in the chairs that we had, about 30 Navajo young men and women—10th, 11th and 12th graders—with a few adults, and about 5 or 6 students from a completely different part of the State of New Mexico. They were sitting on the floor asking me if I would talk to them about myself. ''Who are you?'' they asked.

I started off by telling them who I was. I gave a little bit of a lesson on the Constitution, and about there being only two Senators from each State, and how lucky we are, because we have just as many Senators as New York has. Of course, they knew that. I told them that might not seem fair, but the Constitution makes it fair because it is the document of fairness.

Then we proceeded to talk about how I got here. I told them the story of how I ran for office on a dare and got elected. Then I talked about some dates in our State's history. I said, in 1912, New Mexico became a State. Before that, in 1906, 2 boys arrived at Ellis Island with an uncle. One of these boys with the last name Domenici had a strange first name, Cherubino. People wondered what that was. In Italy, that was a nice name that meant ''little angel.'' He was born the last child of that Domenici family because his mother died in childbirth, so they named him ''little angel.''

In 1906, Cherubino, who was my father, arrived at Ellis Island, having left a little town called Lucca, Italy. He arrives in Albuquerque, NM, I told these young Indian students. He went to work in a grocery store that, believe it or not, was named the Montezuma Mercantile Company, and it was owned by Italian immigrants. These Navajo young people were wondering in awe, what are you talking about? I said, well, that is the way America was then. They welcomed aliens. There were no illegal aliens. If you came from Europe during those times, they said, come, we want you. They didn't say you are automatically a citizen, but they said come. These two boys were brothers; my dad came with his brother. The reason why is something that should not take the Senate's time tonight, other than to say they planned to bring my father only, but he got scared to come without his brother, so he cried and his brother said I will go, and then my dad said I will go, too. He said if you go, I will go. So his father played Solomon and sent them both. They went to France and got on a boat and arrived in Albuquerque in 1906.

We became a State in 1912. If my math is right, that is 6 years later. Guess what. By then, my father had bought the grocery store. He never went to school, but you see, he was still able to buy the grocery store. He was an alien. He worked hard and guess what happened. The war came along. Don't get too far ahead of yourself. It was the First World War. He got drafted as an alien. They put him in the Corps of Engineers. He told me one day: They wanted to promote me, but I told them I didn't want another bar because I spoke English too poorly and I was embarrassed to drill the boys. He was a little older than some of them, but he turned down the little button, or whatever you get, because he didn't want to sound like an Italian instead of an American, so he did not take the promotion.

But he still came home from the war a hero. And because of his service, he was made a U.S. citizen. Guess what. He went to see the best lawyer in Albuquerque, NM, before he married my wonderful mother. He said: If I marry her, because she has not finished her paperwork for citizenship, will she be a citizen? The lawyer said: Oh, yes, sure, she will be a citizen. Now, you see, that was wrong legal advice. So here my mother bears four children to a wonderful citizen whose grocery store is growing. She becomes kind of everybody's leader, the Parent-Teacher Association president, raising all the money for the Catholic school, and guess what. She is an illegal alien.

My mother hadn't been back to Italy since she was 3 years old. Remember, that is like some of our aliens in America. You know them, Senator MARTINEZ. They have been here 30 years, they have never been back to their home countries, they live in the same neighborhood, they have children and

they marry Americans, just like my mother. One afternoon when I am about 9 or 10 years old, sitting in the backyard, guess who arrived? It was during the Second World War, 2 years before the end, or a year and a half. Who were we at war with? Italy. The immigration officers arrived in their big black cars. They pulled up to the house, and there was the Senator-to-be 45 years later—little PETE—with his sisters, and here they come. Of course, we think what happened was there was a flamboyant Italian man nearby that used to—excuse me—imbibe on weekends. They think he had a little too much imbibing and he was singing a song out the window of the third floor of a hotel, right on top of the grocery store, the Montezuma Grocery Store. Of course, singing Italian, he probably excited some American who was a supercitizen, right? He was worried about these illegal aliens. So the immigration officers set about to see who among us were illegal aliens, and there she was, my mother, Alda Domenici. They decided she had to be arrested because she was an illegal alien. So, sure enough, they came to do that and a neighbor had to come over to take care of us kids. I was about 9 or 10. I was pretty frightened. I remember that we had a nice Zenith radio, a standup, and it had an aerial in it that would permit you to get music and pick up noise from overseas. The agents disconnected the radio so we could not communicate with the enemy. Then my father arrived at home. But guess who else arrived. That lawyer who advised my parents on my mother's immigration status came because my father called him up. That great lawyer, whose son was later Governor of New Mexico, got there to the house and said: What is the matter with you guys? This is no lady to be arrested. She has been living here since she was 3. Look at all her kids, and her husband has been running this business. And the agents said: We have these orders that she has to be arrested. To make it short, the lawyer answered: Why don't you arrest me, too.

So they had to arrest the lawyer, too. They took him to wherever they were going—to Federal court, I suppose, and they took my dad's gun. A couple hours later they put up the bond and she came home. I don't know when—probably about 6 months later—she filled out all the forms to become a U.S. citizen.

Why do I tell you this story? I want everybody to know that I am a Republican. I don't want anybody to think that in order to understand what it is like to have things happen to you like what happened to me, you have to be a Democrat or a Republican; you just have to live in this country during these times, when things like this happen. They happen and you know exactly how people feel. They are like everybody else.

We talk about this whole issue of illegal aliens as if we are talking about hooligans and people who are drug addicts. Of course, when you have something as intricate as the border, which is where economics come into confrontation—the economics of poverty come into confrontation with the desire of adults to get ahead; that comes into confrontation with those who want to make money by taking advantage of that desire and charging people and becoming human smugglers—the thieves of human bodies; and that comes into confrontation with lying to and cheating Federal agents. You have this whole panorama of what is going on along our borders. Then we keep waiting for it to get solved, while all the time, day by day, thousands upon thousand of stories such as I have described are occurring.

There is no way to sit back, whether you are a competent, powerful radio announcer, newspaper article writer, editorial page writer, or local neighborhood noisemaker—there is no way you can properly capture the reality of what we have let happen to this country. I, for one, want it to be known that I think this problem is solvable. I believe we can tighten up our borders. I believe it will take time—I believe it is impossible to pass a law and 6 months later have a border that is as tight as a belt, as some people say. It is going to take a lot of equipment and manpower and a lot of machinery and technology to do that. It is also going to take the next 2 or 3 weeks in the Senate of human willpower built around a spirit that is American, that recognizes our country was built by people such as those I have described. And there happen to be not as many named Domenici as there were back then; more are named Martinez than Domenici today, and Salazar, and Chavez; and many of their first names are not like mine, which was Pietro, but they are Enrique and Carlos.

I think there is a willingness to work these issues of border security and immigration reform out. I want to suggest a couple of items. I believe the American people are going to understand before we are finished that we are going to do our very best to make the border such that it will not be penetrated every day by thousands of people who will be violating this new law we pass. I believe that is going to happen.

I do believe, however, one thing that has not been discussed enough is that we are going to have to get much more cooperation from Mexico to get that done, and I would like my friend Senator MARTINEZ, who is here, to talk about that when he makes his comments.

The Mexican government and our Government must enter into an agreement, an accord, when this bill is finished that they are going to jointly see that our border security provisions get enforced. I have a provision requiring that in a bill that I introduced called the WISH Act. It has provisions saying that before the bill comes into force as far as benefits to Mexico, the Presidents of the two countries must enter into an agreement regarding enforcing our drug laws, human smuggling laws, and immigration laws; and also where Mexico will encourage their residents who live here to come forward and be recognized under the law. And, fellow Americans, what we put on paper and make our law is going to have to be significantly enticing enough for these millions of undocumented workers, some of whom have been living here a long time, to risk putting up their hands and saying: I will exchange the way I am living now for this new promise, this new proposal.

It better be good enough or they will continue living the way they are. So it has to have something in it that they want.

But it also has to say to the American people: We have this situation under control; it is not going to continue on after we pass this bill. And that gets back to the 10 million to 15 million undocumented workers who live here. We have called them all kinds of things. Let's just say the 10 million to 15 million aliens who live in the United States who are not citizens of the United States, some of whom came here totally illegally, some of whom came here under temporary permits—that group of human beings has to be addressed by this legislation in a humane way. They must be addressed in a way that recognizes that they are currently contributing significantly to the United States, that they probably are going to continue to contribute to our country, and that what we have in our minds about who they are and what they are is probably not what they really are. In our minds, we have pictures of them being leeches, people who are living off us instead of producing something we want or need.

I hope I get a chance to give another few comments later. I have some very valuable information about the economic contribution of these people. It is a very big contribution, in the billions of dollars in commerce coming from these people living in our country. There are billions of dollars in GDP contributions.

What kind of jobs are these people we are talking about currently doing? Some of us speak about them as if the only jobs they have are kind of trashy old jobs that nobody else wants. That is some misinformation, too. They are taking some menial jobs. We constantly say: Why don't we let them come here because they will take those jobs that nobody else wants? But they are also engaged in some very good jobs. There are carpenters and automobile mechanics in certain cities. They have moved their skills upward beyond that temporary permit they have, and they are in another category, but they can't move up into that new category under current law, to represent the new kind of lifestyle they live.

Also, about half of them have lived here a short period of time, and about

half of them have lived here a long time. So I am just going to describe what maybe is the way we get the issue of undocumented workers solved. Let's consider drawing a line at those who have lived here longer than 5 years. It seems to me that this is an important consideration, an important issue to look at because if one lives here for several years, that person certainly has a different relationship with the community and probably a different relationship all the way around than somebody who just arrived last week or even somebody who works 3 months and goes home. If someone has lived here for 5 years and has been working and maybe is just like that lady I described, my mother, who is living with an American and has children and has been here 10 years but is not a citizen, we have to figure out how we are going to handle that.

I believe the President of the United States deserves enormous credit for sticking with this issue for a long time. People have said: Where is the plan? He was the only big voice in America for the last 3 or 4 years that has constantly said we have to do something about this problem, and it is not just buttoning up the border. He said we have to go beyond that and provide something for those who want to live and work here—we must give them a chance to live here under humane circumstances with the kind of grace and opportunity that is a privilege of living in America. I think he is still saying that.

I am hopeful that before we finish this debate, the solution is going to come from a White House-Senate-House melding of ideas along the lines of giving some special treatment to those who have lived here for a longer period of time—different and better treatment, easier access to the U.S., perhaps easier access to a higher level of status than what they had when they came here.

That is the essence of a proposal that I put in what I call the WISH bill. Workers who are here less than 5 years under my proposal can apply for and get a visa without leaving the United States. If they are unemployed for no more than 30 consecutive days, they get a renewal of that 3 year visa two more times. Then they have to leave America for at least three years. That proposal is for people who have been here less than 5 years.

One would say that is not so good. But what we are talking about is giving these people 9 full years to do their best to arrange things and have whatever successes they can make. So that is one approach to one portion of these people who are undocumented workers.

I suggest we split this group of people so that those who have been here for longer than 5 years—which they can prove that with workers' affidavits and the like—start by obtaining the same visa I just discussed, but after 5 years, they can apply for another visa or a change of status, except permanent residency, without leaving the United States. We would have no caps on the number of visas for these change-of-status grants.

It would appear to this Senator that this could be the beginnings of a compromise built around something that is understandable, realistic, and should be given due consideration by this body.

Not having had the burden—or the luxury—of serving on the Judiciary Committee, I have told Senator KYL, who has worked very hard on this issue, that I am willing to work with him, and to the best of my staff's ability they will work with him, to see if we can't come up with some kind of a better approach than has been forthcoming heretofore.

I notice Senator KENNEDY is present. Senator MARTINEZ has asked if he could speak next, and he has been waiting for quite a while. I assume that is satisfactory.

In the absence of the Senator from Massachusetts, I spoke about the fact that frequently we get legislation done when we are told we must do it under a deadline. There is still a lot to do on this bill, but I can tell the Senator, there are a lot of people pulling for a solution and who want to be helpful.

This is, indeed, a true turning point in modern American domestic policy history. It is a big opportunity. We solve it or we have some of the worst problems confronting the American people that we can imagine. It has almost gone beyond the solvable, but not quite because we are pretty sanguine and willing to work.

Just as Senator KENNEDY and his family have their roots in Ireland, I had an opportunity to speak this afternoon about a very strange incident of how this Senator happened to be born to a woman who thought she was American but was not. So I lived in a family for quite a while with a father who became a citizen only because he served in the First World War. He married a woman who he was told would be an American if he married her. He was told that erroneously by a lawyer, and she was arrested during the Second World War—taken right out of our household. So I understand this whole idea of a household with a father who is American and a mother who is not, but they are living, working, and getting ahead and driving their business. I understand that they are just like every other family in America. There is nothing different. They have the same love, same hope, same will, and same aspirations as those of us who were born here have.

I am here to be helpful. I thank the Senate for listening, and I thank the Senator from Massachusetts for listening to me again the last 5 minutes. My wife is going to give me a note saying that my face is getting red, and it is time to sit down. I yield the floor.

The PRESIDING OFFICER. The Senator from Florida is recognized.

Mr. MARTINEZ. Mr. President, first, I thank the Senator from New Mexico. I thank Senator KENNEDY for indulging me for a couple of moments. I know we are supposed to go back and forth, but I appreciate the opportunity to be heard following Senator DOMENICI because I believe my comments are germane to the comments he made. I thank the Senator from Massachusetts for his courtesy. These will be very brief comments.

Mr. President, I say to Senator DOMENICI, I love hearing his story because it is the story of America. It is the fabric of America about which he spoke. I was so touched by the way he told it.

Obviously, as the only immigrant in the Senate, I think it is terribly appropriate that I speak at the outset of this very important national debate on this issue in the Senate.

I am reminded as we talk about these issues that there are so many interesting connections. When I came to the Senate as a Senator from the State of Florida, it was such an incredibly proud moment for me and, frankly, for many in the community from which I come—the Cuban-American community—since I was the very first Cuban American to have this distinction and this honor. I also am probably the first Florida Senator to ever serve in the U.S. Senate who was not born in America. But, Mr. President, the story of America is such that, as I started to look at that history, I found out that the very first Senator from Florida, when Florida became a State—I believe in 1854—was a fellow by the name of Yulee Levy who was actually born in the Middle East. He was a fellow who had come to America as an immigrant and who ended up representing the State of Florida as the very first of two Senators who came, and he, in fact, beat me by a good little margin as the first foreign-born Senator from the State of Florida. But that is the sort of history our country is made of.

This is such a timely and important debate. I am pleased that you would mention our President, who has been very steadfast and very strong on the issue of a comprehensive solution to our immigration problem. I love so much that you began this debate in such a loving way, in such a civil way, and in a way that allows us to think a little bigger and a little higher than the combat of the day and the rhetoric, frankly, which so often gets so heated, which so often gets so beyond the pale of what ought to be. I am proud of the Senate as the Senator begins this debate with such a note of civility.

I believe we recognize first and foremost that our immigration system is broken, that we have to fix it, we have to set about fixing it. The Senator is so right when he speaks about the fact that it is almost too late to fix and we have to act and we must act now. It is important, too, that we focus on a comprehensive solution.

It is obvious that we have to fix the border. All of us want to see the border be secured and protected, to be something other than what we have today.

The resources will be there, we will do it, and it will be a commitment that we make first and foremost for border security. I think all of us, no matter where we come from, appreciate the legality involved in border security, but in addition to that, we have to be careful of the rhetoric. I don't believe we should allow the loudest voices, not necessarily the best voices, to make a definition of what amnesty is and what amnesty should be. I believe we should look to solutions that are rooted in what America is about and our American values.

We cannot ignore the millions who already are here.

We have to give the border its importance, but we have to look beyond that to the fact that there are millions who have been living here and contributing to this Nation, and we look forward to an opportunity to figure a mechanism.

Senator DOMENICI has put forward a proposal—and there are many others on the table, obviously. The bill out of the Judiciary Committee makes an important contribution there. We need to find a way that we can come to grips with what to do with the millions of people who are living here and who are already here making a contribution.

The Latin community of America, the Hispanic community of America, has been galvanized by this issue like no other. This is a historic moment in our history, and it is a moment we have to treat with great care and great importance how we set the tone of this debate. I am hopeful that as we look to the future, we will come up with solutions. I am very hopeful that we can come together as a Senate. I am very hopeful that the Congress will come together, with the help of the President and others interested in this debate, to come up with solutions which will provide a way forward, which will provide a historic opportunity for the people of America to be one Nation, to be, as our model says, e pluribus unum—''For many, one''—because I do know that the immigrants who come to this Nation do not come to change America, they come to be changed by the miracle that is America.

I know that I, as an immigrant, was changed by America. When I came here, much like Senator DOMENICI's father, I did not speak the language. You learn the language. You make it your business to become an American. I did not understand this culture. I had no idea as a 15-year-old boy what the country was all about, but I made it my business so that I could make a contribution to it.

So I am hopeful that we can come together to find solutions to these issues. There is nothing easy about this problem, and I know people of good will will come together so we can move forward in a positive way, in an American way.

The PRESIDING OFFICER. The Senator from Massachusetts is recognized.

Mr. KENNEDY. Mr. President, for the last 15 minutes or so, we heard the stories that have true meaning in terms of the whole American experience. Senator DOMENICI talked about his parents and how they worked through the process of becoming proud Americans, and the good Senator from Florida told, as well, the story of an extraordinarily successful immigrant who came here and is now serving with great distinction, representing the people of Florida.

Last evening, just as the Senate was about to adjourn, Senator MCCAIN, who is the primary sponsor of this legislation, introduced me to a wonderful young American, Fabian Nunez, and Fabian Nunez is the speaker of the California Assembly. His father was a Bracero in the 1950s, and at the end of the Bracero Program, he went back to Mexico. He came back here—the boy did—with his mother, who had been a maid and was also undocumented. She had worked two jobs. And this young boy came back to the United States—as a young boy, had gone back to Mexico and came here at 8 years old. I also talked by telephone to the father, who is 83 years old, and he said how proud he is that his son is now the speaker of the California Legislature. That is the real story of America.

At other times, we have seen where Democrats and Republicans have come together and Presidents have come together with the Senate and the House and have taken action that has moved this Nation. That was certainly true during the civil rights legislation where we knocked down the walls of discrimination, of race and religion, and also of gender. We knocked down the walls of discrimination against the disabled with the Americans With Disabilities Act. We came together as well to pass the Medicare Act so that many of our elderly people would not live in poverty and also would be able to get the health care they needed. We came together to do that. We came together in terms of the higher education legislation, and today millions of young people are benefiting from that system. I certainly hope that we can, as we start this debate, come together as Americans to deal with this issue.

It is a new civil rights issue, but it is one that is going to continue to be an issue unless and until we address it. There are different approaches, and they have been outlined earlier today, and they will continue to be outlined tomorrow. But I think the stories we heard this evening are the clearest and most compelling evidence of what this country is when it is at its best and what it can be. It is in that spirit that Senator DOMENICI spoke and that Senator MARTINEZ spoke and that others have spoken, Democrats and Republicans. It is that spirit which we hope to capture when we address this issue and finally vote on the legislation that is before us.

I look forward to having the chance to speak at greater length tomorrow. I spoke earlier today about the history of the whole migrant program and the steps that have been taken. There have been failures and some successes, but the challenging opportunities are the ones we face today. This is an issue which isn't going to go away. It is going to take the best that is in all of us. I am very hopeful that when the vote is finally cast, it will be for a meaningful, comprehensive program that will recognize the national security issues which are involved, will understand the economic issues involved, and finally, and perhaps most importantly, understand the issues of values which are involved. I will have more to say on that on the morrow.

I yield the floor.

The PRESIDING OFFICER. Who seeks time? The Senator from Alabama is recognized.

Mr. SESSIONS. Mr. President, we are a Nation of immigrants. There are so many great stories of people who have come to this country and enriched our Nation and benefited their families and had great life experiences. There is no dispute about that. I don't think there is a single Member here who would deny that.

But there is a suggestion that those who do not support the Kennedy bill—or whatever you want to call the bill that came out of the Judiciary committee, of which I am a Member and the Presiding Officer is a Member—if you don't support that bill, you want to run everybody out of the country and you want to lock them up and prosecute them. If you don't support this bill, you have bias against them and you don't believe in immigration. You don't believe in the great freedoms of our country. Nothing could be further from the truth. That is not right.

What we are trying to do is to develop a system to deal with the immigration crisis that we have that is consistent with our values as Americans, that is consistent with the rule of law in this country, that treats people who do the right thing better than it treats people who do the wrong thing. That is what this debate is all about. We are trying to set policy for the future about the people who are allowed into our country, how many and under what circumstances. A Nation surely has a right to decide how many people it allows to come in. We are one of the most generous nations in the history of the world in allowing people to come here. But we have a right to decide how it should be done.

Under this bill, we have provisions that actually allow a virtually unlimited number of unskilled workers to come in, but limits the amount of skilled workers that come in. How weird is that?

This legislation came together in a most hasty way and violates a number of principles. One thing I would mention, the Presiding Officer, Senator COBURN, has been involved in these discussions. I know he and I share a common view about it. I thought we all agreed we would not have amnesty. The President, as much as he believes in bringing people into this country, as

much as he believes in allowing workers to come here who want to work, has said: No amnesty. Our Democratic colleagues have said: No amnesty. This morning I said: The truth is, this bill is amnesty. It is exactly like the 1986 bill, and everybody said that was amnesty. They didn't even dispute it.

I have the definition from ''Black's Law Dictionary,'' the one law students use to get legal definitions, and it uses the 1986 bill as an example of ''amnesty.'' Of course it was. And the bill that came out of the Judiciary Committee is the same thing.

I have to tell you, Senator SPECTER's bill that we started with in the Judiciary Committee was not amnesty. Senator FRIST's bill is not amnesty. But the bill that we came out with was. That is just a fact. I am going to go into some detail about that because Senator KENNEDY has said it is false for me to say this is amnesty. We are going to talk about it. Senator LEAHY said it is not amnesty. Why are they saying this now? I'll tell you what is going on.

They are over there talking with the President and they are trying to get a compromise. They are trying to come up with something so they can come back and say it is not amnesty. They will claim that they moved in this direction and now they want to pass it.

We are going to have to read this bill, and we are going to have to think about it because it is a major issue facing our country today. It really is. We need to do the right thing, and we can do the right thing. I am actually optimistic about our options and our capabilities of coming up with something that will work. But this bill is not it. It is absolutely not it.

I want to say a couple of things first. We are going to pass legislation dealing with the entry of people into our Nation. We are going to pass legislation, and I will favor properly drafted legislation that will increase the number of people who come to our country lawfully. We want to pass legislation that treats fairly and decently and humanely the 11 to 20 million people who are here illegally. But I hope and trust we won't pass amnesty which gives the full benefits of legal entry into our country to those who come illegally.

That is really what we are talking about, because what we learned in 1986 was that when you do that, before the ink is dry on the bill, other people come in illegally because they expect we will be right back here again in this Congress giving them amnesty again. So we need to reestablish the principle of law. That is all I am saying. We can treat people in a good way. We will not have to remove all of these people from America. They would not have to be prosecuted and put in jail. How silly is that? That can't be done. Nobody is proposing that.

What we are working on is legislation that can bring law, bring principle, and bring integrity to our immigration system, and I believe it is within our grasp to do so. But I am not going to support the legislation that is before us now. It is just not good.

The question about amnesty and where we are arises from the nature of the provisions in the bill that passed the Judiciary Committee. I don't know what to call it. I guess it is the Kennedy-Specter bill. Senator SPECTER's bill, though, that he offered and we began with, did not do the unprincipled things that this compromised bill does.

Senator FRIST, the majority leader, has offered legislation that does not create a direct path to citizenship for the entire illegal alien population. His bill didn't do that. The original Specter bill did not create a new or direct path to citizenship for illegal aliens. Before the committee markup, the Specter bill would have given illegal aliens working in the United States a temporary work permit, renewable every 2 years as long as the individual was working.

We still don't have the language that passed out of the Judiciary Committee. I know Senator COBURN has been around Congress for some time, and he serves on the Judiciary Committee with me. We still don't have the language we voted on Monday. I don't know for sure exactly what it is, but we sure should not be passing a piece of legislation when we haven't even had a chance to read it.

But in the committee, a complete amnesty program was adopted for the illegal alien population and large, new permanent immigration programs were created for low-skilled workers. The committee bill, as reported, creates a direct pathway to citizenship for aliens who have broken our laws.

You will hear claims that this bill is earned adjustment, earned citizenship. Those are descriptions, but they are misnomers. This bill really is—in the sense that we have been talking about it for several years now as a part of an American dialog, in every sense of what people mean by amnesty—it is amnesty. If it is not amnesty, it is the same thing as amnesty. That is what it is.

There are four different amnesty provisions in the bill. These four amnesty programs are what you are voting for or against when you vote on the Judiciary Committee bill. Let me clearly describe to you the breathtaking enormity of the four programs that I believe clearly constitute amnesty in the Judiciary Committee bill.

Element No. 1, the committee bill takes every illegal alien in the United States who pays $1,000 and was employed before January 7, 2004—whether full time, part time, seasonally or self-employed—and puts that person on a direct path to citizenship. The family of the illegal aliens, their spouse and children, would also be given amnesty, even if they are not already in the United States. They would now be able to come and come legally.

How will it be given out? How do you get on this direct path to citizenship? What is required of the person who seeks it? The truth is that other than illegal presence in the United States, very little is required.

We have been following very carefully the draft of the bill that we were provided and that we had as we voted on this legislation in Committee. The final passed version, however, is still being cobbled together, but I am confident that what I'm saying is accurate with regard to these issues.

All illegal aliens present in the United States before January of 2004, who have worked illegally here since then for any amount of time, will first be given an H–5B nonimmigrant status, good for 6 years. They are made legal for 6 years. Their spouses and children will be given the same status. After 6 years and another $1,000 fine, the aliens and their families will get green cards if the alien has been ''employed in the United States, either full time, part time, seasonally, or self-employed, or has met educational requirements.''

The education requirement is as broad as being in a 1-year vocational work program at ''an institution of higher education.''

These requirements are very broad.

A self-employed person could be someone who worked 1 day a year, and there is no limit on that definition. A person who meets the work requirement through education has to prove that they had full-time attendance in as little as a 1-year educational program, not that they completed any educational program.

Additionally, the work requirement and education requirement for the green card are completely waived if the alien is under 21. After getting the green card, illegal aliens will be able to apply for citizenship like any other lawful permanent resident. They are put in the same status as the people who came here legally.

To satisfy the work requirement of being employed in the United States, either part time, seasonally, or self-employed, the bill states that an alien can conclusively establish his work history in the United States either by, one, presenting records maintained by one of the following: Social Security Administration, IRS or any Federal, State or local government agency or employer, a labor union, a day labor center, and ''organizations that assist workers in matters related to employment,'' or presenting two of the following: bank records, business records, sworn affidavits from nonrelatives or remittal records.

However, the documents listed that conclusively establish work history are not even really required.

Later on, the bill states that the burden of proof that the alien must meet to qualify is even lower than that. It says: ''The alien has a burden of proving by a preponderance of the evidence that the alien has satisfied the requirements. An alien must meet such burden of proof by producing sufficient

evidence to demonstrate such employment as a matter of reasonable inference.''

Reasonable inference? That is not a proof standard. It is a situation that allows everyone to qualify.

Why would we want to do that?

The bill then states: ''It is the intent of the Congress that the work requirement be interpreted and implemented in a manner that recognizes and takes into account the difficulties encountered by aliens in obtaining evidence of employment due to the undocumented status of the alien.''

It is not that hard to prove you have worked. If you work for an employer, you can get the employer to provide a statement that you worked for them even if you don't have pay stubs. It is not that hard.

This basically obviates any requirement of proof and allows anybody to qualify.

I am just telling you that is what is in the bill. I wish it were not so. I am not making this up. I am reading to you what is in the bill.

The work standard is not a work standard at all. In fact, the bill basically says that Congress is telling the Department of Homeland Security to accept pretty much anything as proof of work.

This is an open invitation to fraud and will prevent Department of Homeland Security from vetting out fraudulent applications.

It is a perfect example of why our immigration laws are so messed up.

We have placed so many difficult obstacles in front of agencies that are required to enforce them that they have become utterly unenforceable.

We say that we have a work requirement, and then we say it can be seasonal, it can be part time, and it can be self-employed. Then we say just about any records you can produce, or that you conjure up will be sufficient. But if you do not have records and you have a reasonable inference that you worked, they must let you qualify.

Basically, that is what the Department of Homeland Security office is going to do. They are going to accept anybody's application. There is no way you could object to it. This standard appears to be a standard but is not one at all.

What about waiver of the work requirement? What if you have not worked since January of 2004 and did not work before then. Does this bill leave you out? Does it mean you can't be a citizen now? Can you qualify for this type of amnesty? The answer is still yes.

Even if you are an illegal alien who has never worked in the United States and cannot produce any evidence to reasonably infer that you have worked illegally in the United States, you and your family can get on the bill's direct path to citizenship. You get automatic amnesty, no requirement to prove work.

If you have full-time attendance at an institution of higher education—graduation is not required—full-time attendance at any secondary school, as defined by State law, or you are a minor under the age of 21, what does qualifying for amnesty get you?

The mere filing of an application for amnesty triggers the following things: Employment authorization for the alien, the alien's spouse and children, permission to travel abroad and return to the United States, protection from being detained, determined inadmissible or deportable or removed pending final adjudication of the alien's application for adjustment of status.

Only future conduct or a criminal conviction removes these protections.

Additionally, if you have already been ordered removed from the United States or if you are subject to mandatory detention for a criminal conviction, the Department of Homeland Security has to give you the opportunity to show you are eligible for amnesty before you can be removed.

This will simply freeze the entire detention and removal operation of the Department of Homeland Security.

If you are legally here in January of 2004 because you got a work visa before you came to the United States, you will not get the benefit of this amnesty.

Repeat that: If you are legally here because you got a valid work visa or permit before January of 2004, you do not get the benefit of this amnesty. This amnesty benefits you only if you came here illegally.

So we are only giving you a direct path to citizenship if you first broke our laws. If you came here the right way and did not break the law, you are out of luck. No new path to citizenship for you.

They say this is a guest worker program.

The second major part of Specter-Kennedy substitute amendment—that was an amendment that was substituted for the original Specter bill in the past—is a new program for bringing low-skilled workers into the United States, in addition to illegal aliens already doing these jobs. The program puts them on a direct path to citizenship. It is a new program.

The new program would bring 400,000 low-skilled workers per year into the United States on a 3-year work visa. This visa is renewable for 3 years. It is essentially a guaranteed entry for 6 years to work in the United States.

This 400,000-per-year cap is supposed to be limited, they say to 400,000. This is several times what the cap is today. I am mistaken—several times this 400,000 is how many will be allowed to come in under an illegal system. But the cap that purports to be is completely artificial. If the cap is reached and actually 400,000 come in that year and an additional 80,000 visas can be given out that year, the cap will go up automatically the next year as much as 20 percent. By the sixth year this program will immigrate 2.4 million new low-skilled workers, at a minimum, into the United States.

On day one, when the worker arrives in the United States, the employer can sponsor the alien for a green card. It gives them legal permanent status. Normally the employers or family members sponsor the alien before they have the right to permanent entry and a green card. But this is a major change. The person can sponsor himself and make his own application. So after 4 years of work, the new immigrants can self-petition for a green card and then be eligible for citizenship.

Normal grounds for inadmissibility, except for the most serious crimes on national security grounds, can be waived for a fee of $1,500. All legal permanent residents are eligible for citizenship after 5 years. All legal permanent residents, green card holders, after 5 years, are eligible for citizenship. If they have not been convicted of a felony, if they have basic English skills, they can become a citizen automatically. People all over this country and all over the world are waiting and hoping to be able to be selected to be able to come to the United States following the laws and rules.

To be eligible to come to the United States under this low-skilled immigrant worker category, the alien is merely required to pay a $500 application fee, undergo a medical examination, and show they are capable of performing the labor or services required, and have evidence of employment from ''employers, employer associations or labor representatives.'' Those are probably some of the people who have been leading these protests the last few days.

Under the bill language, you can qualify for this new program and come to the United States as a low-skilled immigrant even if you were in removal proceedings and signed a voluntary departure agreement but never left, or you were already removed from the United States and illegally reentered. If you had been removed and illegally reentered, you are eligible.

One might ask, why does this program cover these people? I thought the program was for people who wanted to come to the United States to work in the future, not for those who are already here. This provision is specifically designed to make sure that illegal aliens who are not covered by the bill's amnesty provisions because they did not work in the United States prior to January of 2004, or because they were not legally present in the United States on that day, are not left without a direct path to citizenship also.

This bill covers everybody. It should be called ''no illegal alien left behind.'' I am not exaggerating. It is fixed so that if they are not covered under this ''magic'' date, January 7, 2004, they are covered under the new exemptions of the 400,000 people per year.

Element three, the Dream Act. That was brought up several times. It never moved in the Senate. But boom, in 2 minutes, Senator DURBIN offered the

Dream Act and we voted on it in committee Monday afternoon as an amendment to the bill. It took him less than 2 minutes to get it in the bill as an amendment.

The Dream Act does two things. It grants amnesty to an unlimited number of illegal alien minors who graduate from a high school and enroll in college or the military for at least 2 years, or who perform hours of volunteer work, or who can show ''compelling circumstances for the inability to do any of those three,'' and, two, eliminates United States Code section 1623 which I will describe below, thus allowing all illegal aliens enrolled in college to receive in-State tuition rates.

This means that while American citizens from Tennessee, Georgia, South Carolina, Massachusetts, have to pay out-of-state tuition rates if they send their kids to the University of Virginia or the University of Alabama, people who have illegally immigrated into this country do not.

How much sense does that make, to have people here illegally and they have more benefits than those who are here legally? Instead, they receive educational benefits paid by the taxpayers of Virginia and Alabama for in-State residents. I do not mean to suggest in any way there are not good kids out there. We need to figure out a way to accommodate them and work with those who have come here illegally. Maybe they came here a long time ago. Maybe they came here illegally as a junior or senior in high school. They came across the border and now they want to be on a direct path to citizenship.

I am not saying we should not wrestle with how to treat them in a generous way, but should we give them more rights than we give to American citizens? When you do too much of this and you work at it too hard, pretty soon you end up with a mockery of law, an unprincipled bill that cannot be defended, and we are in the situation of wondering why would you want to bother to try to come into the country legally. Why not come illegally?

So the Dream Act establishes a seamless process to take illegal aliens directly from illegal status to conditional permanent resident status, to legal permanent resident status, to citizenship.

First, the illegal aliens who came here before age 16 and have been here for 5 years will be given conditional permanent residence through cancellation of removal if they have been admitted to college or have a GED or a high school diploma. So if you get your high school diploma or get yourself into college somewhere, whether you are passing or not, then you qualify for cancellation of removal.

Step two, after 6 years, the alien will then be eligible to apply for a green card if they have attended 2 years of higher education, served 2 years in the military, performed 910 hours of community service for an organization that receives funds under the Combined Federal Campaign, or prove an extreme and unusual hardship, and you have good moral character and do not have a deportable offense. It is a guaranteed step forward if you do not do something wrong and get yourself convicted of a felony.

After 5 years, those green card holders can apply for citizenship and cannot be denied if they meet the basic standards of English and have no criminal history. Current law provides ''that an alien who is not physically present in the United States shall not be eligible on the basis of residence within a State or a political subdivision for any postsecondary educational benefit unless a citizen or national of the United States is eligible for such benefit in no less amount, duration and scope, without regard to whether the citizen or national is such a resident.''

That is basically the law we passed several years ago, I think before I came to Congress. It said if you are here illegally, you do not get in-State tuition.

We are going to reverse that. Congress just passed it 8 or 10 years ago. The DREAM Act would eliminate this provision and allow illegal alien college and university students to be eligible for in-State tuition without affording out-of-State students the same opportunity. Thus, the University of Alabama could offer in-State tuition to illegal alien students while requiring citizens residing in Mississippi to pay a much higher tuition rate. In fact, that is being done probably in violation of law in some areas right now.

Allowing all the illegal aliens enrolled in college to receive in-State tuition rates means that while American citizens from the 49 other States have to pay out-of-State tuition rates to send their kids to the University of Alabama or Virginia, people who have illegally immigrated into this country might not. Out-of-State tuition rates range from 2 to 3½ times what in-State tuition rates are. It has always struck me that one of the things you do to encourage people to come here legally and abide by the law, is not give benefits to those who come illegally. It is one thing not to prosecute them; it is one thing not to take them out of the country; but to give them benefits that people who do the right thing get? We should not do that. It is bad policy.

So what about loans in the DREAM Act? I think this is still in the bill. We have not had a chance to see all of language. This was in the DREAM Act originally. I do not know if it is still in there under the Judiciary bill, but I assume it is. Under title IV of the Higher Education Act of 1965, as amended, legal permanent residents and certain other eligible noncitizens receive Federal student financial aid, including Pell grants and Stafford student loans. That is part of the 1965 act.

The committee bill will add illegal students, illegal alien volunteers, and illegal alien military members to the list of people eligible, by changing their immigration status to that of a legal permanent resident. This change in status would make them eligible for Federal financial aid. Pell grants and Stafford loans currently comprise 85 percent of postsecondary student aid available to citizens and eligible noncitizens. In fiscal year 2002, 8.8 percent of the individuals receiving Pell grants were eligible noncitizens over 380,000 people.

We want to help people and be generous. But if you are in an illegal status, I do not see why there is an obligation to give the same extra benefits that you do to those who are lawfully here.

Pell grants. The Federal Pell Grant Program is the single largest source of grant aid for postsecondary education funded by the Federal Government. There is already a current fiscal year Pell grant shortfall of over $2.5 billion. We have done a lot of different things to try to get money as high as we can get it this year. The fiscal year 2003 estimated program costs are approximately $12.5 billion. The annual appropriations is $11.4 billion. Now we want to open up Pell grants to illegal aliens?

Although Pell grants are a discretionary program, the cost of increasing the number of eligible recipients in an award year is considered direct spending, when the appropriations and maximum grant award for that year are already set in law and a payment schedule is published. Thus, we could be facing a budget point of order with this bill. In other words, since in a number of these instances the right to have a Pell grant for qualifying persons is an entitlement, making more people eligible for this entitlement could subject this bill to a budget point of order.

The Congressional Budget Office estimates that 58,500 additional Pell grants would have been given within 1 year if last year's DREAM Act had passed, with an average grant being $2,420. How many people do not get a dime who try to send their kids to college, out of State maybe, people who have worked hard all their life, middle-class Americans? They do not get a dime. But somebody who is here illegally gets $2,400? I do not think that is fair. I do not think that is being insensitive to legitimate interests of people who want to come to America, who want to participate in the American dream, or is inhumane in any way.

What about Stafford loans? The Congressional Budget Office estimated under last year's DREAM Act—the one that was offered last year but did not pass—65,000 would enroll during the first year and meet all other criteria. Because 1 in 10 students borrow student loans, the student loan costs would increase by $22 million per year over the 2003-to-2012 period.

While we were going about our business in committee, the AgJOBS bill was offered as an amendment. Well, we had a big fight on the AgJOBS bill last year. It was offered on the floor of the Senate. Senator SAXBY CHAMBLISS of

Georgia, chairman of the Agriculture Committee, opposed the bill, offered a number of important amendments that I thought made it far more sane, far more appropriate, and the bill did not pass, after a great deal of debate.

Well, in about 15 minutes, in the committee, Senator FEINSTEIN offered the AgJOBS bill to the Specter bill, the committee bill. It was a 106-page amendment. It put 1.5 million illegal alien agriculture workers on a direct path to citizenship—just like that.

How does it do it? After the Feinstein amendment, 1.5 million illegal alien workers who pay a $500 fine and demonstrate they worked in agriculture for 150 workdays in the last 2 years will be given blue cards and will be allowed to stay in the United States. Because a workday is defined as 1 hour of work per day, an alien who worked in agriculture for only 150 hours—there are 168 hours in a week—over 2 years will qualify. So if you work 150 hours over 2 years, you qualify.

Spouses and children of illegal alien agriculture workers also get legal status and work permits, and they are not limited to working in agriculture either.

The blue card holder is eligible for a green card in two ways: after 3 years of 150 additional workdays—1 hour per day is all that is required—per year or after 5 years of 100 additional workdays per year.

Then, what about citizenship? For these who come here illegally, and they work 150 hours, what happens as to their citizenship? Even though they came here illegally, are they put on the path to citizenship? Yes. All legal permanent residents become eligible for citizenship after 5 years.

On May 18, 2004, the Washington Times published a column by Frank Gaffney, president of the Center for Security Policy, titled ''Stealth Amnesty'' dealing with the AgJOBS bill when it came up back in 2004. The article correctly summarized the AgJOBS bill when it said this:

> By the legislation's own terms, an illegal alien will be turned into ''an alien lawfully admitted for temporary residence,'' provided they had managed to work unlawfully in an agricultural job in the United States. . . .Once so transformed, they can stay in the U.S. indefinitely while applying for permanent resident status. From there, it is a matter of time before they can become citizens. . . .
>
> If any were needed, [the AgJOBS bill] offers a further incentive to illegals: Your family can stay, as well. Alternatively, if they are not with you, you can bring them in, too—cutting in line ahead of others who made the mistake of abiding by, rather than ignoring, our laws.

What about the safe harbor provisions? Under the AgJOBS bill, which was added to this committee proposal without much debate, an illegal alien is undeportable as soon as the amnesty paperwork is merely filed. So if you file your amnesty paperwork and you are otherwise deportable, it automatically stops. No adjudication of the application is necessary to kick start the legal status of the illegal alien.

Once an alien receives a temporary work visa, it never expires unless the worker is otherwise deemed deportable or applies for permanent residence and is denied. There is nothing temporary about a single temporary work visa lasting indefinitely. It is not temporary. The alien's blue card status can only be revoked if the alien is determined to be deportable, the blue card was acquired through fraud, the alien is convicted of a felony, three or more misdemeanors, or an offense which involves serious bodily injury or damage to more than $500 of property.

What about all the legal stuff that gets involved with this? How do you prove all this stuff? The AgJOBS amendment even goes so far as to provide free legal counsel to illegal aliens who want to receive this amnesty. The AgJOBS amendment specifically states that recipients of ''funds under the Legal Services Corporation Act'' shall not be prevented ''from providing legal assistance directly related to an application for adjustment of status under this section.''

Not only will the AgJOBS bill give amnesty to 1.5 million illegal aliens, it would have the American taxpayer pay the legal bill of those 1 million illegal aliens.

We are going to work on something here. We are going to pass some legislation—if not this year, soon—that will work through all these difficult human issues and treat people in a fair and just way. Nobody is proposing that we do not. I mean that. There is a consensus in this Congress that it is time for us to fix this problem, to deal with the 11 million people here illegally, to allow more people to come legally, and to shut down the border and stop people from coming illegally. But this legislation does not do that.

People say: I want to vote for something. I want to fix it.

Don't vote for this bill. It will not fix it. Not only does it give amnesty to 1.5 million illegals, it would have the American taxpayer pay the legal bills of the 1 million illegal aliens.

What about the H2A farm workers? The sponsors of the AgJOBS bill will have you believe that farmers want the AgJOBS bill. They say: This is for agriculture. It has to be done. If you don't do this, the country is going to collapse. Maybe that is the case in the District of Columbia where the national groups get to write the letters and speak for their farmers and come in and tell us what farmers want, regardless of what the individual farmers have to say. One of those people talked to me about it.

I said: That may be your opinion, Mr. Farm Leader, but if you took a poll of the farmers I know in my home State or the Presiding Officer knows in his home State, I will bet you 80 percent of them would agree with me that this is not a principled way to do business. This is not the right way to do business. We are not here to serve agribusiness. We are here to promote the national interests of the United States, to create an immigration system consistent with our generous values, and a legal system that will work, not to reward those who violate the law but provide the benefits to those who follow the law.

Last year when we debated this bill, I received an open letter from the Southern Farmers Coalition. The letter is signed by a list of organizations and individuals who participate in the H2A program. The letter says: Overwhelmingly, the majority of H2A program users in this country—the list of signatories is expansive, including the North Carolina Growers Association, the MidAtlantic Solution, Georgia Peach Council, Ag Works, the Georgia Fruit and Vegetable Growers Association, the Virginia Agricultural Growers Association, the Vidalia Onion Business Council—I like Vidalia onions—and the Kentucky-Tennessee Growers Association. They all signed this letter. The cover page of the letter, contrary to what some national agricultural experts say, says this:

> Farmers in the southern United States are opposed to S. 1645—

the same bill being offered as an amendment today, as part of this bill—

> introduced by TED KENNEDY and LARRY CRAIG. It is an amnesty for illegal farm workers. It does not reform the H2A program. Please oppose this legislation.

These are the farmers who are supposed to be helped by it. That is what they say about it: ''Please oppose this legislation.''

The text of the letter, which asked me to stand up and fight against this legislation, states:

> Ag JOBS is nothing more than a veiled amnesty.

I am reading this letter from the farmers themselves.

> Ag JOBS is nothing more than a veiled amnesty. While everyone, it seems, agrees that the H2A program desperately needs reform, this legislation does not fix the two most onerous problems with the program—the adverse effect wage rate and the overwhelming litigation brought by legal services groups against the farmers using the H2A program.

That is what the farmers told us. The letter goes on to say:

> The Craig-Kennedy-Berman reform package provides a private right of action provision that goes far beyond legitimate worker protections and expands legal services attorneys ability to sue growers in several critical areas. These lawyers, who have harassed program users with meritless lawsuits for years, will continue to attack small farmers under the new statute. Supporters of the Craig-Berman legislation have endorsed this alleged reform, believing, in a misguided fashion, that it will bring stability to the agricultural labor market. It will not. It will create greater instability. As the illegal farm workers earn amnesty, they will abandon their farm jobs for work in other industries. Many of the attached signatories have been actively involved in negotiations surrounding this legislation. The following groups have broken ranks with the American Farm Bureau, the National Council of Agricultural Employers, the Agricultural Coalition for Immigration Reform, and the American

Nursery and Landscape Association to oppose the legislation because those groups have decided an amnesty is more important than legitimate H2A reform. You are likely to hear that the majority of agriculture supports this bill. The industry, in fact, is split. History has demonstrated that the amnesty granted under the Immigration Reform and Control Act of 1986 was a dismal failure for agriculture employers. Farm workers abandoned agricultural employment shortly after gaining amnesty and secured jobs in other industries.

Of course, they did. So why should we pass this Judiciary bill, what I guess we can call the Specter-Kennedy package?

Who supports the amendment? I know who supports the amendment. The national lobbying groups are really out of touch with the desires of the American people and the desires of farmers and the desires of those who want to see a good and decent system created.

I don't believe I am out of touch on this issue. I believe I know what average American citizens and farmers want. They want real immigration reform that guarantees the laws we pass will be enforced and that people who do not honor our immigration laws will be punished, not rewarded with worker visas and green cards. So I strongly oppose the Specter-Kennedy bill that came out of committee, and I hope my colleagues will join in that.

Now, earlier, Senator LEAHY said that the 1986 bill Congress passed was amnesty. He said it was amnesty, and he admitted it was. ''Blacks Law Dictionary'' says that the 1986 bill was amnesty. It is the very definition of amnesty.

By the way, when we passed that bill, it was supposed to fix the immigration problem. As I explained and talked about this morning, that is a very important concept. So the deal in 1986 was that we were going to give amnesty to 1 million people who we thought were here illegally. We now think there are 11 million here illegally. We are going to give amnesty to those, and we are going to create a legal system that encourages people to come legally and we won't have this problem again. Those who were dubious about it said: No, this amnesty would encourage more people to come illegally, but the pro-amnesty crowd won out and they passed the legislation and it became law.

Well, what happened immediately afterward? It wasn't 1 million people who showed up to claim amnesty; it was 3 million—three times as many. I don't know how many will show up this time. Will it be 11 million or 33 million? Probably not 33 million, but I would not be surprised at all, based on our history, if we would have a good many more show up and claim amnesty.

Six years after the bill passed, the Congress, in a very unusual action, voted to form a commission to review the legislation to see if it worked. The commission, a bipartisan professional commission, did a study and said it was a failure. It did not work, did not do what it was supposed to do.

Well, the Citizenship and Immigration Services tried to say that 1986 was not amnesty. But everybody has agreed it was. CIS later explained what the 1986 bill did. I would like to go over it with you because this current bill does the very same things. It is just not disputable. So if we have any understanding of what an amnesty program is, we have the 1986 act to give us a guide. It says:

The legalization program was not amnesty, but a targeted program that balanced the offer of legalization with stringent requirements.

This is how they defended this problem.

Legalization of applicants had to: prove to INS adjudicators that they had resided in the U.S. since January 1, 1982—

I went over with you how this bill said you had to be here since January 2004. If you came after 2004, you could still get in. That is a real stringent standard. You had to prove you resided there before that day—

pay a $185 fee—

We upped it to $1,000—

for principal applicants, $50 for each child, with a $420 family cap; accept ineligibility for most public benefits for 5 years after application—

We don't even do that in this bill. It says you could not go on welfare for at least 5 years. We did that in 1986. That is not in this bill today—

and complete an 18-month period of temporary residency. After that, and only after successfully completing an English language and civics requirement within a year-long one-time window—

Which is a very low-grade test for the most part—

and the payment of an $80 fee per applicant (with a $240 family cap) they were eligible to apply for permanent residency. In exchange, the applicant would be authorized to work, travel, and after becoming a permanent resident, petition for the immigration of certain family members.

They could bring family members in from out of the country to join them. Then, of course, once you become a permanent resident, it is a matter of 5 years to become a citizen, if you have not been convicted of a felony and you can speak English. I don't want to be demagogic and say this is amnesty, amnesty, amnesty, and vote against the bill. I am saying that everybody agreed that 1986 was amnesty, and it did not work.

Everybody I hear publicly talking about this bill says it is not amnesty. Senator KENNEDY, I think, used the word ''lie'' after I said it was amnesty this morning. I think I have demonstrated that it is precisely the same scheme that was used in 1986, which we proved didn't work. If that is not amnesty, what is? Senator LEAHY defended the bill and said it is not amnesty. President Bush said he doesn't believe in amnesty. All he believes in is immigration, and he wants us to do better and be as generous as we can possibly be. But he doesn't believe in amnesty.

Scott McClellan, yesterday at the press briefing he does for the President, said that the President believes that a direct path to citizenship is amnesty, and he opposes that.

This bill provides a direct path to citizenship for people who came to this country illegally. That is just the fact. If we want to have people say it is not so, we will keep talking about it every day this week. That is all I am saying. I wish it weren't so. It is not necessary that we do that. We can provide a humane and decent way to give people full opportunities to live and progress in our society without giving the people who come here illegally benefits over those who wait in line and come legally. That is what it is all about.

So I will just say that, in this rush to move a bill through and to prove that we care, we have not thought it through. We spent 5 days in markup in the Judiciary Committee, and about 4 of those days we really spent some time dealing with enforcement and border issues. We talked about them in some depth. We went over the wording of the statutes with some care. We debated single words. Senator DURBIN, who is here, is a great lawyer. He made some points, being the skilled lawyer he is. We changed words and did all kinds of things.

But when we got to the last day, Monday, they offered an AgJOBS bill, with over 100 pages, in about 15 minutes, and it passed. We still had not seen the draft of it. During the debate in our committee on how to handle the 11 million people in a decent, fair, and just way, to not remove them or make them all leave this country in a permanent way or to abuse them or prosecute them, but how to handle this in a logical, sane way—we spent almost no time on it.

I urged the committee to stay with the enforcement matters like the House did. Let's start hearings immediately and get the best minds in America. Let's find out who these 11 million people are, their desires and wishes; what would be a good and principled way to deal with them; who we should let into our country in the future; what standards should we use; should we have unlimited numbers come in for low-wage jobs and have limits on the high-wage people? Is that logical, what we want to do?

How many more people do we want to allow into our country legally? This bill will allow every year, annually, at least 400,000, and that number can increase every year, forever.

I wish to make one more point, and this is where the American people have to watch this Congress. If we pass this amnesty legislation, if we pass the legislation that makes all these status changes and makes them into law and they become law, that becomes a permanent decision of this U.S. Congress.

But what about the promises that we are going to have enforcement? I offered an amendment in committee that was accepted to add 10,000 detention beds. That probably is not nearly enough, but it would make a big difference. That was accepted. I offered an amendment to increase the number of Border Patrol agents. It probably is not a large enough number, but it would ramp it up faster than the plan was, and that was accepted.

Then it hit me. I have been in the Senate long enough, and I should have been more alert. This is an authorizing committee. The Judiciary Committee is an authorizing committee. We know what happened in 1986. They granted amnesty, they gave everybody amnesty, and they promised in the future they were going to fund an enforcement mechanism, but they didn't do it. It was the bait and switch.

So what did we get? We got an authorization to step up enforcement on our borders, but we didn't get the money to do it. We don't have it yet. Who is to say we won't have a slowdown in the economy next year, and they will cut the money, we will never get the enforcement, and we will still have large numbers coming into the country illegally. That is a big concern to us.

We need to tie this issue down so that we know and the American people can have confidence that the enforcement mechanisms will work and will be funded. That is why the House took the approach they did.

I again say it is not true that those of us who oppose this bill oppose immigration. It is not true. We actually, at least as far as I am concerned, need to increase the numbers that come here legally. It is not true that we want to prosecute people.

What is true is that it is important for our Nation to create a humane, fair, and just way to deal with the people who are here illegally and to make positive and thoughtful decisions about how we want to handle immigration in the future. I do not believe this bill does that job. It is not something I can support. I hope the Senate will not support it. We will see a number of amendments that can make it better. I hope our Senate colleagues will study the legislation and inform themselves of the great issues at stake so we can fix it.

I yield the floor.

MORNING BUSINESS

Mr. SESSIONS. Mr. President, on behalf of the majority leader, I ask unanimous consent that there now be a period for the transaction of morning business, with Senators permitted to speak for up to 10 minutes each.

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

TRIBUTE TO CASPAR WEINBERGER

Mr. HAGEL. Madam President, yesterday America lost one of the preeminent public servants of our time when former Secretary of Defense Caspar Weinberger passed away at the age of 88.

An inventory of Cap Weinberger's service to our country is a tribute to his patriotism. He served in the Army in World War II. He oversaw the State of California's finances for Governor Ronald Reagan. That was during the 1960s. He served under Presidents Nixon and Ford as Chairman of the Federal Trade Commission, Director of the Office of Management and Budget, and as Secretary of the Department of Health, Education, and Welfare. He again served Ronald Reagan as our country's 15th Secretary of Defense, from 1981 to 1987.

Cap Weinberger understood America and he understood the American military. As Secretary of Defense during the tipping point of the Cold War, he led an unprecedented rebuilding of an American military that had been demoralized and devastated by Vietnam.

His legacy was the most professional and technologically advanced military the world has ever known. He knew we needed the world's best military not because we wanted war but because we wanted to prevent war.

I was struck by an excerpt from Cap Weinberger's memoir ''In The Arena,'' published in the Washington Post this morning. It said this:

> Some thought it was incongruous that I did so much to build up our defenses but was reluctant to commit forces abroad. I did not arm to attack. . . . We armed so that we could negotiate from strength, defend freedom, and make war less likely.

Cap Weinberger stands out as the model—the model—of what a Secretary of Defense should be. When I was president of the World USO in the late 1980s, I had the privilege of working very closely with Secretary Weinberger. As a Senator, I sought often his wise counsel and sound advice. Without fail, he was always candid, thoughtful, and generous with his time and, I would say, always correct in his analysis.

All Americans owe this great patriot our gratitude and deepest respect. We have much to learn from the lessons of Casper Weinberger's service to his country and his exemplary life. Lilibet and I offer our thoughts and our prayers to Secretary Weinberger's family, as I know do all Americans.

Madam President, I yield the floor.

TRIBUTE TO HERB TOBMAN

Mr. REID. Mr. President, I rise today to honor the life of Herb Tobman, who passed away on Tuesday. Herb was from a different era of Las Vegas. The town was a lot smaller then, and everyone knew him as a successful businessman and a community leader. What impressed me most about Herb though was his quiet generosity that impacted the lives of countless Nevadans. I know that Las Vegas would not be the place it is today without Herb Tobman.

I first saw Herb as a preteenager at Squires Park ballfield. He played fastpitch softball in the Horseshoe Club championship league with my brother Dale. His athletic accomplishments were widely known: Herb was a high school all star in every sport. He was a champion handball and racquetball player, and later he went on to play professional basketball.

Herb was born in the Bronx in 1924. In the 1950s, Herb moved to Las Vegas, where he secured a $1,200 loan. This small sum allowed Herb to open City Furniture Exchange, the first used furniture store in Las Vegas. The business thrived, and it was a Las Vegas landmark for more than 25 years.

His success as a businessman led Herb to start Western Cab Company in 1965. Herb started with one cab, and ended with more than 134 taxicabs and 355 employees.

Soon after, Herb took his business acumen to the gaming industry. He was an associate of Moe Dalitz, the developer of the original Desert Inn Hotel and Casino. Herb helped develop the Sundance Hotel and Casino in downtown Las Vegas. Before the modern Las Vegas casinos were built, the Sundance was the tallest building on the Las Vegas skyline. In addition to these accomplishments, Herb also managed the Marina, Fremont, Aladdin, and Stardust resorts. Herb was known throughout the industry for his kindness and generosity to his employees.

In addition to his business accomplishments, Herb was also an active participant in Nevada politics. In 1986, he ran in the Democratic gubernatorial primary against incumbent Richard Bryan. Instead of using his wealth to fuel his political aspirations, Herb limited contributions to $10 per individual. Needless to say, those limits put him at a competitive disadvantage, but Herb still managed to receive more than 15 percent of the primary vote. The vote total is a testament to Herb's reputation throughout the state.

Accomplishments in business and politics would be enough for some men, but it was not enough for Herb. From an early age, Herb learned the importance of giving back to his community. Herb never sought recognition for his efforts, but he impacted almost every life in southern Nevada.

Every year, during the holidays, Herb anonymously fed hundreds of homeless individuals in Las Vegas. He helped local children with their college expenses, and he helped people who were down on their luck. No challenge was too great. If Herb knew you needed help, he was there to provide it oftentimes unknown to his beneficiaries. I needed help on several occasions, and Herb was always available. Herb was my friend and I will miss him very much.

There are many successful individuals throughout Nevada, but very few had the sense of community of Herb Tobman. Nevada is a better place because of Herb.

THE VALUE OF SERVING OTHERS

Mr. REID. Mr. President, Cameron Ball of Henderson, NV, recently delivered a moving speech on the value of serving others to the Coronado High School Honor Society. Over the past year, Cameron and the student body of Coronado High School have worked tirelessly to improve their community. Many of these students will enter college next year, but I hope they will keep Cameron's speech close to heart; service is a lifelong pursuit, and we all have an obligation to help others. I congratulate these students on their accomplishments for Coronado High School and Henderson, NV.

I ask unanimous consent Cameron Ball's speech be printed in the RECORD.

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

SPEECH TO 2005–2006 INDUCTEES OF CORONADO HIGH SCHOOL'S NATIONAL HONOR SOCIETY

Throughout the year, you have all proved yourselves involved, caring, and crucial parts of our community. If we were to have taken turns volunteering, one at a time, we would have performed community service for more than a year. Although this is a formal recognition of all your hard work and service, you must all remember that dedication to a cause does not end here, but it is a lifelong process. Induction into NHS does not directly make your deeds significant, and stops short of granting you success in life. Induction into this club provides you with the experience you will need to launch yourself into greater tasks. Emerson wrote: ''The only reward of virtue, is virtue: the only way to have a friend, is to be one.''

Induction into National Honor Society is not a life-defining moment, but an infinitesimal instant in a continuum of time. The significance of this club and its actions, your actions, will seem to fade over the years. Spent will be the money we worked so hard at raising from Hip Hop 4 Hearts; the smiles we have put on the faces of those whom were fed, clothes and given gifts will have waned. The tangible accomplishments of this club will vanish gradually like footprints in the sand. Instead, thoughts of college life will fill your mind; money will still be sorely needed the world over; and everywhere, pariahs of humanity will hide in obscure poverty, waiting to be lifted from the black pit of circumstance.

Nevertheless, our actions and intentions have not been in vain. NHS has not immortalized the happiness of an individual. That would be impossible. National Honor Society has catalyzed your involvement in a lifelong process: a journey of love; a wrestle with dignity; a mission to make a difference. The road that lies before you is intrinsically more important that what you have done with these past three quarters of your high school career. With your experience and whetted appetite to serve, you will find that it becomes easier to replenish the smiles on the faces of troubled friends and strangers. If you pledge yourself to improving the lives of others, you ensure that life continues. My life, taken alone, is meaningless. As soon as I become one with my community, I gain an identity: a purpose. I can do this by volunteering, donating the fruits of my labor to a worthy cause, or simply by giving everyone I see a smile. After all, ''a friend may well be reckoned the masterpiece of nature'' (Emerson). Deeds, both great and small, are never wasted. As Emily Dickinson wrote:

If I can stop one heart from breaking,
I shall not live in vain:
If I can ease one life the aching,
Or cool one pain,
Or help one fainting robin
Unto his nest again,
I shall not live in vain.

Your deeds have been exceptional thus far, and for that we recognize you here today. The next step in serving is to shed yourself of recognition for your actions. Give back to your community more than you take from it, and do so modestly. Do not boast of your accomplishments. Conceit never cured any illnesses. Lao Tzu, ancient philosopher, propounds: ''True virtue does not 'act,' and has no intentions . . . Know glory, but cleave to humiliation.'' By doing this, you will rally others to your side—kindle in the despondent, a flame of hope. Know your charge. Lift others to your side, and never push them down. As for yourself, transcend the grasps of hubris, and look to austere altruism for your guidance, albeit at times seemingly insignificant, for even the smallest action can change the course of history.

DEATH OF FORMER ESTONIAN PRESIDENT LENNART MERI

Mr. BIDEN. Mr. President, today I would like to honor the extraordinary life and legacy of the late Estonian President Lennart Meri. President Meri was an inspiration to his countrymen, a true friend of the United States, and a stalwart advocate for freedom. His passing on March 14, 2006, was a tremendous loss to the people of Estonia and the world.

Born in 1929 to the renowned diplomat and Shakespearean translator Georg Meri, Lennart's early childhood exemplified the plight of the Estonian people. Living in a country ravaged by war and subjected to the brutality of Soviet occupation, Lennart attended nine different schools and studied in four different languages. He was eventually deported from his homeland to Siberia along with thousands of other Estonians, Latvians, and Lithuanians. During his forced exile, he helped feed his family by picking potatoes.

President Meri experienced more hardship as a boy than most men do in a lifetime, but he was quick to turn his struggles into opportunities. In the course of his itinerant education he became fluent in French, German, English, and Russian. He also developed a tenacity that would serve him well throughout his life.

Lennart eventually came back to Estonia to study history and languages, graduating from Tartu University with honors in 1958. The Soviet Government prevented Lennart from working as an Estonian historian, but he again found possibility where others might have only seen discouragement. Instead of accepting defeat, he established himself as a writer, filmmaker, and dramatist, and used these avenues to preserve Estonia's national identity.

For over 20 years, the Soviet Union refused to allow Lennart to venture beyond the Iron Curtain. Ultimately, when he did travel abroad, he served as a lone, unofficial emissary of what was by then an almost forgotten country. He established contact with politicians and journalists, recounting the story of Estonia to whoever would listen. When the collapse of the Soviet empire finally freed his country, Lennart was able to continue representing his newly independent homeland as an Ambassador and Foreign Minister. Ultimately, Lennart served two terms as President of the country he had loved and championed for so long.

Lennart's accomplishments were myriad; he helped build Estonia's Foreign Service from the ground up, established strong ties with the West, and reached an historic agreement with Boris Yeltsin to end Russia's military presence in Estonia. Beyond these remarkable achievements, though, Lennart left behind a bequest of liberty that will endure along with the free nation of Estonia. I hope each of us will appreciate that legacy and continue working to advance the cause of freedom.

WOMEN'S HISTORY MONTH

Mr. JOHNSON. Mr. President, today I want to give a statement on Women's History Month. This is an important time for Americans to reflect on the invaluable contributions women make in our society. Women are our families, our coworkers, and our neighbors. They juggle many roles in making our homes, our neighborhoods, and our country stronger. Eighty million women in our country are mothers. Sixty percent of American women work at least part time. Nearly 2 million American women are veterans. More than 200,000 women are doctors, and more than 2½ million women are registered nurses.

South Dakota's own history is filled with women who balanced the needs of their families and their communities to make our country better. Mamie Pyle is one such woman. In 1902, Mamie's husband passed away when she was just 36, leaving her to raise four young children on her own. Not only did Mamie find a way to send all four of her children to college in the early 1900s, but she also led the South Dakota women's suffrage movement for a decade. Because of Mamie's determination, South Dakota ratified the national women's suffrage amendment in 1919. Mamie continued to serve her community as a member of the Huron College board of trustees for more than 40 years. In 1947, South Dakotans honored Mamie by naming her the State's Mother of the Year at age 81.

It is women like Mamie who teach South Dakota girls—and all of us—of the difference one person can make in our society and of the thousands of women who have made South Dakota the great State it is today.

This month we remember that women are our soldiers, our doctors, our social workers, our mothers, and our teachers. And we remember the women who came before them and made these roles possible. So many of

them are unknown to us, but our gratitude to all of them is no less real.

Women's opportunities continue to expand in South Dakota, in America, and throughout the world. They are leaders in South Dakota, taking on new roles every day in our communities. Cecelia Fire Thunder is one such woman. Cecelia is the first female president of the Oglala Sioux Tribe. She has fought to improve the education of her tribe's children and the health of her tribe's community. This is not Cecelia's first role as a caregiver to her community. Before becoming president, she was a nurse and healthcare provider.

Yet even as we celebrate South Dakota's women of yesterday and today, we live in uncertain times for women. As we honor the women who have helped us throughout history and those who make our country a better place today, it is imperative that we keep our promises to them.

As the 200,000 active American women soldiers return home, we must keep our promise to them to give them access to the health care they need. Four million women are battered in their homes in this country every year. We must keep our promise to them to fully fund law enforcement and violence prevention programs under the Violence Against Women Act. More than 2,500 children will be born into poverty today alone in this country. We must keep our promise to their mothers that every child in every community in this country will receive a quality education. One in four Native American women live in poverty. We must keep our promise to them to make their communities stronger with programs that provide access to quality, affordable housing under the Native American Housing Assistance and Self Determination Act.

And most importantly, when the women in our communities are vulnerable, we cannot abandon them. We cannot ignore their needs. When we know that the leading causes of death for women are heart disease and cancer—and the average fatality rates for South Dakotans with these diseases are higher than the national average fatality rates—we cannot cut Government support for research that will cure these deadly diseases as the current 2007 budget proposes. We as a community must stand by our promise to women to find a cure for these diseases.

This month we honor the women who protect our values in our homes, in our communities and overseas. This month we thank them for their sacrifices, their compassion, and their leadership. This month we renew our promises to them to continue building a safer, better, more just society for them, for their families and for all Americans.

IN RECOGNITION OF GERALD J. LEELING

Mr. NELSON of Nebraska. Mr. President, I rise today to recognize Gerald ''Gary'' Leeling for receiving the Colonel Paul W. Arcari Meritorious Achievement Award from the Military Officers Association of America—MOAA—on March 18, 2006.

I have come to know Gary through his service as minority staff director of the Senate Armed Services Personnel Subcommittee, of which I am ranking member. His responsibilities include recruiting and retention, separation and retirement, pay and benefits, personnel policies, military medical programs, and military officer nominations. Gary is highly deserving of this award for his strong staff work on numerous legislative initiatives affecting military people. Whether he is briefing me on pending nominations or changes to numerous defense programs, Gary does so in a professional and committed manner.

Before beginning his service in the Senate in December 1998, Gary was an Army Judge Advocate General's corps officer. During his 28 years of service in the Army, Mr. Leeling served as chief of the Administrative Law Division, Office of the Judge Advocate General of the Army; staff judge advocate for III Armored Corps, Fort Hood, TX; faculty, Industrial College of the Armed Forces; staff judge advocate for 2nd Armored Division, Fort Hood, TX; and deputy staff judge advocate for VII Corps, Stuttgart, West Germany.

Gary received a bachelor of science degree from South Dakota State University and a juris doctorate from the University of South Dakota. He is a graduate of the Judge Advocate General's Graduate Course, the Army Command and General Staff College, and the Industrial College of the Armed Forces.

I consider Gary a tremendous asset that the Senate Armed Services Committee is lucky to have, and I commend Gary on his accomplishments and thank him for his contributions to our country's servicemembers.

PASSING OF RAY MEYER

Mr. OBAMA. Mr. President, I rise today with sadness to note the passing of a college basketball icon, Ray Meyer, the longtime coach of the DePaul University Blue Demons. Mr. Meyer died on March 17 of congestive heart failure at age 92. Although we mourn his passing, I choose to celebrate the memory of a good and decent man and a quintessential Chicagoan.

Ray Meyer had a hardscrabble upbringing on the West Side of Chicago the youngest in a family of seven boys and three girls. His dad ran a wholesale candy business but died when young Ray was only 13. Finding an outlet in competitive sports—baseball, basketball, football, and wrestling—Ray Meyer started to make a name for himself at St. Agatha's Grade School, Quigley Preparatory Seminary, and St. Patrick's Academy.

Coach Ray's earliest mentoring skills led him to the love of his life—Margaret Mary Delaney—when a local priest cajoled Ray into assisting him with the St. Agatha's parish girls team. The ''Coach and Marge'' had a lifelong love affair in a marriage of 46 years that ended only with Marge's death in 1985 at age 72.

Earning a scholarship to Notre Dame under coach George Keogan, Ray Meyer had a distinguished collegiate career. He graduated on the honor roll with classmates including future Notre Dame president Theodore Hesburgh and future executive vice president Edmund Joyce. Graduating in 1938, Ray was the proud recipient of Notre Dame's Byron V. Kanaley Award for lettermen demonstrating the highest in academic achievement and leadership.

Following graduation, Meyer worked several jobs unrelated to his love of sports. Shortly after his marriage, Ray was offered the job of basketball coach at Joliet Catholic high school, but he refused when the school fell $100 short of his requirement for an $1,900 annual salary. But fate intervened when his former Notre Dame coach George Keogan suffered a heart attack and Ray was hired to fill in for the remainder of the 1940–41 season, staying on as an assistant to Keogan until 1942 when DePaul University came calling.

Early in his career, Coach Meyer was blessed with a bespectacled, gangly 6-foot-10-inch center named George Mikan. Mikan, who later was named the outstanding player of the first half of the 20th century, was awkward and inexperienced. Under Ray Meyer's tutelage and his own work ethic, George Mikan turned into a dominating force as one of the first true big men to excel at the college level.

In 1943, Mikan and his DePaul mates played in the 1943 NCAA tournament against the Georgetown Hoyas and a freshman reserve named Henry Hyde the same Henry Hyde who is just now serving his final term in the other body as a distinguished member of Congress from Illinois. In 1945, the Mikan-led Blue Demons won the National Invitational Tournament, which at the time was more prestigious than the NCAA tourney.

Coming to DePaul in 1942, Coach Ray stayed 42 years on the sidelines and another 13 as the colorful radio broadcaster for the games of the school he loved, then coached by his former player and son, Joey Meyer. Ray Meyer's list of coaching accomplishments is truly impressive: 724 victories at 1 school; 55 years of attending all of DePaul's 1,467 games; 37 winning seasons; an NIT title in 1945; NCAA Final Four teams in 1943 and 1979; and membership in the Basketball Hall of Fame. DePaul University recognized the role of Coach and his wife as ambassadors in its expansion to the largest Catholic University in the United States. DePaul named in its campus Fitness and Recreation Center after the coach and the floor at its home court, Allstate Arena, as the ''Ray and Marge Meyer Court.''

Coach Meyer was not only good, he was resourceful. For many years, his recruiting budget was minimal. Enticing promising players to come to a school in the shadow of the North Side ''L'' was difficult. Finding housing for players near a campus with little student housing at that time was also a challenge. Sometimes, the players were fed from the Meyer kitchen or some extra meal tickets at the Roma on the corner of Sheffield and Webster, where they could enjoy a great Italian beef sandwich. But Coach was imaginative and diligent. He used both qualities to establish and operate a basketball camp in Three Lakes, WI, for 55 summers.

Ray Meyer left an impact on all of his players. He had some great ones Mikan, Jim Lamkin, Howie Carl, Dave Corzine, Mark Aguirre, Rod Strickland, Terry Cummings, and Dallas Comegys, among others. But he had an incalculable impact on his school, his family and friends, Chicago, the Midwest and the Nation. Hall of Fame coach and native Chicagoan, Mike Krzyzewski, may have said it best:

> Coach Meyer casts a large shadow on the game of college basketball. . . . He truly loved the game and the kids he coached. It was so evident. In each game that he coached and each game that he announced. I love him. He served as a great example of what a coach should be.''

To his children sons Tom, Joey, Bob and daughters Barbara and Pat and his 18 grandchildren, I send my most heartfelt condolences, and I ask my colleagues to join me in celebrating the life and memory of a wonderful human being, Coach Ray Meyer.

ADDITIONAL STATEMENTS

IN MEMORY OF BUCK OWENS

• Mrs. BOXER. Mr. President, today, I rise to honor the memory of the late Buck Owens, the Country Music Hall of Fame honoree who introduced a uniquely California sound to country music. Mr. Owens, a long time Bakersfield resident, passed away at his home on March 25, 2006. He was 76 years old.

Alvis Edgar Owens, Jr. was born in Sherman, TX, in 1932. At an early age, he nicknamed himself, ''Buck,'' after a mule on the family farm. Seeking better fortune during the Great Depression, the Owens family moved west in 1937, settling in Mesa, AZ.

An avid music fan, Buck learned to play the guitar in his early teens. By his late teens, he was already a regular on local radio stations and was playing shows in honky tonks and bars around Phoenix. A precocious and determined young man, it was apparent to many that Buck was a prodigiously talented musician who was destined for great success.

Buck's many accomplishments amassed over a five-decade recording and performing career have rightfully cemented his status as one of the greatest country-western entertainers ever. He was truly a trailblazer whose trademark stinging electric guitar and rhythm sound revolutionized country music. Buck's 21 country singles from 1963 to 1988 were a testament to his longevity and staying power. Buck's music was universally celebrated and embraced, as evidence by the Beatles' cover of his song, ''Act Naturally'' in 1965. The consummate entertainer, Buck's iconic television entertainment show, ''Hee Haw'' enjoyed a remarkable 25 year run on the airwaves.

I was delighted to have met Buck back in 1997 at his Crystal Palace in Bakersfield. He was kind and generous of spirit, as when I was invited to present one of his special red, white, and blue guitars to a promising music student named William Villatoro. I still vividly remember how the young man was deeply moved and inspired by his generous gesture. I will certainly remember Buck Owens as a man of great compassion who possessed a profound love for his country. Although he is no longer with us, I take great comfort in knowing that Buck Owens was not only able to be a shining light in the life of a young man from Bakersfield, but also to the millions of others who admired his musical gifts and were touched by his humanity.

Buck Owens has left behind a legacy of artistry and boundless love for his adopted hometown of Bakersfield and California's Central Valley. He will be dearly missed.

Buck Owens is survived by his three sons, Buddy Alan, Michael, and Johnny.•

HONORING JAZZ LEGEND AND COLORADAN DIANNE REEVES

• Mr. SALAZAR. Mr. President, I rise to call attention to one of the world's most recognized jazz vocalists who also happens to call Denver home—Dianne Reeves.

Earlier this year, Dianne won a Grammy for Best Jazz Vocal Album, this time for her work on the soundtrack of the Best Picture-nominee, ''Good Night, and Good Luck.'' The album is filled with standards like ''Straighten Up and Fly Right,'' and ''Too Close for Comfort.''

Dianne grew up in Denver where she was raised by her grandmother, taking piano lessons before discovering her love of singing. She got her start in the jazz band at Denver's George Washington High School when she was discovered by trumpeter Clark Terry while performing with the band at the National Association of Jazz Educators Conference in Chicago. She went on to tour with Harry Belafonte while still in her twenties before being signed to the legendary Blue Note record label in 1987. Just 4 years ago, the world enjoyed her performance at the closing ceremonies of the 2002 Winter Olympics in Salt Lake City, UT, that critics called ''spellbinding.''

This Grammy award was not Dianne's first. Rather, it was her fourth in six nominations. Previously, she won the Best Jazz Vocal award 3 years in a row, an unprecedented feat for an artist in any vocal category. She has joined with fellow jazz giants like Wynton Marsalis, recorded with the Chicago Symphony Orchestra, performed with the Berlin Philharmonic, and was the first vocalist to perform at the Walt Disney Concert Hall in Los Angeles.

Dianne has been recognized around the world for her outstanding artistic accomplishments and contributions, and we in Colorado are proud that she still calls our State ''home.''•

PIEDMONT ELEMENTARY SCHOOL, DULUTH, MINNESOTA

• Mr. DAYTON. Mr. President, I rise today to honor Piedmont Elementary School, in Duluth, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

Piedmont School is truly a model of educational success. The school has 220 pupils in kindergarten through grade 5 and provides school readiness services for 30 preschool children.

One program unique to Piedmont Elementary is its reverse-mainstreaming program, which makes it possible for kindergarteners to spend time in a special education classroom for kindergarten children with special needs. The experience helps these children to interact better with one another and to appreciate the challenges that some children must meet every day.

The school prides itself on its efforts to ensure that everyone will feel valued at Piedmont and that everyone—pupils, staff, parents, grandparents, and visitors—will know that they are always welcome. In keeping with this cordial theme, each child arriving at Piedmont for the first time receives the red-carpet treatment: A red carpet of construction paper, which is signed by all the children currently enrolled, is laid down as part of the welcoming ceremony.

Also along the lines of good citizenship, each month, a new character trait is taught in the classrooms and at monthly assemblies, focusing on respect, responsibility, compassion, citizenship, fairness, and honesty.

Much of the credit for Piedmont School's success belongs to its principal, Kris Teberg, and her dedicated teachers. The children and staff at Piedmont School understand that, in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where students develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and children at Piedmont School should be very proud of their accomplishments.

I congratulate Piedmont Elementary School in Duluth for winning the Award for Excellence in Education and

for its exceptional contributions to education in Minnesota.●

EVELETH-GILBERT PUBLIC SCHOOLS, ELEVETH AND GILBERT, MINNESOTA

● Mr. DAYTON. Mr. President, I rise today to honor the Eveleth-Gilbert Public Schools, in Eveleth, MN, and Gilbert, MN, which recently earned an Award for Excellence in Education for exceptional and innovative achievements in educating children.

The Eveleth-Gilbert Public School District is truly a model of educational success. About 10 years ago, the district initiated an accelerated reader program to teach literacy skills and an appreciation for reading at all grade levels. Originally, this unique reading program was established for the District's 10th-grade students and is now used in grades 2 through 12.

The accelerated reader program takes a fun and exciting approach to promoting reading, both at school and at home. The students read books and take a 10-question, computer-assisted assessment to score their comprehension, earning accelerated reader points for every assessment they pass. The students love to track their own progress, and teachers often involve the class in setting goals for accruing accelerated reader points. Students receive instant feedback and gain increased motivation to read more books. As students test themselves on more books, the accelerated reader system enables close monitoring of general levels or reading performance and other diagnostic information.

The success of the accelerated reader program is reflected in the students' scores on the reading portion of the Minnesota Comprehensive Assessment tests. Over the past 2 years, Franklin Elementary and Nelle Shean Elementary, the district's two elementary schools, and Eveleth-Gilbert Senior High School, earned four- and five-star status from the Minnesota Department of Education for their test scores in reading.

Much of the credit for the success of the Eveleth-Gilbert Public Schools belongs to the superintendent, Mike Lang; the building principals, Deborah Hildie, Jan Mesich, and Lyn Bol; and all the district's dedicated teachers. The students and staff at the Eveleth-Gilbert Public Schools understand that, in order to be successful, a district must go beyond achieving academic success; it must also provide a nurturing environment where students can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and students at Eveleth-Gilbert Public Schools should be very proud of their accomplishments.

I congratulate the Eveleth-Gilbert Public Schools in Eveleth and Gilbert for winning the Award for Excellence in Education and for exceptional contributions to education in Minnesota.●

DENFELD HIGH SCHOOL, DULUTH, MINNESOTA

● Mr. DAYTON. Mr. President, I rise today to honor Denfeld High School, in Duluth, MN, which recently earned an Award for Excellence in Education for its exceptional and innovative achievements in educating children.

Denfeld High School is truly a model of educational success. The teachers at Denfeld are noted for their outstanding teaching abilities and their strong emphasis on ethics and individualized instruction. Teachers challenge their students with consistently high expectations and also help students, according to their individual needs, to master difficult subject matter.

A unique part of school life revolves around lunchtime. Once a week, Denfeld students participate in integration learning lunches, to which an integration specialist brings foods from different cultures for students to enjoy while they discuss other cultural traditions and the benefits of a diverse society.

With respect to the arts, Denfeld High School focuses significant attention on its music programs. The school is extremely proud of its classic, acoustically pure auditorium, which accommodates an audience of 1,800. Denfeld's orchestra, band, and choir programs help foster the musical talents of all students.

Much of the credit for Denfeld High School's success belongs to its principal, Ed Crawford, and his dedicated teachers. The students and staff at Denfeld High School understand that, in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where students can develop the knowledge, skills, and attitudes for success throughout life. All of the faculty, staff, and students at Denfeld High School should be very proud of their accomplishments.

I congratulate Denfeld High School in Duluth for winning the Award for Excellence in Education and for its exceptional contributions to education in Minnesota.●

VIRGINIA PUBLIC SCHOOLS, VIRGINIA, MINNESOTA

● Mr. DAYTON. Mr. President, I rise today to honor the Virginia Public Schools, in Virginia, MN, which recently earned an Award for Excellence in Education for exceptional and innovative achievements in educating children.

The Virginia Public School District is truly a model of educational success. The district has superbly nurtured students' progress in academics and in the performing arts. Its educators are very proud of their students' accomplishments and believe that the school system provides young people with the highest quality of education in a wonderful learning environment.

Nestled in the center of Minnesota's Iron Range, the Virginia Public School District has endured the ups and downs of a difficult economic climate and declining school enrollments, while continuing to produce extraordinary student successes, academically and artistically.

In 2004–2005, 100 percent of the seniors at Virginia Public Schools passed the Basic Standards Tests in reading, writing, and mathematics. Students at Virginia Secondary School are qualified to enrol in many challenging, upper-level courses, including honors British literature, advanced placement biology, physics, and Spanish 3, honors American literature, accounting, economics, history, and medical careers.

Much of Virginia's success has been attributed to a caring, well-seasoned staff of veteran teachers. Nearly 80 percent of Virginia's faculty have 10 or more years of teaching experience. Moreover, 54 percent of Virginia's teachers hold master's degrees.

In addition to strong academic programs, Virginia is justly proud of its extraordinary music programs. The band, orchestra, and choir students are second to none in the region and well known throughout Minnesota. The orchestra program, which is the only string program remaining on the Iron Range, is one of only a handful existing outside of the Twin Cities metropolitan area.

The Virginia vocal music program has a strong tradition of excellence, reaching back decades. Virginia's A Cappela Choir, the school's premier choir, has consistently won superior ratings at the State music contest.

The Virginia band program is led by the award-winning Virginia Marching Blues, who have traveled across the United States and Canada, winning numerous awards and splendidly representing Virginia and the State of Minnesota. The jazz band and the concert band also consistently win superior ratings at the State music contest, achieving this distinction virtually every year for three decades.

Much of the credit for the Virginia School District's success belongs to its superintendent, Phil Johnson; the dedicated principals, Michael Krebsbach, Willie Spelts, and Kraig Konietzko; and all the district's teachers. The students and staff at the Virginia Public Schools understand that, in order to be successful, a school must go beyond achieving academic success; it must also provide a nurturing environment where students can develop the knowledge, skills, and attitudes for a lifetime of success. All of the faculty, staff, and students at the Virginia Public School District should be very proud of their accomplishments.

I congratulate the Virginia Public Schools in Virginia for winning the Award for Excellence in Education and for exceptional contributions to education in Minnesota.●

TRIBUTE TO DR. KENT WYATT

● Mr. COCHRAN. Mr. President, I am pleased to commend Dr. Kent Wyatt of

Cleveland, MS, for his distinguished service as president of Delta Council this year. Delta Council is an economic development organization representing the business, professional, and agricultural leadership of the 18 delta and part-delta counties of Northwest Mississippi. Delta Council was organized in 1935 to focus on the challenges which face the economy and society of the region.

Kent Wyatt distinguished himself as the president of Delta State University from 1975 to 1999, and during his years as the president of this proud, regional university, the school experienced unprecedented growth. Since retirement from Delta State University, Dr. Wyatt has provided careful and responsive civic leadership to the Mississippi Delta region. Through his work with Delta Council, he has been a strong advocate and effective leader in advancing adult literacy, for reversing critical teacher shortages in the primary and secondary school system, in increasing access to improved health care, and for sustaining progress in highway developments which are so important to the delta region.

Dr. Kent Wyatt has been a leader in his community and in the field of higher education. He and his wife Janice have committed their entire life toward improving the quality of life for others in this special delta region of our country.

I congratulate Dr. Kent Wyatt for his contributions to the delta region and for his effective leadership of Delta Council. I look forward to his future contributions.●

RECOGNIZING THE 100TH ANNIVERSARY OF THE CITY OF COALINGA

● Mrs. BOXER. Mr. President, I rise to recognize the 100th anniversary of the city of Coalinga, one of the few California cities that was founded as a mining boomtown and survived.

The city originally known as ''Coaling'' was a sleepy coal mining town until oil was prospected in the region as early as 1865 by Southerners displaced by the Civil War. However, aside from being used to control dust on the roads and as a pitch for roofing, there was limited use for petroleum in those days. Limited uses, coupled with transportation challenges, caused early interest in oil to die down considerably. In 1891, the Southern Pacific Railroad purchased the 160-acre Melville Curtiss homestead and laid out the town site that became Coalinga. Local folklore attributes the desire for better musical effect for the addition of the final ''a'' and the eventual adoption of the town name, Coalinga. By the time the city was incorporated on April 3, 1906, the interest in oil had risen again.

In 1909, the Silver Tip well broke loose in the greatest gusher recorded in California at that time; spraying 36,000 barrels of oil in a 72-hour period. The emergence of Coalinga as an oil boomtown caused enough excitement that the Los Angeles Stock Exchange was shut down for a day so that the financiers of California could go witness and experience the boom for themselves. At its peak, the Silver Tip well produced 10,000 barrels of oil a day.

Coalinga's thriving oil fields of that time were to produce personalities and companies that were to become the giants of the industry. R.C. Baker, the founder of Baker Oil Tools, first honed his trade in Coalinga. Republic Oil Field Supply can also trace its beginnings to the city. The formula for world famous A&W root beer was first concocted in downtown Coalinga. Perhaps most famously, Coalinga's oilfield workers fought and won the industry's first 8-hour workday.

On May 2, 1983, a 6.7 magnitude earthquake altered the face of Coalinga. All the brick buildings constructed during the 1900s boom toppled or they had to be demolished. A large slice of the character and charm of Old Coalinga was lost. However, the town's residents demonstrated remarkable unity and determination in putting forth the hard work to make sure that Coalinga continues to grow in spite of the earthquake. Today, the former boomtown with the old brick buildings that was left reeling after the 1983 earthquake is a thriving city that is primed for even greater residential and business growth in the future.

For the past century, the city of Coalinga has served as a testament to the importance of community, optimism, and cooperation. As the residents of Coalinga work together with great pride to make their city a better place to call home, I congratulate them on their centennial anniversary and wish them another 100 years of good fortune and success.●

IN MEMORIAM TO JUDGE DELBERT E. WONG

● Mrs. BOXER. Mr. President, I take this opportunity to honor the life of Delbert Wong, the first Chinese-American judge in the continental United States. Judge Wong passed away on March 10, 2006, at the age of 85.

Delbert Wong was born in Hanford, CA, on May 17, 1920, and was raised a short distance away in Bakersfield. After obtaining an associate of arts degree from Bakersfield College, he transferred to the University of California, Berkeley, where he received an undergraduate degree in business.

After he left U.C. Berkeley, Delbert joined the Army Air Corps during World War II and became one of 18 B–17 Flying Fortress navigators that graduated in his class at Mather Field in Sacramento. During his service with the military, he was 1 of only 3 navigators who completed their 30 bombing missions. For his bravery and dedication, 1LT Delbert Wong was awarded the Distinguished Flying Cross, as well as four Air Medals, for his wartime service.

Following the war, Delbert was faced with a tough choice: should he join his family's grocery business or enter law school? He chose law school, and in 1949 became the first Chinese American graduate of Stanford University's School of Law. After his graduation, Delbert continued to break new ground. He was the first Asian American to be appointed Deputy Legislative Counsel serving the California State Legislature, and the first Asian American to be appointed a deputy state attorney general.

During his tenure as a deputy State attorney general, Delbert was appointed by then-Governor Pat Brown to the Los Angeles County Municipal Court bench in 1959, making him the first Chinese American named to the bench in the continental United States. Two years later, Judge Wong was elevated to the superior court, where he served for over 20 years.

Throughout his career, Judge Wong was an exemplary jurist who dedicated his life to public service. Even after he retired from the bench in 1986, he continued to be deeply involved in his community.

Among his many accomplishments, Judge Wong researched and reported on racial issues within the Los Angeles Airport Police Bureau at the request of the Los Angeles Department of Airports; was appointed by then-mayor of Los Angeles Tom Bradley to serve on a panel tasked with drafting an ethics policy for the city of Los Angeles; and was appointed chair of the Asian Pacific American Focus Program of the National Conference of Christians and Jews, to combat the rise in violence against Asian Americans.

Together with his wife Dolores, Judge Wong was also an ardent supporter of the Chinese American community, making significant contributions to the Asian Pacific American Legal Center, the Chinatown Service Center, and the Asian Pacific American Friends of the Center Theater Group.

Judge Wong was a trailblazer for Asian Americans in the field of law. His dedication to justice and equality was evident in everything that he did. His many years of service—for the city of Los Angeles, for the State of California and for the Nation will not be forgotten.

Judge Wong is survived by his wife Dolores; his children Kent, Shelley, Duane, and Marshall; and his three grandchildren. I extend my deepest sympathies to his family.

Whether he was fighting for our country or fighting for integrity and equality under the law, Judge Delbert Wong was undeterred in his efforts to make America a better place to live. He will be missed by all who knew him. We take comfort in knowing that future generations will benefit from his passion and dedication to justice.●

MESSAGES FROM THE HOUSE

At 2:56 p.m., a message from the House of Representatives, delivered by

Mr. Hays, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 3440. An act to designate the facility of the United States Postal Service located at 100 Avenida RL Rodriguez in Bayamon, Puerto Rico, as the ''Dr. Jose Celso Barbosa Post Office Building''.

H.R. 4057. An act to provide that attorneys employed by the Department of Justice shall be eligible for compensatory time off for travel under section 5550b of title 5, United States Code.

H.R. 4786. An act to designate the facility of the United States Postal Service located at 535 Wood Street in Bethlehem, Pennsylvania, as the ''H. Gordon Payrow Post Office Building''.

H.R. 4805. An act to designate the facility of the United States Postal Service located at 105 North Quincy Street in Clinton, Illinois, as the ''Gene Vance Post Office Building''.

H.R. 4882. An act to ensure the proper remembrance of Vietnam veterans and the Vietnam War by designating a site for a visitor center for the Vietnam Veterans Memorial.

H.R. 4979. An act to amend the Robert T. Stafford Disaster Relief and Emergency Assistance Act to clarify the preference for local firms in the award of certain contracts for disaster relief activities.

The message also announced that the House has passed the following bills, without amendment:

S. 2116. An act to transfer jurisdiction of certain real property to the Supreme Court.

S. 2120. An act to ensure regulatory equity between and among all dairy farmers and handlers for sales of packaged fluid milk in federally regulated milk marketing areas and into certain non-federally regulated milk marketing areas from federally regulated areas, and for other purposes.

The message further announced that the House has agreed to the following concurrent resolution, in which it requests the concurrence of the Senate:

H. Con. Res. 353. Concurrent resolution commending the people of the Republic of Haiti for holding democratic elections on February 7, 2006, and congratulating President-elect Rene Garcia Preval on his victory in these elections.

ENROLLED BILLS SIGNED

At 3:17 p.m., a message from the House of Representatives, delivered by Ms. Niland, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 2116. An act to transfer jurisdiction of certain real property to the Supreme Court.

S. 2120. An act to ensure regulatory equity between and among all dairy farmers and handlers for sales of packaged fluid milk in federally regulated milk marketing areas and into certain non-federally regulated milk marketing areas from federally regulated areas, and for other purposes.

The enrolled bills were subsequently signed by the President pro tempore (Mr. STEVENS).

MEASURES REFERRED

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

H.R. 3440. An act to designate the facility of the United States Postal Service located at 100 Avenida RL Rodriguez in Bayamon, Puerto Rico, as the ''Dr. Jose Celso Barbosa Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4057. An act to provide that attorneys employed by the Department of Justice shall be eligible for compensatory time off for travel under section 5550b of title 5, United States Code; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4786. An act to designate the facility of the United States Postal Service located at 535 Wood Street in Bethlehem, Pennsylvania, as the ''H. Gordon Payrow Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4805. An act to designate the facility of the United States Postal Service located at 105 North Quincy Street in Clinton, Illinois, as the ''Gene Vance Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4882. To ensure the proper remembrance of Vietnam veterans and the Vietnam War by designating a site for a visitor center for the Vietnam Veterans Memorial; to the Committee on Energy and Natural Resources.

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

H. Con. Res. 353. Concurrent resolution commending the people of the Republic of Haiti for holding democratic elections on February 7, 2006, and congratulating President-elect Rene Garcia Preval on his victory in these elections; to the Committee on Foreign Relations.

MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 2467. A bill to enhance and improve the trade relations of the United States by strengthening United States trade enforcement efforts and encouraging United States trading partners to adhere to the rules and norms of international trade, and for other purposes.

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–6159. A communication from the Acting Director, Office of Sustainable Fisheries, National Marine Fisheries Service, National Oceanic and Atmospheric Administration, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Central Aleutian District of the Bering Sea and Aleutian Islands Management Area'' (I.D. No. 021606D) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6160. 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 ''Temporary Rule, Removal of Georges Bank Yellowtail Flounder Daily Limit'' (I.D. No . 021706B) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6161. 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 ''Fisheries Off West Coast States and in the Western Pacific; Pacific Coast Groundfish Fishery; Specifications and Management Measures; Final Rule'' ((RIN0648-AU00)(I.D. No. 120805A)) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6162. 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 ''Final Rule to Correct and Clarify Amendment 13/Framework 40-A to the Northeast Multispecies Fishery Management Plan'' ((RIN0648-AS80)(I.D. No. 040705A)) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6163. 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 ''Bering Sea and Aleutian Islands: Final 2006 and 2007 Harvest Specifications for Groundfish'' (I.D. No. 122805B) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6164. 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 ''Gulf of Alaska; Final 2006 and 2007 Harvest Specifications for Groundfish'' (I.D. No. 122805A) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6165. A communication from the Assistant Secretary for Legislative Affairs, Department of Homeland Security, transmitting, pursuant to law, a report on behalf of the Coast Guard on the Critical Skills Retention Bonus (CSRB) program; to the Committee on Commerce, Science, and Transportation.

EC–6166. A communication from the Assistant Secretary for Legislative and Intergovernmental Affairs, Department of Homeland Security, transmitting, pursuant to law, the annual report assessing the Coast Guard Capabilities and Readiness to Fulfill National Defense Responsibilities; to the Committee on Commerce, Science, and Transportation.

EC–6167. A communication from the Attorney, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Revisions to Civil and Criminal Penalties; Penalty Guidelines'' (RIN2137-AE14) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6168. A communication from the Attorney, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Gas Gathering Line Definition; Alternative Definition for Onshore Lines and New Safety Standards'' (RIN2137-AB15) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6169. A communication from the Assistant Chief Counsel, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Waste: Revision of Requirements

for Carriage by Aircraft'' (RIN2137-AD18) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6170. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Empresa Brasileira de Aeronautica S.A. Model EMB-135 Airplanes and Model EMB-145, -145ER, -145MR, -145LR , -145XR, -145MP, and -145EP Airplanes'' (RIN2120-AA64) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6171. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Polskie Zaklady Lotnicze Spolka zo.o. Model PZL M26 01 Airplanes'' (RIN2120-AA64) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6172. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC-10-10, DC10-10F, DC-10-15, DC-10-30, DC-10-30F (KC-10A and KDC-10), DC-10-40, DC-10-40F, MD-10-10F, MD-10-30F, MD-11 and MD-11F Airplanes'' (RIN2120-AA64) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6173. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A318-100 and A319-100 Series Airplanes; A320-111 Airplanes; A320-200 Series Airplanes; and A321-100 and A321-200 Series Airplanes'' (RIN2120-AA64) received on March 27, 2006; to the Committee on Commerce, Science , and Transportation.

EC–6174. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; McDonnell Douglas Model DC-8-33, DC-8-51, DC-8-53, DC8-55, DC-8F-54, DC-8F-55, DC-8-63, DC-8-62F, DC-8-63F, DC-8-71, DC-8-73, DC-8-71F, DC-8-72F, and DC-8-73F Airplanes'' (RIN2120-AA64) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6175. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Fokker Model F.28 Mark 0070 and 0100 Airplanes'' (RIN2120-AA64) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6176. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Hamburger Flugzeugbau GmbH Model HFB 320 HANSA Airplanes'' (RIN2120-AA64) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6177. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Aero Advantage ADV200 Series Vacuum Pumps'' (RIN2120-AA64) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6178. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Short Brothers Model SD3-60 SHERPA, SD3-SHERPA, and SD3-60 Airplanes'' (RIN2120-AA64) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6179. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Airbus Model A330-200 and -300 Series Airplanes, A340-200 and -300 Series Airplanes, and A340-541 and -642 Airplanes'' (RIN2120-AA64) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6180. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Boeing Model 737-100, -200, -200C, -300, -400, and -500 Series Airplanes'' (RIN2120-AA64) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6181. A communication from the Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Airworthiness Directives; Rolls-Royce plc RB211 Trent 500 Series Turbofan Engines'' (RIN2120-AA64) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6182. A communication from the Acting Chief Counsel, Saint Lawrence Seaway Development Corporation, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Seaway Regulations and Rules: Periodic Update, Various Categories'' (RIN2135-AA22) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6183. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amending FMVSS No. 224, Rear Impact Protection, in Response to NTEA Petition for Reconsideration for Trailers and Semi-Trailers with Liftgates'' (RIN2127-AJ80) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6184. A communication from the Program Analyst, National Highway Traffic Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Federal Motor Vehicle Safety Standards; Head Restraints'' (RIN2127-AJ84) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

EC–6185. A communication from the Paralegal, Federal Transit Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Buy America Requirements; Amendments to Definitions'' (RIN2132-AA80) received on March 27, 2006; to the Committee on Commerce, Science, and Transportation.

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. SCHUMER:

S. 2468. A bill to provide standing for civil actions for declaratory and injunctive relief to persons who refrain from electronic communications through fear of being subject to warrantless electronic surveillance for foreign intelligence purposes, and for other purposes; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself and Mr. LAUTENBERG):

S. 2469. A bill to posthumously award a Congressional gold medal to Alice Paul in recognition of her role in the women's suffrage movement and in advancing equal rights for women; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRAIG:

S. 2470. A bill to authorize early repayment of obligations to the Bureau of Reclamation within the A & B Irrigation District in the State of Idaho; to the Committee on Energy and Natural Resources.

By Mr. DEWINE:

S. 2471. A bill to suspend temporarily the duty on Basic Red 1 Dye; to the Committee on Finance.

By Mr. DEWINE:

S. 2472. A bill to suspend temporarily the duty on Basic Red 1:1 Dye; to the Committee on Finance.

By Mr. DEWINE:

S. 2473. A bill to suspend temporarily the duty on Basic Violet 11 Dye; to the Committee on Finance.

By Mr. DEWINE:

S. 2474. A bill to suspend temporarily the duty on Basic Violet 11:1 Dye; to the Committee on Finance.

By Mr. SALAZAR (for himself, Mr. MARTINEZ, Mr. HATCH, Mr. BINGAMAN, Mrs. HUTCHISON, and Mr. MENENDEZ):

S. 2475. A bill to establish the Commission to Study the Potential Creation of a National Museum of the American Latino Community, to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, DC, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DEWINE: (for himself and Mr. VOINOVICH):

S. 2476. A bill to suspend temporarily the duty on N-Cyclohexylthiophthalimide; to the Committee on Finance.

By Mr. DEWINE: (for himself and Mr. VOINOVICH):

S. 2477. A bill to suspend temporarily the duty on 4,4'-Dithiodimorpholine; to the Committee on Finance.

By Mr. DEWINE: (for himself and Mr. VOINOVICH):

S. 2478. A bill to suspend temporarily the duty on Tetraethylthiuram Disulfide; to the Committee on Finance.

By Mr. DEWINE: (for himself and Mr. VOINOVICH):

S. 2479. A bill to suspend temporarily the duty on certain Tetramethylthiuram Disulfide; to the Committee on Finance.

By Mr. BENNETT (for himself and Mr. LEAHY):

S. 2480. A bill to amend the Fairness to Contact Lens Consumers Act with respect to the availability of contact lenses; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. AKAKA (for himself, Mr. VOINOVICH, Ms. COLLINS, Mr. LIEBERMAN, Mr. COLEMAN, Mr. LEVIN, Mr. COBURN, and Mr. CARPER):

S. Res. 412. A resolution expressing the sense of the Senate that public servants should be commended for their dedication and continued service to the Nation during Public Service Recognition Week, May 1 through 7, 2006; to the Committee on Homeland Security and Governmental Affairs.

By Mr. ALLEN (for himself and Mr. WARNER):

S. Res. 413. A resolution commending the Virginia Wesleyan College Marlins men's basketball team for winning the 2006 National Collegiate Athletic Association Division III National Basketball Championship; considered and agreed to.

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

S. Res. 414. A resolution celebrating the musical and cultural heritage of country music and recognizing the ''Country: A Celebration of America's Music'' festival at the John F. Kennedy Center for the Performing Arts; considered and agreed to.

ADDITIONAL COSPONSORS

S. 117

At the request of Mrs. FEINSTEIN, the name of the Senator from Mississippi (Mr. LOTT) was added as a cosponsor of S. 117, a bill to amend the Higher Education Act of 1965 to extend loan forgiveness for certain loans to Head Start teachers.

S. 382

At the request of Mr. ENSIGN, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 382, a bill to amend title 18, United States Code, to strengthen prohibitions against animal fighting, and for other purposes.

S. 707

At the request of Mr. ALEXANDER, the names of the Senator from New Mexico (Mr. DOMENICI) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 707, a bill to reduce preterm labor and delivery and the risk of pregnancy-related deaths and complications due to pregnancy, and to reduce infant mortality caused by prematurity.

S. 709

At the request of Mr. DEWINE, the names of the Senator from Rhode Island (Mr. CHAFEE) and the Senator from Pennsylvania (Mr. SPECTER) were added as cosponsors of S. 709, a bill to amend the Public Health Service Act to establish a grant program to provide supportive services in permanent supportive housing for chronically homeless individuals, and for other purposes.

S. 757

At the request of Mr. CHAFEE, the names of the Senator from New Jersey (Mr. MENENDEZ), the Senator from Pennsylvania (Mr. SANTORUM) and the Senator from Montana (Mr. BURNS) were added as cosponsors of S. 757, a bill to amend the Public Health Service Act to authorize the Director of the National Institute of Environmental Health Sciences to make grants for the development and operation of research centers regarding environmental factors that may be related to the etiology of breast cancer.

S. 1086

At the request of Mr. HATCH, the name of the Senator from North Carolina (Mrs. DOLE) was added as a cosponsor of S. 1086, a bill to improve the national program to register and monitor individuals who commit crimes against children or sex offenses.

S. 1158

At the request of Mr. KENNEDY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1158, a bill to impose a 6-month moratorium on terminations of certain plans instituted under section 4042 of the Employee Retirement Income Security Act of 1974 in cases in which reorganization of contributing sponsors is sought in bankruptcy or insolvency proceedings.

S. 1343

At the request of Ms. LANDRIEU, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 1343, a bill to support the establishment or expansion and operation of programs using a network of public and private community entities to provide mentoring for children in foster care.

S. 1815

At the request of Mr. ALEXANDER, the name of the Senator from Pennsylvania (Mr. SANTORUM) was added as a cosponsor of S. 1815, a bill to amend the Immigration and Nationality Act to prescribe the binding oath or affirmation of renunciation and allegiance required to be naturalized as a citizen of the United States, to encourage and support the efforts of prospective citizens of the United States to become citizens, and for other purposes.

S. 1915

At the request of Mr. ENSIGN, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1915, a bill to amend the Horse Protection Act to prohibit the shipping, transporting, moving, delivering, receiving, possessing, purchasing, selling, or donation of horses and other equines to be slaughtered for human consumption, and for other purposes.

S. 1998

At the request of Mr. CONRAD, the names of the Senator from Hawaii (Mr. INOUYE) and the Senator from Arkansas (Mr. PRYOR) were added as cosponsors of S. 1998, 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. 2014

At the request of Mr. DEWINE, the name of the Senator from Nebraska (Mr. HAGEL) was added as a cosponsor of S. 2014, a bill to amend title 38, United States Code, to expand and enhance educational assistance for survivors and dependents of veterans.

S. 2178

At the request of Mr. SCHUMER, the name of the Senator from North Carolina (Mr. BURR) was added as a cosponsor of S. 2178, a bill to make the stealing and selling of telephone records a criminal offense.

S. 2198

At the request of Mr. DOMENICI, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 2198, a bill to ensure the United States successfully competes in the 21st century global economy.

S. 2253

At the request of Mr. DOMENICI, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 2253, a bill to require the Secretary of the Interior to offer the 181 Area of the Gulf of Mexico for oil and gas leasing.

S. 2278

At the request of Ms. MURKOWSKI, the name of the Senator from Mississippi (Mr. COCHRAN) was added as a cosponsor of S. 2278, a bill to amend the Public Health Service Act to improve the prevention, diagnosis, and treatment of heart disease, stroke, and other cardiovascular diseases in women.

S. 2284

At the request of Ms. MIKULSKI, the name of the Senator from Connecticut (Mr. LIEBERMAN) was added as a cosponsor of S. 2284, a bill to extend the termination date for the exemption of returning workers from the numerical limitations for temporary workers.

S. 2322

At the request of Mr. ENZI, the name of the Senator from South Dakota (Mr. JOHNSON) was added as a cosponsor of S. 2322, a bill to amend the Public Health Service Act to make the provision of technical services for medical imaging examinations and radiation therapy treatments safer, more accurate, and less costly.

S. 2370

At the request of Mr. MCCONNELL, the names of the Senator from Oklahoma (Mr. COBURN), the Senator from Georgia (Mr. ISAKSON) and the Senator from Arkansas (Mr. PRYOR) 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. 2416

At the request of Mr. BURNS, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2416, a bill to amend title 38, United States Code, to expand the scope of programs of education for which accelerated payments of educational assistance under the Montgomery GI Bill may be used, and for other purposes.

S. 2460

At the request of Mr. MENENDEZ, the name of the Senator from New York (Mrs. CLINTON) was added as a cosponsor of S. 2460, a bill to permit access to certain information in the Firearms Trace System database.

S.J. RES. 1

At the request of Mr. ALLARD, the name of the Senator from Ohio (Mr. DEWINE) was added as a cosponsor of S.J. Res. 1, a joint resolution proposing an amendment to the Constitution of the United States relating to marriage.

S. RES. 357

At the request of Mr. MCCAIN, the name of the Senator from Connecticut

(Mr. LIEBERMAN) was added as a cosponsor of S. Res. 357, a resolution designating January 2006 as ''National Mentoring Month''.

S. RES. 405

At the request of Mr. HAGEL, the name of the Senator from New Hampshire (Mr. GREGG) was added as a cosponsor of S. Res. 405, a resolution designating August 16, 2006, as ''National Airborne Day''.

S. RES. 410

At the request of Mr. AKAKA, the names of the Senator from California (Mrs. FEINSTEIN), the Senator from Minnesota (Mr. COLEMAN) and the Senator from Virginia (Mr. ALLEN) were added as cosponsors of S. Res. 410, a resolution designating April 2006 as ''Financial Literacy Month''.

AMENDMENT NO. 2954

At the request of Mr. BAUCUS, the names of the Senator from Wisconsin (Mr. FEINGOLD) and the Senator from Pennsylvania (Mr. SANTORUM) were added as cosponsors of amendment No. 2954 proposed to S. 2349, an original bill to provide greater transparency in the legislative process.

AMENDMENT NO. 2970

At the request of Mr. SUNUNU, the name of the Senator from South Carolina (Mr. DEMINT) was added as a cosponsor of amendment No. 2970 proposed to S. 2349, an original bill to provide greater transparency in the legislative process.

AMENDMENT NO. 2980

At the request of Mr. ENSIGN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 2980 proposed to S. 2349, an original bill to provide greater transparency in the legislative process.

AMENDMENT NO. 2981

At the request of Mr. ENSIGN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 2981 proposed to S. 2349, an original bill to provide greater transparency in the legislative process.

AMENDMENT NO. 2983

At the request of Mr. ENSIGN, the name of the Senator from Wisconsin (Mr. FEINGOLD) was added as a cosponsor of amendment No. 2983 proposed to S. 2349, an original bill to provide greater transparency in the legislative process.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. SCHUMER:

S. 2468. A bill to provide standing for civil actions for declaratory and injunctive relief to persons who refrain from electronic communications through fear of being subject to warrantless electronic surveillance for foreign intelligence purposes, and for other purposes; to the Committee on the Judiciary.

Mr. SCHUMER. Mr. President, one of the issues that has been hovering over this Chamber—and this country, of course—is the NSA program, the President's program to do wiretaps on American citizens if part of the call originated in a foreign country.

First, let me stress that I think most of us in this Chamber, Democrat and Republican—certainly myself—believe the President should be given the tools he needs to fight terror. In this brave new world, the tools are different, and because a rule worked in 1960 or 1980 does not necessarily mean it works in 2005 or 2006 or 2004. We have to be flexible. I think you can be flexible in a way that both protects our security and protects our liberty. In most issues, this does not conflict. My watchword on most of these issues is: Have a debate, have a standard, and have an independent arbiter check that that standard is being met.

That worked, for instance, in wiretaps. Before 1971, it was a mess. J. Edgar Hoover was listening in on whomever he chose. There was a debate on this issue. There was a standard—probable cause—and there is an independent arbiter, a federal judge, who determines whether probable cause is met. And it works. Neither the prosecutors nor the defense bar have any complaints.

We could come to the same exact conclusion in the new world we face, where warrants are needed far more quickly regarding many more people. If you are doing information gathering where you look for patterns, that might be needed. Again, because one way worked in the past doesn't mean it still works, and I think most Members, myself included, want to be flexible. The problem is when the executive branch arrogates this issue to itself and says, We can decide to do whatever we want, either under the constitutional executive power—that is pretty broad—or even under a grant of war powers, a grant to use force which, as most know, I supported back when the President asked for it in 2001.

Now there is a great debate. The President and his supporters say he was allowed to do these wiretaps without changing the law, without congressional approval. Some on the other side say he never should have been allowed to do it. I think that is a small minority. Many others say: Yes, he should be allowed to do it, but there ought to be a congressional debate, a change in the law, and perhaps a standard would be applied.

Right now we are deadlocked on that issue. We are deadlocked because, whether it is the Intelligence Committee, the Judiciary Committee on which I serve, this body in general, or the Nation—nobody knows, did the President go outside the ambit of the law about asking for a warrant? Some think yes, and they are pretty sure of that. Some think no, and they are pretty sure of it. They are pretty sure that he couldn't. Many are not sure at all.

I ask you, who is the logical group or person to make that determination? The executive branch generally through our history has had a lean to expand executive power. That is natural.

The legislative branch has had a lean on the other side. That is how the Founding Fathers set up our Government in their wisdom and it seems to have worked very well ever since 1789. To say we should just go along with what the executive branch wants is not going to work. Frankly, even though I am a Senator and believe in protecting the legislative prerogative, if we only did what the legislative branch wanted, that probably wouldn't work, either; and, needless to say, we are divided on this.

The most logical place for this to be settled is in the U.S. Supreme Court. They don't side with executive or legislative power, necessarily. They are authoritative, they are respected, in a sense they are the supreme arbiters, and they could put this question to rest and we could move on.

There is one difficulty. There will be people who will challenge these wiretaps through the normal process and we might get to the Supreme Court in 3 or 4 years. During all that time, the gridlock and deadlock we face on this issue, and the concomitant gridlock and deadlock that occurs in other issues related to this, would be hanging over this body. So I tried to figure out how can we get the Supreme Court to hear this case quickly.

The bill I am introducing right now will do just that. We have consulted some expert authorities and there are two basic problems—one easier, one harder. The easier is to simply expedite the judicial process, to grant expedited review. The minute a case is decided in the district court, it goes right up to the Supreme Court because time is of the essence—and I believe it is here. We have good precedent for this. It was done recently so the Supreme Court could hear on an expedited basis McCain-Feingold, and they came to a conclusion, and elections could be held and we moved forward. That is a typical example of where you would do that.

Our bill does grant such expedited review. But what about standing? How do you quickly get into the district court to do this? And, by the way, I have a feeling very few in this body would want to grant an expedited hearing to someone who might be participating in or accused of terrorism. So you have a dilemma that, while you want expedited review and it would seem logical that the Supreme Court should be the place, the cases that are out there are not the ones that would seem to merit that kind of expedited review—a special case; particularly if someone is accused of terrorism. We in New York know better than anywhere else that is a dastardly act.

What we have done—frankly, in consultation with some leading experts on this—is we have granted standing to a

very narrow class of citizens who actually have refrained from making overseas calls because of a fear that they might be listened to under the NSA program. But these are not people who are accused of terrorism in any way. These are, rather, people who maybe would be—and it is a small class—business people who would regularly call, say, Afghanistan. Maybe they are importing rugs, who knows? But they are afraid to because their calls might be listened in to.

It might be academics, maybe a professor of linguistics who might be doing research into the Pashtun language, and now has refrained from making calls. These are people who have been chilled by the reports that their calls might be listened in to. They are American citizens calling the foreign country and would have standing.

Our bill gives those people standing, gives them a right to go to district court quickly and then with expedited review to the Supreme Court, so we could actually get a decision, very possibly, on whether the President's wiretapping was under the ambit of the law very quickly. It is very authoritative. It might break through the dilemmas we face.

I am introducing this legislation this afternoon and I ask my colleagues to give it careful consideration. It is clearly not partisan legislation. Given the current composition of the Supreme Court and the two new Justices who have just been added, it is hardly a liberal or Democratic court, and it could settle the issue once and for all so our country could achieve some comity on this issue and move on and discuss other issues.

I urge my colleagues and everyone else in this great country of ours to examine this legislation, see if they wish to support this legislation or something close to it, and maybe we can move this kind of bill on the floor quickly so we could get the kind of expedited review that I think many of us would seek from the one body that would have the authority to make such review ultimately, and that is the U.S. Supreme Court.

The bill will be handed to the desk for introduction.

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

By Mr. CRAIG:

S. 2470. A bill to authorize early repayment of obligations to the Bureau of Reclamation within the A&B Irrigation District in the State of Idaho; to the Committee on Energy and Natural Resources.

Mr. CRAIG. Mr. President, I rise today to introduce the Southern Idaho Bureau of Reclamation Repayment Act of 2006. This Act authorizes prepayment by landowners of their allocated portion of the obligations to the Bureau of Reclamation within A&B Irrigation District and will allow individual landowners to prepay their obligations if they so desire. Additionally, the Act will allow the landowners who have prepaid to be exempt from the acreage limitation provisions set in the Reclamation Reform Act of 1982, thereby creating an appropriate market for the sale of those lands now owned by landowners who have either died or have retired.

I look forward to working with my colleagues to move this necessary bill through the legislative process quickly.

By Mr. SALAZAR (for himself, Mr. MARTINEZ, Mr. HATCH, Mr. BINGAMAN, Mrs. HUTCHISON, and Mr. MENENDEZ):

S. 2475. A bill to establish the Commission to Study the Potential Creation of a National Museum of the American Latino Community, to develop a plan of action for the establishment and maintenance of a National Museum of the American Latino Community in Washington, DC, and for other purposes; to the Committee on Energy and Natural Resources.

Mr. SALAZAR. Mr. President, I rise to speak about legislation I am introducing today which I believe will enhance the experience of the millions of visitors who visit our Nation's Capital every year, and will contribute to the ongoing, deeply rewarding, and profoundly important process of national self-discovery. As we learn more about who we are as Americans, we gain strength from our history and enrich our vision for the future.

In that spirit, together with Senators MARTINEZ, HATCH, BINGAMAN, HUTCHISON, and MENENDEZ, I have introduced the National Museum of the American Latino Community Commission Act. The bill will establish a Commission to study the potential creation of a National Museum of the American Latino Community. The Commission members, selected by the President and Members of Congress, will be tasked with studying the impact of such a Museum, developing a plan of action and a fundraising plan, and proposing recommendations to make the Museum a reality.

I am pleased to be building on the work of several members of Congress during the 108th Congress, most notably Senator HATCH and Congressman XAVIER BECERRA.

On May 10, 2005, Congressman XAVIER BECERRA re-introduced the Commission bill in the House of Representatives with Congresswoman ILLEANA ROS-LEHTINEN. Since then, 107 Representatives have lent their support to H.R. 2134, and tomorrow, the Subcommittee on National Parks, Recreation and Public Lands in the House Resources Committee will meet to examine the proposal.

Washington, DC is more than the seat of our government; it is the symbolic heart of our country. When American travel to their Capital, they expect the museums, monuments, and national parks they visit to reflect the complete American experience. I celebrate the recent opening of the National Museum of the American Indian and the announcement of the location of the new National Museum of African American History and Culture. I believe we must celebrate the diversity of our Nation and her rich national heritage.

Many assume that Hispanics have just arrived on our country's shores. But these newly arrived Hispanics are only a small segment of a much larger community that has been an integral part of American history since before our country was founded.

Hispanics soldiers fought in the American Revolution alongside General George Washington, our first Commander-in-Chief, and have served in every subsequent military conflict in which the U.S. has fought. During the war that led to our Nation's birth, General Washington's army was successful at Yorktown in part because of support from a diverse army led by Bernardo de Galvez on a southern front against the British, driving them out of the Gulf of Mexico, fighting them on the Mississippi and in Florida.

In the Korean War, 140,000 Hispanic soldiers served. During the Vietnam War, more than 80,000 Hispanics served. While Hispanics comprised only 4.5 percent of the U.S. population at the time, they represented 5.5 percent of those who made the ultimate sacrifice for their country. More recently, 20,000 Hispanics took part in Operation Desert Shield and Desert Storm. And today, more than 10 percent of the United States Armed Forces are Hispanics.

In sum, we will honor the more than 1.1 million Hispanic veterans living in America today, by sharing this long history with all who come to our Nation's Capital.

My own family's story speaks to this truth.

Over 400 years ago, in 1598, my family helped found the oldest city in what is now these United States. They named the city Santa Fe—the City of Holy Faith—because they knew the hand of God would guide them through the struggles of survival in the ages ahead.

For the next four centuries, that faith in their future guided them to overcome extremely painful and challenging times. As humble and poor farmers, the circumstances of their lives forged the priceless and timeless values my father Henry and mother Emma instilled in their eight children.

They were indeed a part of our country's greatest generation. My mother traveled across the country to work in the Pentagon's War Department, and my father was a proud veteran of World War II. In fact, one of his last requests was to be buried in his uniform.

Although neither had a college degree, they taught us about the values and promise of America. All eight of their children became first generation college graduates, inspired by their

dedication to God, family, community and country.

As the National Capital Planning Commission states: ''the memorials and museums that define Washington's Monumental Core express America's connections to its past and its direction for the future. They help us understand what it means to be an American.''

As a proud American, I want to ensure that every individual who visits Washington has a chance to learn the full history of who we are and who we are becoming as Americans. It is my hope that the Senate can work to pass this important bill that will record and preserve our shard American history.

In the coming months, I will work with the Senate Energy and Natural Resource Committee to advance the Commission bill. I look forward to speaking with my Senate colleagues about the Commission bill, and hope we can take the important step of establishing the Commission.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 412—EXPRESSING THE SENSE OF THE SENATE THAT PUBLIC SERVANTS SHOULD BE COMMENDED FOR THEIR DEDICATION AND CONTINUED SERVICE TO THE NATION DURING PUBLIC SERVICE RECOGNITION WEEK, MAY 1 THROUGH 7, 2006

Mr. AKAKA (for himself, Mr. VOINOVICH, Ms. COLLINS, Mr. LIEBERMAN, Mr. COLEMAN, Mr. LEVIN, Mr. COBURN, and Mr. CARPER) submitted the following resolution; which was referred to the Committee on Homeland Security and Governmental Affairs:

S. RES. 412

Whereas Public Service Recognition Week provides an opportunity to recognize the important contributions of public servants and honor the men and women who meet the needs of the Nation through work at all levels of government;

Whereas millions of individuals work in government service in every city, county, and State across America and in hundreds of cities abroad;

Whereas public service is a noble calling involving a variety of challenging and rewarding professions;

Whereas Federal, State, and local governments are responsive, innovative, and effective because of the outstanding work of public servants;

Whereas the United States of America is a great and prosperous Nation, and public service employees contribute significantly to that greatness and prosperity;

Whereas the Nation benefits daily from the knowledge and skills of these highly trained individuals;

Whereas public servants—

(1) provide vital strategic support functions to our military and serve in the National Guard and Reserves;

(2) fight crime and fire;

(3) ensure equal access to secure, efficient, and affordable mail service;

(4) deliver social security and medicare benefits;

(5) fight disease and promote better health;

(6) protect the environment and the Nation's parks;

(7) enforce laws guaranteeing equal employment opportunities and healthy working conditions;

(8) defend and secure critical infrastructure;

(9) help the Nation recover from natural disasters and terrorist attacks;

(10) teach and work in our schools and libraries;

(11) improve and secure our transportation systems;

(12) keep the Nation's economy stable; and

(13) defend our freedom and advance United States interests around the world;

Whereas members of the uniformed services and civilian employees at all levels of government make significant contributions to the general welfare of the United States, and are on the front lines in the fight against terrorism and in maintaining homeland security;

Whereas public servants work in a professional manner to build relationships with other countries and cultures in order to better represent America's interests and promote American ideals;

Whereas public servants alert Congress and the public to government waste, fraud, abuse, and dangers to public health;

Whereas the men and women serving in the Armed Forces of the United States, as well as those skilled trade and craft Federal employees who provide support to their efforts, are committed to doing their jobs regardless of the circumstances, and contribute greatly to the security of the Nation and the world;

Whereas public servants have bravely fought in armed conflict in defense of this Nation and its ideals and deserve the care and benefits they have earned through their honorable service;

Whereas government workers have much to offer, as demonstrated by their expertise and innovative ideas, and serve as examples by passing on institutional knowledge to train the next generation of public servants;

Whereas May 1 through 7, 2006, has been designated Public Service Recognition Week to honor America's Federal, State, and local government employees; and

Whereas Public Service Recognition Week is celebrating its 22nd anniversary through job fairs, student activities, and agency exhibits: Now, therefore, be it

Resolved, That the Senate—

(1) commends public servants for their outstanding contributions to this great Nation during Public Service Recognition Week and throughout the year;

(2) salutes their unyielding dedication and spirit for public service;

(3) honors those government employees who have given their lives in service to their country;

(4) calls upon a new generation of workers to consider a career in public service as an honorable profession; and

(5) encourages efforts to promote public service careers at all levels of government.

Mr. AKAKA. Mr. President, today I stand in recognition of America's public servants who provide the essential, often unseen services on which our great country thrives. As the ranking member of the Senate Homeland Security and Governmental Affairs Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, I am honored to submit a resolution paying tribute to these employees in celebration of Public Service Recognition Week. I am delighted to be joined by the leadership of the Senate Homeland Security and Governmental Affairs Committee, Senators VOINOVICH, COLLINS, LIEBERMAN, COLEMAN, LEVIN, COBURN, and CARPER.

The 22nd anniversary of Public Service Recognition Week, which takes place the week of May 1, 2006, showcases the talented individuals who serve their country as Federal, State and local government employees, both civilian and military. From Hawaii to Maine, throughout the Nation and around the world, America's public employees use this week to showcase the exciting challenges of a career in public service and demonstrate how government workers create a brighter future for us all.

Public servants perform essential services that our nation relies on every day. They care for our veterans, protect our public lands, ensure the safety of our food and water, and deliver the mail and needed medical supplies, in addition to countless additional tasks.

Over the past few years we have all been reminded of the remarkable work of public servants, including our men and women in uniform. Their steadfast devotion to the defense of this Nation and the ideals we hold most dear is commendable. Nearly 2,600 military and Department of Defense civilian employees have lost their lives since the beginning of Operation Enduring Freedom and Operation Iraqi Freedom. The sacrifice of these brave men and women remain a constant reminder of the courage with which the members of our Armed Forces serve. Nor should we forget those Federal civilian employees who work side-by-side with our troops abroad and provide needed support for their mission. Military and civilian employees alike continue to earn our admiration with their unwavering strength and dedication.

The men and women who serve in the Coast Guard exemplify public service as demonstrated by their tireless efforts to rescue the people trapped in their homes by the flood waters from Hurricane Katrina.

Another example of the countless contributions public servants give to the Nation is Orlando Figueroa, the Deputy Associate Administrator for Programs, Science Mission Directorate, at the National Aeronautics and Space Administration, who led the Mars Exploration Rover Project. Mr. Figueroa and his team created a mobile science lab used to conduct remote exploration on the surface of another planet, which allowed the exploration of regions beyond the original landing site. This fantastic accomplishment has produced a wealth of scientific discoveries revealing Mars as a potential habitat. The work of Mr. Figueroa and other Federal scientists spark the imagination, fuel the human spirit, and inspire us to pursue even greater things.

President John F. Kennedy said, ''Let the public service be a proud and lively career.'' While Public Service

Recognition week provides the opportunity to honor and celebrate the works of our Federal employees, it also serves as a time to call upon a new generation of Americans to explore the opportunities of such a ''proud and lively career.'' Through job fairs, agency sponsored events, and special exhibits, Public Service Recognition Week allows individuals from all walks of life to gain a deeper appreciation of the challenging, exciting, and rewarding work available in the federal government.

I encourage my colleagues to bring to light the works and services of the federal employees in their states and join in this annual celebration.

SENATE RESOLUTION 413—COMMENDING THE VIRGINIA WESLEYAN COLLEGE MARLINS MEN'S BASKETBALL TEAM FOR WINNING THE 2006 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION III NATIONAL BASKETBALL CHAMPIONSHIP

Mr. ALLEN (for himself and Mr. WARNER) submitted the following resolution; which was considered and agreed to:

S. RES. 413

Whereas the students, alumni, faculty, and supporters of Virginia Wesleyan College are to be congratulated for their commitment to and pride in the Virginia Wesleyan Marlins National Champion men's basketball team;

Whereas the National Collegiate Athletic Association (NCAA) championship game against the Wittenberg University Tigers concluded a 28 game winning streak for the Virginia Wesleyan Marlins, the longest in the nation, resulting in an impressive record of 30–3;

Whereas the Virginia Wesleyan Marlins won the 2005 NCAA Division III National Basketball Championship with an outstanding second half when junior forward Brandon Adair made two free throws to tie the game at 56 with 49 seconds to play, allowing sophomore guard Ton Ton Balenga to score the final points with less than three seconds to play, giving Virginia Wesleyan the 59–56 victory;

Whereas the Virginia Wesleyan Marlins added the Division III title to consecutive Old Dominion Athletic Conference titles;

Whereas every player on the Virginia Wesleyan basketball team—Ken Cizek, D'Juan Tucker, Thomas Sumpter, Tory Green, Terrell Dixon, Marques Fitch, Ari' Paschal, Ton Ton Balenga, Brandon Adair, Rodney Young, Tyler Fantin, Devver Miller, Norman Hassell, Matt Towell, Zac Green, Travis Klink, and Marcus Riley—contributed to the team's success in this impressive championship season;

Whereas the Marlins outstanding, creative and motivational basketball Head Coach David Macedo was named the 2006 D3hoops.com Coach of the Year, and has had a successful six year tenure as Virginia Wesleyan's head coach, with a record of 124–45;

Whereas Assistant Coaches David Doino and Brad Dunleavy deserve high commendation for their strong leadership of, and superb coaching support to, the Virginia Wesleyan College Marlins men's basketball team: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Virginia Wesleyan College Marlins men's basketball team for winning the 2006 National Collegiate Athletic Association Division III, National Championship;

(2) recognizes the achievements of Head coach David Macedo, Assistant Coaches David Doino and Brad Dunleavy, and all the team's players; and

(3) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to David Macedo, Head Coach of the National Champion Virginia Wesleyan College Marlins and a copy to the Virginia Wesleyan President William T. Greer, Jr.

SENATE RESOLUTION 414—CELEBRATING THE MUSICAL AND CULTURAL HERITAGE OF COUNTRY MUSIC AND RECOGNIZING THE ''COUNTRY: A CELEBRATION OF AMERICA'S MUSIC'' FESTIVAL AT THE JOHN F. KENNEDY CENTER FOR THE PERFORMING ARTS

Mr. FRIST (for himself and Mr. ALEXANDER) submitted the following resolution; which was considered and agreed to:

S. RES. 414

Whereas country music is an essential element of the musical and cultural heritage of the United States, and helps promote an understanding and appreciation of the cultural achievements of the Nation;

Whereas country music is a medium with the power to entertain, connect, and communicate, and embodies the spirit and the lives of Americans with diverse backgrounds;

Whereas the diversity of country music provides a valuable form of artistic expression and embraces musical traditions including folk, bluegrass, gospel, honky-tonk, and rock and roll;

Whereas the popularity and notoriety of country music have had a unique effect on the commercial development of Nashville, Tennessee, commonly known as ''Music City, U.S.A.'';

Whereas the Country Music Hall of Fame and Museum, located in Nashville, is dedicated to—

(1) identifying and preserving the evolving history and traditions of country music; and

(2) educating audiences throughout the world about that rich musical tradition;

Whereas the John F. Kennedy Center for the Performing Arts, the Country Music Hall of Fame and Museum, and other contributors to the ''Country: A Celebration of America's Music'' festival, should be commended for celebrating country music and engaging in a serious curatorial investigation into a form of artistic expression that is unique to the United States;

Whereas the ''Country: A Celebration of America's Music'' festival will—

(1) highlight accomplished singers, musicians, and songwriters of the country music genre;

(2) celebrate the traditional roots and geographical reach of country music;

(3) explore the regional and stylistic variations of country music; and

(4) honor the creators, audiences, and values of country music; and

Whereas additional efforts to recognize the role of folk-based and indigenous arts of the United States should be encouraged: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the musical and cultural heritage of country music;

(2) recognizes the ''Country: A Celebration of America's Music'' festival at the John F. Kennedy Center for the Performing Arts; and

(3) commends the John F. Kennedy Center for the Performing Arts and the Country Music Hall of Fame and Museum for promoting the artistry and legacy of country music.

AMENDMENTS SUBMITTED AND PROPOSED

SA 3184. Mr. LOTT proposed an amendment to the bill S. 2349, to provide greater transparency in the legislative process.

SA 3185. Mr. LOTT proposed an amendment to the bill S. 2349, supra.

SA 3186. Mr. LOTT (for Ms. COLLINS) proposed an amendment to the bill S. 2349, supra.

SA 3187. Mr. LOTT (for Ms. COLLINS) proposed an amendment to the bill S. 2349, supra.

SA 3188. Mr. LOTT (for Ms. COLLINS) proposed an amendment to the bill S. 2349, supra.

SA 3189. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table.

SA 3190. Mr. SESSIONS (for Mr. AKAKA) proposed an amendment to the resolution S. Res. 410, designating April 2006 as ''Financial Literacy Month''.

TEXT OF AMENDMENTS

SA 3184. Mr. LOTT proposed an amendment to the bill S. 2349, to provide greater transparency in the legislative process; as follows:

On page 6, lines 13 and 14, strike ''Enrolling Clerks of the Senate and'' and insert ''Clerk of the''.

On page 6, line 16, strike ''and establish''.

SA 3185. Mr. LOTT proposed an amendment to the bill S. 2349, to provide greater transparency in the legislative process; as follows:

On page 39, line 17, after ''employed.'' insert ''This subparagraph shall not apply to contacts with staff of the Secretary of the Senate or the Clerk of the House of Representatives regarding compliance with lobbying disclosure requirements under the Lobbying Disclosure Act of 1995.''

SA 3186. Mr. LOTT (for Ms. COLLINS) proposed an amendment to the bill S. 2349, to provide greater transparency in the legislative process; as follows:

On page 44, line 18, strike ''503'' and insert ''263''.

SA 3187. Mr. LOTT (for Ms. COLLINS) proposed an amendment to the bill S. 2349, to provide greater transparency in the legislative process; as follows:

On page 40, after line 2, insert the following:

(c) EFFECTIVE DATE.—The amendments made by subsection (b) shall take effect 60 days after the date of enactment of this Act.

SA 3188. Mr. LOTT (for Ms. COLLINS) proposed an amendment to the bill S. 2349, to provide greater transparency in the legislative process; as follows:

On page 27, lines 21 through 23, strike '', in addition to any'' and all that follows through ''House of Representatives.'' and insert ''. The Secretary of the Senate and the Clerk of the House of Representatives shall

use the same electronic software for receipt and recording of filings under this Act.''.

SA 3189. Mr. ISAKSON submitted an amendment intended to be proposed by him to the bill S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform and for other purposes; which was ordered to lie on the table; as follows:

In the interest of national security and in respect for legal immigration, effective immediately, notwithstanding any other provision of law, there shall be no implementation of provisions in this act creating a guest worker program until the Secretary of Homeland Security has certified in writing to the President and the Congress that borders of the United States of America are reasonably sealed and secured.

SA 3190. Mr. SESSIONS (for Mr. AKAKA) proposed an amendment to the resolution S. Res. 410, designating April 2006 as ''Financial Literacy Month''; as follows:

On page 2, the first whereas clause strike $11,000,000,000 and insert $11,000,000,000,000.

AUTHORITY FOR COMMITTEES TO MEET

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be authorized to meet during the session of the Senate on March 29, 2006, at 10 a.m., to conduct a hearing on ''Economic Impact Issues in Export-Import Bank Reauthorization.''

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

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Environment and Public Works be authorized to hold an oversight hearing on Wednesday, March 29, at 9:30 a.m., on the impact of the elimination of MTBE.

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

COMMITTEE ON FINANCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Finance be authorized to meet during the session on Wednesday, March 29, 2006, at 10 a.m., in 215 Dirksen Senate Office Building, to hear testimony on ''U.S.-China Economic Relations Revisited.''

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

COMMITTEE ON FOREIGN RELATIONS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Foreign Relations be authorized to meet during the session of the Senate on Wednesday, March 29, 2006, at 9:30 a.m., to hold a closed briefing on U.S.-India Atomic Energy Cooperation.

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

COMMITTEE ON INDIAN AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on Indian Affairs be authorized to meet on Wednesday, March 29, at 9:30 a.m., in room 485 of the Russell Senate Office Building to conduct a business meeting on the following bills:

(1) S. 2078, Indian Gaming Regulatory Act amendments.

(2) S. 1899, Indian Child Protection and Family Violence Prevention Act amendments.

(3) S. 2245, Indian Youth Telemental Health Demonstration Project Act.

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

COMMITTEE ON THE JUDICIARY

Mr. LOTT. Mr. President, I ask unanimous consent that the Committee on the Judiciary be authorized to meet to conduct a hearing on ''Judicial Nominations'' on Wednesday, March 29, 2006, at 9:30 a.m., in room 226 of the Dirksen Senate Office Building.

Panel I: Members of Congress, TBA.

Panel II: Brian M. Cogan to be United States District Judge for the Eastern District of New York; Michael Ryan Barrett to be United States District Judge for the Southern District of Ohio; Thomas M. Golden to be United States District Judge for the Eastern District of Pennsylvania.

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

SELECT COMMITTEE ON INTELLIGENCE

Mr. LOTT. Mr. President, I ask unanimous consent that the Select Committee on Intelligence be authorized to meet during the session of the Senate on March 29, 2006, at 2:30 p.m., to hold a closed briefing.

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

SPECIAL COMMITTEE ON AGING

Mr. LOTT. Mr. President, I ask unanimous consent that the Special Committe on Aging be authorized to meet Wednesday, March 29, 2006 from 10 a.m. to 12 p.m. in Dirksen 106 for the purpose of conducting a hearing.

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

SUBCOMMITTEE ON THE CONSTITUTION, CIVIL RIGHTS AND PROPERTY RIGHTS

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on Constitution, Civil Rights and Property Rights be authorized to meet to conduct a hearing on ''What's in a Game? State Regulation of Violent Video Games and the First Amendment'' on Wednesday, March 29, 2006, at 2 p.m. in SD 226.

Witness List

Panel One: Reverend Steve Strickland, brother of Arnold Strickland, police officer killed by teenager in 2004, Fayette County, AL; Dr. Elizabeth Carll, Ph.D., Chair of Interactive Media Committee, Media Psychology Division, American Psychological Association Long Island, NY; Dr. Dmitri Williams, Ph.D., Assistant Professor of Speech Communications, University of Illinois at Urbana-Champaign, Urbana, IL; Dr. David Bickham, Ph.D., Research Scientist, Center on Media and Child Health, Harvard Medical School Boston, MA.

Panel Two: Patricia E. Vance, President, Entertainment Software Rating Board New York, NY; Representative Jeff Johnson, Assistant Majority Leader, Minnesota House of Representatives, St. Paul, MN; Paul Smith, Partner, Jenner & Block LLP, Washington, DC; Professor Kevin Saunders, J.D., Ph.D., Professor of Law, Michigan State University East Lansing, MI.

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

SUBCOMMITTEE ON EAST ASIAN AND PACIFIC AFFAIRS

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on East Asian and Pacific Affairs be authorized to meet during the session of the Senate on Wednesday, March 29, 2006, at 2:30 p.m. to hold a hearing on U.S.-Burma Relations.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on Emerging Threats and Capabilities be authorized to meet during the session of the Senate on March 29, 2006, at 9:30 a.m., in open session to receive testimony on U.S. nonproliferation strategy and the roles and missions of the Department of Defense and the Department of Energy in nonproliferation in review of the Defense Authorization request for fiscal year 2007 and the future years Defense progam.

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

SUBCOMMITTEE ON OVERSIGHT OF GOVERNMENT MANAGEMENT, THE FEDERAL WORKFORCE AND THE DISTRICT OF COLUMBIA

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on Oversight of Government Management, the Federal Workforce and the District of Columbia be authorized to meet on Wednesday, March 29, 2006, at 2:30 p.m. for a hearing entitled, The War on Terrorism: How Prepared is the Nation's Capital? Part (II).

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

SUBCOMMITTEE ON PUBLIC LANDS AND FORESTS

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on Public Lands and Forests be authorized to meet during the session of the Senate on Wednesday, March 29 at 2:30 p.m. The purpose of the hearings is to receive testimony on S. 1832, to authorize the Secretary of the Interior to lease oil and gas resources underlying Fort Reno, OK, to establish the Fort Reno Management Fund, and for other purposes; S. 2150, to direct the Secretary of Interior to convey certain Bureau of Land Management land to the city of Eugene, OR; and H.R. 3507, to transfer certain land in Riverside County, CA, and San Diego County, CA, from the Bureau of Land Management to the United States to be held in trust for the Pechanga Band of Luiseno Mission Indians, and for other purposes; S. 1056 to direct the Secretary of the Interior to convey to the city of Henerson, NV certain Federal land located in the city, and for other purposes; and S. 2373 to provide for the sale of approximately 132 acres of public land to the city of Green River, WY at fair market value.

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

SUBCOMMITTEE ON SEAPOWER

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on Seapower authorized to meet during the session of the Senate on March 29, 2006, at 3:30 p.m., in open session to receive testimony on Navy/Marine Corps Force structure and future capabilities 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.

SUBCOMMITTEE ON STRATEGIC FORCES

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on Strategic Forces be authorized to meet during the session of the Senate March 29, at 2:30 p.m., in open session to receive testimony on global strike plans and programs in review of the defense authorization request for fiscal year 2007.

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

SUBCOMMITTEE ON TECHNOLOGY, INNOVATION, AND COMPETITIVENESS

Mr. LOTT. Mr. President, I ask unanimous consent that the Subcommittee on Technology, Innovation, and Competitiveness be authorized to meet on Wednesday, March 29, 2006, at 10 a.m., on Importance of Basic Research to U.S. Competitiveness.

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

PRIVILEGES OF THE FLOOR

Mr. SESSIONS. Mr. President, I ask unanimous consent that George Ward, who is serving on my staff for the course of this immigration debate, be granted floor privileges for the full course of the debate on S. 2454, Senator FRIST's border security bill.

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

Mr. KENNEDY. Mr. President, I ask unanimous consent that a fellow on my staff, Marc Rosenblum, be admitted to the Senate floor for the remainder of the debate on the immigration legislation.

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

Mr. HARKIN. Mr. President, I ask unanimous consent that Chris Liddell-Westefeld of my staff be granted the privilege of the floor for the duration of today's session.

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

Mr. SCHUMER. I ask unanimous consent the privilege of the floor be granted to Rebecca Kelly of my staff.

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

EXPRESSING GRATITUDE AND APPRECIATION TO THE MEN AND WOMEN OF THE ARMED FORCES

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Armed Services Committee be discharged from further consideration of and the Senate now proceed to S. Res. 385.

The PRESIDING OFFICER. Without objection, it is so ordered. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 385) expressing gratitude and appreciation to the men and women of the Armed Forces who serve as military recruiters, commending their selfless service in recruiting young men and women to serve in the United States military, particularly in support of the global war on terrorism.

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

Mr. SESSIONS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 385) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 385

Whereas the Armed Forces are an all volunteer force, which makes recruiting the necessary number of volunteers for each individual service a challenging task;

Whereas the military recruiters have enabled the individual branches of the Armed Forces to meet the demands of the modern battlefield through the enlistment of quality soldiers, sailors, airmen, and Marines;

Whereas military recruiters work long strenuous hours, in rural and urban areas of the country, and away from the traditional military support systems;

Whereas military recruiters, like many of their deployed colleagues, have forfeited and sacrificed time with their families and placed their mission above all else;

Whereas military recruiters support the global war on terrorism by filling our Nation's military ranks with qualified personnel needed to combat and eradicate terrorists through military power;

Whereas, in the past fiscal year, military recruiters provided the Nation with more than 200,000 new active duty, reserve, officer, and enlisted accessions;

Whereas military recruiters have provided young men and women across the Nation the opportunity to further their education through the use of congressionally mandated incentives such as the Montgomery GI Bill, and various college loan repayment programs, thereby allowing returning veterans greater opportunity to achieve their full potential as successful members of society;

Whereas military recruiters are the face and voice of the Armed Forces in communities in every State across the Nation, as well as Puerto Rico, Europe, Korea, and Guam;

Whereas military recruiters develop close working relationships with families, schools, business professionals, and numerous civic organizations; and

Whereas military recruiters are an essential element of the Department of Defense and play a key role in the security of our Nation: Now, therefore, be it

Resolved, That the Senate—

(1) commends the men and women of our Armed Forces who serve as military recruiters for their service to our country and their dedicated, professional, and noteworthy performance of duty during difficult times of sustained combat and the global war on terrorism; and

(2) reaffirms its commitment to supporting all aspects of the recruiting services of the Armed Forces, by providing sufficient legislative support and incentives in order that recruiters may continue to meet and exceed the personnel requirements of the Armed Forces.

COMMENDING THE VIRGINIA WESLEYAN COLLEGE MARLINS MEN'S BASKETBALL TEAM

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 413, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 413) commending the Virginia Wesleyan College Marlins men's basketball team for winning the 2006 National Collegiate Athletic Association Division III National Basketball Championship.

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

Mr. SESSIONS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 413) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 413

Whereas the students, alumni, faculty, and supporters of Virginia Wesleyan College are to be congratulated for their commitment to and pride in the Virginia Wesleyan Marlins National Champion men's basketball team;

Whereas the National Collegiate Athletic Association (NCAA) championship game against the Wittenberg University Tigers concluded a 28 game winning streak for the Virginia Wesleyan Marlins, the longest in the nation, resulting in an impressive record of 30–3;

Whereas the Virginia Wesleyan Marlins won the 2005 NCAA Division III National Basketball Championship with an outstanding second half when junior forward Brandon Adair made two free throws to tie the game at 56 with 49 seconds to play, allowing sophomore guard Ton Ton Balenga to score the final points with less than three seconds to play, giving Virginia Wesleyan the 59–56 victory;

Whereas the Virginia Wesleyan Marlins added the Division III title to consecutive Old Dominion Athletic Conference titles;

Whereas every player on the Virginia Wesleyan basketball team—Ken Cizek, D'Juan Tucker, Thomas Sumpter, Tory Green, Terrell Dixon, Marques Fitch, Ari' Paschal, Ton Ton Balenga, Brandon Adair, Rodney Young, Tyler Fantin, Devven Miller, Norman Hassell, Matt Towell, Zac Green, Travis Klink, and Marcus Riley—contributed to the team's success in this impressive championship season;

Whereas the Marlins outstanding, creative and motivational basketball Head Coach David Macedo was named the 2006 D3hoops.com Coach of the Year, and has had a successful six year tenure as Virginia Wesleyan's head coach, with a record of 124–45;

Whereas Assistant Coaches David Doino and Brad Dunleavy deserve high commendation for their strong leadership of, and superb coaching support to, the Virginia Wesleyan College Marlins men's basketball team: Now, therefore, be it

Resolved, That the Senate—

(1) congratulates the Virginia Wesleyan College Marlins men's basketball team for winning the 2006 National Collegiate Athletic Association Division III, National Championship;

(2) recognizes the achievements of Head coach David Macedo, Assistant Coaches David Doino and Brad Dunleavy, and all the team's players; and

(3) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to David Macedo, Head Coach of the National Champion Virginia Wesleyan College Marlins and a copy to the Virginia Wesleyan President William T. Greer, Jr.

COUNTRY: A CELEBRATION OF AMERICA'S MUSIC

Mr. SESSIONS. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 414, which was submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 414) celebrating the musical and cultural heritage of country music and recognizing the ''Country: A Celebration of America's Music'' festival at the John F. Kennedy Center for the Performing Arts.

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

Mr. SESSIONS. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motion to reconsider be laid upon the table.

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

The resolution (S. Res. 414) was agreed to.

The preamble was agreed to.

The resolution, with its preamble, reads as follows:

S. RES. 414

Whereas country music is an essential element of the musical and cultural heritage of the United States, and helps promote an understanding and appreciation of the cultural achievements of the Nation;

Whereas country music is a medium with the power to entertain, connect, and communicate, and embodies the spirit and the lives of Americans with diverse backgrounds;

Whereas the diversity of country music provides a valuable form of artistic expression and embraces musical traditions including folk, bluegrass, gospel, honky-tonk, and rock and roll;

Whereas the popularity and notoriety of country music have had a unique effect on the commercial development of Nashville, Tennessee, commonly known as ''Music City, U.S.A.'';

Whereas the Country Music Hall of Fame and Museum, located in Nashville, is dedicated to—

(1) identifying and preserving the evolving history and traditions of country music; and

(2) educating audiences throughout the world about that rich musical tradition;

Whereas the John F. Kennedy Center for the Performing Arts, the Country Music Hall of Fame and Museum, and other contributors to the ''Country: A Celebration of America's Music'' festival, should be commended for celebrating country music and engaging in a serious curatorial investigation into a form of artistic expression that is unique to the United States;

Whereas the ''Country: A Celebration of America's Music'' festival will—

(1) highlight accomplished singers, musicians, and songwriters of the country music genre;

(2) celebrate the traditional roots and geographical reach of country music;

(3) explore the regional and stylistic variations of country music; and

(4) honor the creators, audiences, and values of country music; and

Whereas additional efforts to recognize the role of folk-based and indigenous arts of the United States should be encouraged: Now, therefore, be it

Resolved, That the Senate—

(1) celebrates the musical and cultural heritage of country music;

(2) recognizes the ''Country: A Celebration of America's Music'' festival at the John F. Kennedy Center for the Performing Arts; and

(3) commends the John F. Kennedy Center for the Performing Arts and the Country Music Hall of Fame and Museum for promoting the artistry and legacy of country music.

FINANCIAL LITERACY MONTH

Mr. SESSIONS. Mr. President, I ask unanimous consent that yesterday's action on S. Res. 410 be vitiated, that the resolution be agreed to, that the technical amendment to the preamble which is at the desk be agreed to, and that the preamble, as amended, be agreed to.

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

The resolution (S. Res. 410) was agreed to.

The amendment (No. 3190) was agreed to, as follows:

On page 2, the first Whereas clause, strike ''$11,000,000,000'' and insert ''$11,000,000,000,000.''

The preamble, as amended, was agreed to.

The resolution, with its preamble, as amended, reads as follows:

S. RES. 410

Whereas the personal savings rate of United States citizens in 2005 was negative 0.5 percent, marking the first time that the rate has been negative since the Great Depression year of 1933;

Whereas in 2005, only 42 percent of workers or their spouses calculated the amount that they needed to save for retirement, down from 53 percent in 2000;

Whereas the 2005 Retirement Confidence Survey found that a majority of workers believe that they are behind schedule on their retirement savings and that their debt is a problem;

Whereas during the third quarter of 2005, the household debt of United States citizens reached $11,000,000,000,000;

Whereas during the third quarter of 2005, individuals serviced their debt with a record 13.75 percent of after-tax income;

Whereas nearly 1,600,000 individuals filed for bankruptcy in 2004;

Whereas approximately 75,000,000 individuals remain credit-challenged and unbanked, or are not using insured, mainstream financial institutions;

Whereas expanding access to the mainstream financial system will provide individuals with less expensive and more secure options for managing their finances and building wealth;

Whereas a greater understanding of and familiarity with financial markets and institutions will lead to increased economic activity and growth;

Whereas financial literacy empowers individuals to make wise financial decisions and reduces the confusion caused by the increasingly complex economy of the United States;

Whereas only 26 percent of individuals who were between the ages of 13 and 21 reported that their parents actively taught them how to manage money;

Whereas the majority of college seniors have 4 or more credit cards, and the average college senior carries a balance of $3,000;

Whereas 1 in every 10 college students has more than $7,000 of debt;

Whereas many college students pay more in interest on their credit cards than on their student loans;

Whereas a 2004 Survey of States by the National Council on Economic Education found that 49 States include the subject of economics in their elementary and secondary education standards, and 38 States include personal finance, up from 48 and 31 States, respectively, in 2002;

Whereas a 2004 study by the JumpStart Coalition for Personal Financial Literacy found that high school seniors scored higher than their previous class on an exam about credit cards, retirement funds, insurance, and other personal finance basics for the first time since 1997;

Whereas, in spite of the improvement in test scores, 65 percent of all participating students still failed the exam;

Whereas individuals develop personal financial management skills and lifelong habits during their childhood;

Whereas personal financial education is essential to ensure that individuals are prepared to manage money, credit, and debt, and become responsible workers, heads of households, investors, entrepreneurs, business leaders, and citizens;

Whereas Congress found it important to coordinate Federal financial literacy efforts and formulate a national strategy; and

Whereas, in light of that finding, Congress established the Financial Literacy and Education Commission in 2003 and designated the Office of Financial Education of the Department of the Treasury to provide support for the Commission: Now, therefore, be it

Resolved, That the Senate—

(1) designates April 2006 as ''Financial Literacy Month'' to raise public awareness about—

(A) the importance of financial education in the United States; and

(B) the serious consequences that may result from a lack of understanding about personal finances; and

(2) calls on the Federal Government, States, localities, schools, nonprofit organizations, businesses, and the citizens of the United States to observe the month with appropriate programs and activities.

Mr. AKAKA. Mr. President, I rise today, as in years past, to submit a resolution to designate April as Financial Literacy Month. I thank my cosponsors, Senators SARBANES, COCHRAN, LAUTENBERG, KOHL, STABENOW, TALENT, LINCOLN, CRAPO, JOHNSON, DODD, MARTINEZ, DURBIN, INOUYE, DEMINT, BAUCUS, FEINSTEIN, COLEMAN, and ALLEN. I am pleased to once again work with colleagues on both sides of the aisle to promote financial and economic literacy for people of all ages all across America. This resolution highlights the need to combat financial and economic illiteracy in our homes, schools, workplaces, and communities,

and mobilize everyone to better educate themselves and others around them.

In my State of Hawaii, State Representative K. Mark Takai in a previous year sponsored legislation establishing April as Financial Literacy for Youth Month, as I had in a previous Senate resolution, and this year introduced HB 1920 to redesignate the name of the month as Financial Literacy Month to broaden the month's focus to people of all ages. Testimony from State and local officials and community leaders supporting the legislation included a statement from Ms. Kristine Castagnaro, Executive Director of the Hawai'i Council on Economic Education, who said, ''residents of all ages deserve to possess the skills necessary to make wise choices for their lives and communities.'' Mr. Brent Dillabaugh, Public Policy Director of the Hawai'i Alliance for Community Based Economic Development, said, ''Fostering basic financial and economic literacy is one of the most important aspects in achieving self sufficiency. As credit options become increasingly sophisticated and difficult to understand it is crucial that individuals have the capacity to make sound financial decisions.'' I support such State-level efforts in Hawaii and similar efforts across the country highlighting the need for us to focus on these important issues.

Education in personal finance and economics means empowerment, because it can provide people with the tools they need for sound decisionmaking. Unfortunately, many individuals do not understand even the basics of our complex economic system. Although much continues to be done to provide more Americans with an education in personal finance and economics, a number of troubling indicators show that many people are ill-equipped to negotiate life's financial choices.

For instance, scores went up for the first time on the Jump$tart Coalition's 2004 test of the financial literacy of high school seniors, but on average, students still failed the exam. States have responded so that now all recognize to some degree the need for economic or personal finance in their curriculum. However, according to the National Council on Economic Education, only 17 States require an economics course be offered in their high schools and only 15 require an economics course as a graduation requirement. Moreover, only 8 States require a course be offered with content in personal finance and only 7 States require students to take such a course. This picture must improve, as barriers to credit continue to decrease, and credit card holders become younger and younger. According to a recent national poll by Junior Achievement, 5 percent of teenagers 13–14 years of age reported having credit cards, and this percentage doubles to 10 percent for those 17 years of age, and doubles again to nearly 20 percent for those 18 and older. Early use of credit should be accompanied by early education in money management and the basics of economics.

On the other end of the spectrum, a tenth of our Nation's families are without an account at a mainstream financial institution. The most common reason people give for not having a checking account is that they do not write enough checks to make it worthwhile. Still, checking accounts are useful in a number of other ways and typically serve as the first formal relationship one will have with a mainstream financial institution. Opening an account at a mainstream financial institution is a critical step in the path to homeownership and entrepreneurship and allows individuals to benefit from the relatively low fees, savings instruments, and other wealth building opportunities offered by banks and credit unions.

Increased financial and economic literacy can help people navigate around the countless pitfalls found in the marketplace. Consumers with a variety of credit histories can easily find credit in many different forms. Lenders' aggressive marketing campaigns encourage families to take on substantial debt for indulgences and luxuries, which can be harmful if the families are already saddled with debt and are not saving toward an education or retirement nest egg. Taking out these loans is irrational, but abusive marketing efforts have resulted in unprecedented levels of borrowing.

Thus, although the availability of credit has grown dramatically, financial literacy has not yet increased adequately in response. Consequently, we are presented with a number of troubling statistics. Last year's personal savings rate was negative for the first time since 1933, at the end of the Great Depression. A negative savings rate means that, on average, people are spending more money than they make. Moreover, the household debt service ratio, which gives a sense of the proportion of disposable income people are using to pay off their debt, increased to record levels in 2005. These findings suggest a serious problem exacerbated by the fact that most workers have not calculated how much they need to save for retirement, even if they believe they are behind schedule in their retirement savings.

As policymakers, we need to focus on these issues year round. However, focusing on Financial Literacy Month in April means that we have a designated part of the year when we can reassess our efforts to highlight that worked and improve on those that have not. Once again, I thank my colleagues for their support of this resolution.

Mr. KOHL. Mr. President, I rise today to join with my colleague, Senator AKAKA, in support of his resolution designating April as Financial Literacy Month.

Financial literacy is an imperative for all Americans. From creating a family budget, to managing credit, to saving for retirement—Americans need to understand financial principles more than ever before. However, research shows that Americans lack a fundamental understanding of personal savings, financial planning, and budgeting. According to the Jump$tart Coalition for Personal Financial Literacy, over 60 percent of our high school students could not pass a quiz with basic questions on savings and budgeting. In addition, an AARP survey found that less than half of those over age 45 could identify and define basic financial terms such as ''diversification'' or ''compound interest.''

Financial literacy is critical as more Americans take on more of the responsibility for managing their retirement savings. Pension plans are shifting from defined benefit plans, which guaranteed a certain benefit level for a lifetime, to defined contribution plans, which are based on the investment decisions of individual employees. Unfortunately, too many individuals do not have the tools to plan for retirement in a manner that will guarantee their long-term financial health. In fact, the Employee Benefit Research Institute found that only 60 percent of current workers are actively saving for their retirement, and only 42 percent of workers and their significant others have calculated what their financial needs will be in retirement.

The lack of financial literacy has serious ramifications, not only for individuals who fail to adequately budget and save, but for the national economy as well. The personal saving rate has recently turned negative, and personal saving is a component of national saving, which drives economic growth.

These trends are certainly troubling. In recent years, the work of Senator AKAKA and others have focused attention on the threat posed by our Nation's high financial illiteracy rate. For example, Senator AKAKA's Excellence in Economic Education Act promotes financial literacy in primary and secondary schools. Many groups have developed innovative programs to reach children of all ages on this topic, and increased access to formal economics classes has helped acquaint students with the financial services marketplace. In addition, public-private partnerships have helped adults increase their financial literacy and gain a better understanding of long-term financial planning tools.

It is my hope that this resolution will take another step to help increase awareness about the need to improve our Nation's financial literacy, and I am pleased to support it.

MEASURE PLACED ON THE CALENDAR—S. 2467

Mr. SESSIONS. Mr. President, I understand there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will report.

The legislative clerk read as follows:

A bill (S. 2467) to enhance and improve the trade relations of the United States by strengthening United States trade enforcement efforts and encouraging United States trading partners to adhere to the rules and norms of international trade, and for other purposes.

Mr. SESSIONS. In order to place the bill on the calendar under the provisions of rule XIV, I object to further proceeding.

The PRESIDING OFFICER. Objection is heard. The bill will be placed on the calendar.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. SESSIONS. I ask unanimous consent that the Senate immediately proceed to executive session to consider the following nomination on today's calendar, Calendar No. 566. I further ask unanimous consent that the nomination be confirmed, the motion to reconsider be laid upon the table, the President be immediately notified of the Senate's action, and the Senate then return to legislative session.

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

The nomination considered and confirmed is as follows:

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

Randall L. Tobias, of Indiana, to be Administrator of the United States Agency for International Development.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

UNANIMOUS CONSENT AGREEMENT—S. 295

Mr. SESSIONS. Mr. President, I ask unanimous consent that the order with respect to S. 295, the China currency bill, be modified to reflect a date no later than September 29, 2006, or the last day of the second session of the 109th Congress, whichever is earliest, and that all other provisos remain in effect.

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

ORDERS FOR THURSDAY, MARCH 30, 2006

Mr. SESSIONS. Mr. President, on behalf of the majority leader, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 9:30 a.m. on Thursday, March 30. I further ask that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved, and the Senate proceed to a period of morning business for up to 1 hour with the first 30 minutes under the control of the Democratic leader or his designee and the final 30 minutes under the control of the majority leader or his designee; further, that following morning business the Senate resume consideration of S. 2454, the border control bill, as under the previous order.

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

PROGRAM

Mr. SESSIONS. Today, by an overwhelming vote, we passed the lobbying bill. We now have turned to another important piece of legislation, the border control bill. We will be working on this bill for the remainder of the week and into next week. Under an agreement we entered this afternoon, tomorrow we will have more debate on the bill and Senator SPECTER will offer his substitute amendment at noon. Votes are expected tomorrow, and we will alert everyone when a vote is locked in for a certain time.

ORDER FOR ADJOURNMENT

Mr. SESSIONS. On behalf of the majority leader, if there is no further business to come before the Senate, I ask unanimous consent that the Senate stand in adjournment under the previous order, following the remarks of Senator DURBIN for up to 30 minutes.

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

IMMIGRATION REFORM

Mr. DURBIN. Mr. President, I want to thank my colleague from Alabama for coming to the floor and addressing one of the most important bills we will consider this year, the question of the immigration system in America. My colleague and I may disagree—and we do disagree—on the substance of this bill, but I thank him for engaging the Senate in this conversation and dialogue. It is important that the American people know what we are about, and they should also know that we are taking our time to do it right.

I am a member of the Senate Judiciary Committee with the Senator from Alabama. We spent a lot of time on this bill, as we should have. It is a big challenge. I am not sure it is perfect. I think we can make it a better bill. But I am certainly pleased that the bill we brought to the floor is a balanced approach.

The one thing I like about it is it starts in the same place as many of its detractors want us to start, and that is to make sure that we have enforcement in this country. There should be laws; they should be enforced. That means we should do more, put more resources and more effort into making certain that our borders are not porous. It is a challenge. During the course of any given year, I am told that 300 million people pass between the United States and Mexico. The vast majority of them are doing it legally. But at the same time, there are people crossing that border into the United States illegally. We need better border enforcement, smarter border enforcement, using the best technology available today. Some of the suggestions we have heard I think are perhaps in answer to a problem of 100 years ago, but building a wall around the United States is hardly going to stop the immigration problem.

Over half the people currently in the United States undocumented did not enter illegally across the border. They came here legally, and because their visas expired or there were other circumstances or changes in the paperwork that they filed with our Government, they are not presently documented or in legal status. So this concept of building a fence or building a wall seems to me to be nothing more than a symbol—perhaps an unfortunate symbol—for a country as great as America.

Let me say a word or two about the bill that is going to be debated on the Senate floor for several days, perhaps through next week. It is a bill which addresses our immigration system in America. Most everyone agrees: This system needs to be changed. It is not fair. It is not a system that we are proud of because it doesn't deal with the serious issue of how many people are in the United States not in legal status—undocumented people.

One of the comments made several times during the course of the debate by my colleague from Alabama was that the bill coming out of the Senate Judiciary Committee creates amnesty. What is amnesty? Very simply, if you have been charged and found guilty of a crime, an amnesty says: We forgive you. We are not going to hold you responsible for your crime. There are things that you can do to pay your price to society for the crime you have committed. If you pay that price, people say: Well, that isn't amnesty. You have extracted some cost for the crime that has been committed.

Let me remind my colleague from Alabama what this bill does that comes to the floor.

Mr. President, I ask unanimous consent to have printed in the RECORD the editorial from today's New York Times of March 29, 2006, entitled, ''It Isn't Amnesty.''

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

IT ISN'T AMNESTY

Here's one way to kill a cow: take it into the woods in hunting season, paint the word ''deer'' on it and stand back.

Something like that is happening in the immigration debate in Washington. Attackers of a smart, tough Senate bill have smeared it with the most mealy-mouthed word in the immigration glossary—amnesty—in hopes of rendering it politically toxic. They claim that the bill would bestow an official federal blessing of forgiveness on an estimated 12 million people who are living here illegally, rewarding their brazen crimes and encouraging more of the same.

That isn't true. The bill, approved by the Senate Judiciary Committee in a 12-to-6 vote on Monday, is one the country should be proud of. Four Republicans, including the committee's chairman, Arlen Specter, joined eight Democrats in endorsing a balanced approach to immigration reform. The bill does not ignore security and border enforcement. It would nearly double the number of Border Patrol agents, add resources for detaining illegal immigrants and deporting them more quickly, and expand state and local enforcement of immigration laws. It would create a system to verify workers' identities and impose tougher punishments on employers who defied it.

But unlike the bill's counterpart in the House, which makes a virtue out of being tough but not smart, the Specter bill would also take on the hard job of trying to sort out the immigrants who want to stay and follow the rules from those who don't. It would force them not into buses or jails but into line, where they could become lawful residents and—if they showed they deserved it—citizens. Instead of living off the books, they'd come into the system.

The path to citizenship laid out by the Specter bill wouldn't be easy. It would take 11 years, a clean record, a steady job, payment of a $2,000 fine and back taxes, and knowledge of English and civics. That's not ''amnesty,'' with its suggestion of getting something for nothing. But the false label has muddied the issue, playing to people's fear and indignation, and stoking the opportunism of Bill Frist, the Senate majority leader. Mr. Frist has his enforcement-heavy bill in the wings, threatening to make a disgraceful end run around the committee's work.

The alternatives to the Specter bill are senseless. The enforcement-only approach—building a 700-mile wall and engaging in a campaign of mass deportation and harassment to rip 12 million people from the national fabric—would be an impossible waste of time and resources. It would destroy families and weaken the economy. An alternative favored by many businesses—creating a temporary-worker underclass that would do our dirtiest jobs and then have to go home, with no new path to citizenship—is a recipe for indentured servitude.

It is a weak country that feels it cannot secure its borders and impose law and order on an unauthorized population at the same time. And it is a foolish, insecure country that does not seek to channel the energy of an industrious, self-motivated population to its own ends, but tries instead to wall out ''those people.''

It's time for President Bush, who talks a good game on immigration, to use every means to clarify the issue and to lead this country out of the ''amnesty'' semantic trap. He dislikes amnesty. Mr. Frist dislikes amnesty. We dislike amnesty, too.

The Specter bill isn't amnesty. It's a victory for thoughtfulness and reason.

Mr. DURBIN. Mr. President, let me quote from this:

The path to citizenship laid out by the Specter bill—

which is the bill that will come before us soon—

wouldn't be easy. It would take 11 years, a clean record—

no criminal record—

a steady job, payment of a $2,000 fine, payment of all back taxes, and knowledge of English and civics.

Those are the things a person has to go through to reach the point where they are considered open for the possibility of legalization. So it isn't as if we have wiped away the fact that some people are here illegally; we are making it clear that if they want to become legal in the eyes of the United States, there is a cost to it. It is a cost in commitment, and it is a long one.

So I think The New York Times has it right, and I think my colleague did not have it right. This is not an amnesty. I don't support an amnesty. There are some who do, but no Members of the Senate that I know of are suggesting an amnesty. Instead, we have set up a process. First, enforce the laws at the border and through employers. Second, say to those people who are here: If you are prepared to go through a lengthy, involved, and demanding process, we will give you a chance to be part of America. I think that is the only sensible way to approach this. If we don't start with that possibility, that a person here who wants to call America home permanently can reach that goal legally, what will bring that person out of the shadows? If a year from now or 2 years from now there are still millions of Americans whom we don't know by name, by address or by occupation, we will not have addressed the problems with immigration, and America will not be as secure as it should be.

The process we are putting together will bring these people out of the shadows, into a process where they are disclosed, known to the Government and all others, if they are to stay in the United States. I think that is the only way to approach this sensibly.

There is another part of the bill which my colleague from Alabama addressed which is near and dear to me personally. It is a piece of legislation which I introduced several years ago with Senator HATCH of Utah, reintroduced recently with Senator HAGEL of Nebraska, a bipartisan bill known as the DREAM Act. This part of the bill addresses those who are minors, who were in the United States undocumented.

There is one thing we all should agree on: Adults who enter our country illegally are responsible for their actions. They should be held accountable. That is what the bill does. But undocumented children are different, and I think they should be treated differently. Unlike undocumented adults, children brought here by their parents are too young to understand the consequences of their actions. We are not a country that punishes children for the mistakes of their parents.

Listen to what the Supreme Court said in Plyler v. Doe, and I quote:

Those who elect to enter our territory by stealth and in violation of our law should be prepared to bear the consequences, including, but not limited to, deportation. But the children of those illegal entrants are not comparably situated. They can affect neither their parents' conduct nor their own status.

Now, unlike many undocumented adults and all foreign student visa holders, these young people have lived in this country for most of their lives. It is the only home they know. They have assimilated into American culture. They have been acculturated into American society. They are American in virtually every sense of the word except their technical legal status. Think about it. A child brought into the United States by parents at an early age of 1 or 2, in the United States for 16, 17 or 18 years, still has not reached legal status by virtue of living here, by going to school here, by participating in America. They are still undocumented. If we give foreigners on student visas—those who come to go to school in the United States—a chance to obtain legal status after only a short time in this country, surely we should extend the same opportunity to young people who have grown up here and show a promise to contribute to America.

Under title VI of the chairman's mark which we considered in the committee, an undocumented individual could have qualified for gold card status if they were working in January of 2004, but a person who wasn't working on that date because they were too young or in school wouldn't qualify, no matter how long they lived here. We addressed that. The chairman's mark was not adopted by the committee. A different approach was addressed. And the committee adopted the provision I am talking about today, the DREAM Act.

The DREAM Act would address the situation of many young people. It would permit undocumented students to become permanent residents if they came here as children, if they are long-term U.S. residents, if they have good moral character, and attend college or enlist in our military for at least 2 years.

During the 108th Congress, the Senate Judiciary Committee marked up this DREAM Act, and it was voted out by a vote of 16 to 3, a strong bipartisan vote. Compromises and changes were made.

It is unfortunate that the Senator from Alabama, when he spoke about the DREAM Act earlier, did not make reference to the current version of the law. There were three things in particular that he said that were not accurate, which I would like to clarify for the RECORD.

First, the path for a young person to become an American citizen involves education or military service. It does not include community service, which the Senator mentioned earlier.

Second, those students who go on to college, if they are allowed to by the States where they reside, and receive in-State tuition, that is strictly a State decision. They would not be eligible for Pell grants, the grants of Federal funds to college students. We eliminated that.

The Senator from Alabama referred to Pell grants earlier, but that provision was eliminated from the DREAM Act.

Finally, the number of students who are likely to benefit from this and be involved with our colleges is dramatically less than the number quoted by the Senator from Alabama. He said it is likely—I quote from his statement on the floor:

Sixty-five thousand students would enroll during the first year.

We have a recent report from the Congressional Budget Office. Their estimate is that about 13,000 students might enroll during the next academic year. And they go on to say it is unlikely because they are probably going to be community college students, that they would be receiving substantial amounts of Federal assistance as students.

So those three points made earlier by the Senator from Alabama were not accurate. They do not describe the current law as passed by the Senate Judiciary Committee. I think the best way to describe what this is about is to tell you some of the stories of actual young people who have been affected by this.

A young lady named Theresa was raised in Illinois. She is an amazing young lady. She came to the United States when she was 2 years old. Her parents brought her here from Korea. Her mother is the family's only bread winner, and she works at a dry cleaners in Chicago.

If you know that great City of Chicago, which I am honored to represent, 85 percent of the dry cleaning establishments are owned by Korean Americans. They are wonderful, hard-working people. They are there from the crack of dawn until late at night, 6 and 7 days a week.

Her mother is one of those people. She raised Theresa, and realized at an early age that Theresa was an extraordinary young girl. She had musical talents that none would have imagined. She began playing the piano when she was 8 years old. She became a musical prodigy, winning the Chicago Symphony Orchestra Youth audition. The top music schools in the United States recruited Theresa. They wanted her as a student.

She only learned when she applied to the schools that she had a problem, and the problem is this: When her mother brought her to this country her mother never filed any papers. So Theresa is an undocumented person in America. She is here illegally. Now, at the age of 18, after having lived here all of her life since she was 2, she discovers it, and she calls my office—her mother did—and said: What can be done?

She started filling out the application for the Juilliard School of Music, and they put a question in there on citizenship. She said: I do not know what to put down. We had better call.

They called my office. We asked the Immigration and Naturalization Service. They said she is undocumented. She is here illegally. I said: What can be done? We want to get this young girl on the right track to become an accomplished musician. We know she will be.

They said: There is one thing she can do. She can go back to Korea.

Go back to Korea after 16 years? That was the only alternative available to her.

Luckily, she has gone on to school without financial assistance, incurring a lot of debt in the process. She is in this gray shadow world of people who are undocumented living in the United States—a young woman who will undoubtedly be a great contribution to America's culture at some point in her life. She still does not know what her future holds. She is not the only one.

One of her music teachers told me about her. She said: I worry that our country, the richest and most blessed in the world, will not permit this very large talent to be developed. We are not such a rich land that can throw away the talents of our children.

Theresa is among the lucky ones who went off to college at great financial sacrifice. But she is one of the people I am talking about. Theresa is not alone. There are thousands like her. They turn out to be honor roll students, star athletes, talented artists, valedictorians, aspiring teachers, doctors, scientists, and engineers. They follow the rules and work hard in school. And they beat the odds.

Fifty percent of the Hispanic students in high school in America today drop out. They do not finish high school. They and others who are from other countries have to struggle with culture and language, and many of them give up. But the ones who don't give up are exceptional people.

Let me tell you about another one, Dianna, whom I met, a very bright young lady. She went to high school in Chicago and aspired to become an architect. That was her dream. She entered contests, was an honor student in high school, won competitions statewide in Illinois to move on toward architecture. She graduated from high school with a 4.4 out of 4.0, applied, and was accepted at Northwestern University to become an architect, a dream come true.

Then it was discovered that she was undocumented, the papers had not been filed. She had been here all her life but still was not a legal American, living in the United States. She couldn't get financial assistance to go to that great university and instead had to go to another school where she is pursuing her education at great expense but worries that the day will come when she wants to be licensed as an architect and she cannot be because she does not have legal status. She is not documented.

Those two young women I just talked about are classic examples of why the DREAM Act is important.

Would America be a better place if those two girls left, if we didn't have the architectural skills of Dianna or the musical skills of Theresa or the other student who came up to me in the streets of Chicago and said: Senator, I finished high school and then I went to college and paid for it all on my own because I can't get any financial help. I want to be a teacher. I want to teach in the schools of Chicago, the public school system. I can't be licensed as a teacher because I am undocumented.

Would we be better off if that young man who came up to me left America? I don't think so.

In many respects, these young people, like our own children, are our future. They are our hopes. What we do with the DREAM Act is say we are going to take this group of students and give them a chance. Here are the conditions: They have 6 years under the DREAM Act. A student could obtain conditional legal residency for 6 years if the student has been continuously present in the United States for at least 5 years prior to the enactment of this law, was under 16 years of age when he entered the United States, has graduated from high school or obtained a GED in the United States or has been admitted to an institution of higher education in the United States, can demonstrate good moral character, is not inadmissible or deportable under specifically enumerated grounds.

The student could obtain legal permanent residency if within the 6-year conditional period he earns a degree from an institution of higher education or completes at least 2 years towards a bachelor's degree or serves honorably in the U.S. military for at least 2 years.

That is not amnesty. We say to that young person: We don't know the circumstances that brought you here. But if you have done a good job as a student, if you were prepared to continue your education to contribute to America, if you are prepared to serve America in our U.S. military and risk your life for this country, we will give you a chance to be a citizen. You have to earn it. It is not free. It is not amnesty. It is not unconditional. We put these provisions in the law.

I think that is a reasonable thing to do. I think otherwise we are going to waste talent, talent that America needs among the thousands of students who may be helped by the DREAM Act. They may be a doctor who will treat your child in the future. They may be a researcher who will help advance the cures in medical treatment. They may be an engineer who will help us find new composite metals that we use for a space program. The possibilities are limitless because opportunity is limitless in America.

Why would we want to walk away from these kids? Why would we want to turn our backs on them?

Finally, I say to States across America that you decide how to treat these students. Many States like my own have already decided, but you decide whether these undocumented students will be eligible for instate tuition or out-of-State, which is more expensive. But each State makes the decision. That is a change in the Federal law, but it is a change that States can make without a Federal penalty.

I received a letter of support for the DREAM Act from a group of Americans who lost loved ones in the September 11 terrorist attacks. Here is what they wrote me:

> We will all be safer if we unite against terrorists, and if our immigration system can be made more rational and reflective of our values as a Nation.

President Bush said the other day some words that I think are worthy of repeating on the floor of the Senate. He said:

> It is true that we are a Nation of laws, but we are also a welcoming Nation. We are a Nation of immigrants.

I stand before this body, as I have said many times, so proud of the fact that my grandmother and grandfather had the courage to pick up and leave a tiny little village in Lithuania in 1911. My grandmother picked up my mom, a 2-year-old infant, and brought her and my aunt and uncles on a boat from Germany to Baltimore, MD, where they caught a train and went to St. Louis, MO, and then crossed the river into East St. Louis, the town where I was born.

My grandfather worked in the steel mills, packinghouses, and the stockyards—did things that all immigrants did, the hardest, toughest, dirtiest jobs. He kept the family together.

My mother made it to the eighth grade and then went to work, as young women did in her era, and then was married to my dad and applied and became a naturalized citizen.

I have her naturalization certificate in my office today. I am very proud of it. Today, her son is the 47th Senator in history from the State of Illinois. It is an American story, our family story. And it is a story repeated over and over again.

Some of the children who will be helped here, some of the young people who will be helped here, will make extraordinary contributions to our country. I can't even predict what they will be. But would we be a better nation, a stronger nation by turning them away, telling them to go back to Korea and Mexico and Ireland and Poland and all the places they have come from? I don't think so.

I think the letter from the families of the September 11 victims says it all. We need to have an immigration system that reflects our values as a nation. We shouldn't deport extraordinary people like the ones I have described. They will make America a better place. We should extend a welcoming hand and an opportunity for them to earn their way into legalization in America. That is what the DREAM Act will do.

I urge my colleagues, when they consider this bill as it comes to the floor, to support this legislation and the DREAM Act provisions.

I yield the floor.

ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 9:30 a.m. tomorrow morning.

Thereupon, the Senate, at 8:11 p.m., adjourned until Thursday, March 30, 2006, at 9:30 a.m.

DISCHARGED NOMINATION

The Senate Committee on Homeland Security and Governmental Affairs was discharged from further consideration of the following nomination and the nomination was placed on the Executive Calendar under the authority of an order of the Senate of January 20, 2005:

Eric M. Thorson, of Virginia, to be Inspector General, Small Business Administration.

CONFIRMATION

Executive nomination confirmed by the Senate Wednesday, March 29, 2006:

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

RANDALL L. TOBIAS, OF INDIANA, TO BE ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

THE ABOVE NOMINATION WAS APPROVED SUBJECT TO THE NOMINEE'S COMMITMENT TO RESPOND TO REQUESTS TO APPEAR AND TESTIFY BEFORE ANY DULY CONSTITUTED COMMITTEE OF THE SENATE.

EXTENSIONS OF REMARKS

THE 2005 ETHIOPIAN ELECTION

HON. CHRISTOPHER H. SMITH
OF NEW JERSEY
IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. SMITH of New Jersey. Mr. Speaker, Ethiopia, one of Africa's most populous and influential nations, has for centuries been the home to numerous diverse religious and ethnic populations. Last May, the East African nation held elections, which promised to be a big step forward for Ethiopia's democracy. The election process started out more open than previous elections, with the political opposition able to campaign more freely than ever before. Unfortunately, the window of opportunity presented for democracy closed in a wave of government harassment of opposition parties and ethnic hate speech on both sides.

Although there were other problems in the election process, the biggest issue was the delayed release of vote results. Preliminary results indicated that the opposition did much better than in past elections, increasing the number of parliamentary seats won from 12 to nearly 200. However, opposition party coalitions charged that fraud had been committed in many of the races they did not win. Because the government had failed to release results in the weeks after the election, suspicions rose that a victory by the opposition had been stolen.

The controversy surrounding the 2005 Ethiopian election is the result of a number of factors that created a ''perfect storm'' of political discontent that has created tragic conditions in Ethiopia.

The European Union election monitoring team reported serious irregularities, but its impartiality was questioned after the leak of a preliminary EU report which indicated that the opposition parties would win a majority in Parliament based largely on results in the capital city of Addis Ababa. Periodic statements released by the EU election team were then undercut by statements from EU diplomats, much as I experienced in my visit to Addis last August.

The Government of Ethiopia, by refusing to release all relevant information regarding the election in a timely fashion, created fear that the election had been stolen. International donors worked behind the scenes with the government to create a mechanism to resolve election disputes. However, that mechanism pitted the ruling party and the government-appointed National Election Board against the opposition parties. As a result, the opposition lost 90 percent of the challenges it filed, and the government missed its own July 8th deadline for release of election results, furthering the frustration and suspicion.

As for the political opposition, its leaders contributed to this crisis by failing to provide necessary evidence of election fraud in all too many cases. It isn't that this evidence may not have existed, but the parties appeared to be unprepared to effectively document what the problems were. Moreover, their refusal to take many of the seats won in the election prevented many issues from effectively being addressed in the Parliament, including the appointment of judges and guarantees of freedom of the press.

The suspicions regarding the election were exacerbated by the government's mass arrest of students in Addis in June. Protests were met with gunfire by government forces. It is estimated that as many as 40 persons identified as political activists were killed by government sharpshooters in the capital alone. Broadened arrests put tens of thousands in jail without charge or adequate contact with families or legal counsel. Further demonstrations in November resulted in at least another 40 persons killed by government forces—this time including those not connected with the political opposition.

The recently-released State Department human rights report on Ethiopia is scathing in its description of what is taking place in Ethiopia, stating that ''the government's human rights record remained poor and worsened in some areas.''

Among the human rights problems reported by the State Department were: limitation on citizens' right to change their government; unlawful killings, including alleged political killings, and beating, abuse, and mistreatment of detainees and opposition supporters by security forces; poor prison conditions; arbitrary arrest and detention of thousands of persons; particularly those suspected of sympathizing with or being members of the opposition; detention of thousands without charge, and lengthy pretrial detention; government infringement on citizens' privacy rights, and frequent refusal to follow the law regarding search warrants; government restrictions on freedom of the press; arrest, detention, and harassment of journalists for publishing articles critical of the government; self-censorship by journalists; government restrictions on freedom of assembly including denial of permits, burdensome preconditions or refusal to provide assembly halls to opposition political groups, and at times use of excessive force to disperse demonstrations, and government limitations on freedom of association.

Approximately 16,000 people were released from jail earlier this year, but there is uncertainty about how many more prisoners remain behind bars without being charged or while awaiting a trial whose date is not yet set.

During my visit to Addis Ababa last August, I met with Prime Minister Meles Zenawi, and I asked him why he had not investigated the June shootings of demonstrators by agents of his government. His response was that the investigation might require the arrest of opposition leaders, and he didn't want to do that while by-elections were still scheduled. He went on to tell me that he had dossiers on all the opposition leaders and could arrest them for treason whenever he wanted. Thus, their arrests were all but certain even before the events that ostensibly led to their being incarcerated. Reportedly, the investigation of the government shootings of demonstrators is now belatedly underway.

The shootings by government forces and delayed investigation are reminiscent of an earlier incident: the massacre of Anuaks in southwestern Ethiopia beginning in December 2003 and continuing until May 2004.

The farming Anuak minority predominate the Gambella region of Ethiopia, but there have been periodic disputes with the highlanders, who are of the Tigrayan and Amharan ethnic groups. According to a Human Rights Watch report at the time, government forces joined with highlanders to kill at least 400 Anuaks in December 2003 alone and participated in the rape and torture of Anuaks. Genocide Watch and Survivors' Rights International confirmed the events described in the Human Rights Watch report.

The Government of Ethiopia announced last year that trials of government forces responsible for 13 of the Anuak killings had finally begun. However, there is no word yet on the result of these trials. While the government is engaged in such efforts, one hopes it also will investigate reports of the killing last year of 24 members and supporters of the Oromo National Congress and other allegedly politically-motivated killings by government forces in 2005.

Ethiopia has been an important ally of the United States in Africa, and the stability of one of Africa's most populous nations is critical to American policy, especially in the important Horn of Africa region. However, the violations detailed in the State Department human rights report and in other accounts of independent human rights organizations will only make this nation more vulnerable to civil war or a foreign-supported insurgency.

This past Monday, a series of explosions in Addis Ababa led to the death of one person and the wounding of three others in a blast on a crowded minibus. This was part of a wave of attacks that began in January and included three explosions earlier this month that wounded three persons at a restaurant, a market, and outside a school.

America's commitment to promote the respect for human rights around the world demands that we examine the current situation in Ethiopia and that we prevail upon our ally to live up to its international human rights commitments while this situation can still be salvaged. The discussions the Government of Ethiopia is conducting with its political opposition and with our government are good signs that some positive movement is possible. Other humanitarian gestures, for example, the eye operation the government reportedly authorized for opposition leader Hailu Shawal, are also an important step in the right direction.

However, the current situation calls for more than small steps taken slowly. If a crisis in Ethiopia is to be averted, reforms, investigations, and trials must proceed with all deliberate speed. This is why we convened a hearing on the situation in Ethiopia yesterday and

why I have introduced H.R. 4423—the Ethiopia Consolidation Act, which we intend to mark-up next week.

As I have said many times, "Friends don't let friends commit human rights abuses." This is a perfect example of why we must follow that dictum.

TRIBUTE TO ELDON POWELL

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to Mr. Eldon Powell. Mr. Powell served in the Army under General Patton with the 90th Infantry Division in Europe from 1944 to 1946. He has been awarded the Bronze Star Medal for distinguishing himself by heroic service.

To best honor Mr. Powell, I would like to share with the members of this distinguished House the poem written, entitled "By My Dad's Side" by his daughter, Sandra L. Moore.

Always I'll remember being by my Dad's side
Watching him slowly rise to his feet
To pay homage to His American Flag

The look on his face
His posture secure
His hand over his heart
His eyes set only upon "Her"

And without saying a word
And giving no thought to the crowd
My Dad once again would remember it all
As he would rise to his feet and pay homage to his call

His Call to his Country
His God given Word
To uphold and defend what was good, what was pure

To defend what was Holy
To defend what was True
To defend what God Himself values Precious and Pure

And so on every occasion, every ball game, parade
When His American Flag would so proudly wave
There would be my Dad with his eyes fixed and gazed

His hand holds his heart, for at times it does bleed
For all those he remembers whose lives bought Freedom for you and me

His hand holds his heart as it swells deep from Pride
Remembering with Honor those who survived

His hand holds his heart as he humbly cries
Giving thanks to His God that
Freedom is still Well and Alive

Yes, I'll always remember being by my Dad's side
Where I learned Honor, Respect, Sacrifice and Pride
Where Reverence & Allegiance were Values that grew
Where Love of God and Country and all Mankind rang True

Yes, I'll always remember being by my Dad's side
Watching and leaning with tears in my eyes
His reaffirming his Pledge
Re-pledging his Vows
Vowing again and again his Allegiance with Pride
Giving Honor and Thanks for "Our" American Flag

Just ask any veteran about American Pride
They all tell a story with tears in their eyes
A brotherhood bonded by the willing sacrifices of men
Who for God and Country would do it all over again

God Bless America

May God bless Eldon Powell and all our Veterans. They truly are American Heroes.

FREEDOM FOR LAMASIEL GUTIÉRREZ ROMERO

HON. LINCOLN DIAZ-BALART

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. LINCOLN DIAZ-BALART of Florida. Mr. Speaker, I rise today to speak about Lamasiel Gutiérrez Romero, a political prisoner in totalitarian Cuba.

Mrs. Gutiérrez Romero is an independent journalist working so that the world can understand the grotesque reality of Castro's hideous oppression. Using the limited tools of independent journalism in a totalitarian state, Mrs. Gutiérrez Romero courageously wrote about the bleak, broken society that is the result of the tyrannical policies of the totalitarian dictatorship. Because of Mrs. Gutiérrez Romero's unrelenting commitment to illuminating the nightmare that is the Castro regime, she has been constantly harassed by the dictator's thugs.

According to Reporters Without Borders, Mrs. Gutiérrez Romero was sentenced to seven months of house arrest for her journalistic activities. Despite this order, Mrs. Gutiérrez Romero continued her independent journalism. Unwilling to be muzzled by the totalitarian regime, she bravely defied their orders and continued to disseminate the truth about Cuba. Because of her unrelenting courage in the face of horrific oppression, on October 24, 2005, she was thrown in totalitarian gulag.

It is unconscionable that brave men and women can be locked up in the inhuman quarters of Castro's gulag for their belief in truth, liberty, and democracy. Despite incessant repression, harassment, incarceration and abuse, she does not waiver in her commitment to report the truth and the facts. Mrs. Gutiérrez Romero is one of the many heroes of the peaceful Cuban democratic opposition who are locked in the dungeons of the dictatorship for their beliefs. They are symbols of freedom and democracy who will always be remembered when freedom reigns again in Cuba.

Mr. Speaker, it is unconscionable that journalists such as Mrs. Gutiérrez Romero are locked in dungeons for writing and publishing the facts about the nightmare that is the Castro regime. At the dawn of the 21st Century, it must no longer be acceptable for anyone in the world, anywhere in the world, to be locked in a gulag for writing the truth. It is repulsive to the ideal of freedom that independent journalists are locked in totalitarian gulags 90 miles from our shore. My Colleagues, we must demand the immediate and unconditional release of Lamasiel Gutiérrez Romero and every prisoner of conscience in totalitarian Cuba.

THE NORTHERN IRELAND PEACE PROCESS: POLICING ADVANCES AND REMAINING CHALLENGES

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. SMITH of New Jersey. Mr. Speaker, on March 16 I cochaired a hearing on the Northern Ireland peace process, on the advances in police performance and behavior, and on the remaining challenges the Police Service of Northern Ireland faces to its becoming fully accepted as a fair and impartial police service. The hearing was my 11th hearing on Northern Ireland in not quite 9 years, and I shall continue to follow the events on Northern Ireland closely and encourage reform for as long as necessary.

This hearing helped the U.S. Congress and the American people to better understand the current issues in the always complex situation in Northern Ireland. It provided guidance to our efforts as we continue to seek to assist in the realization of a durable peace and the guarantee of fundamental human rights in Northern Ireland. The establishment of peace, justice and prosperity in Northern Ireland, which we have all hoped, worked and prayed for, is still not a reality. There are many encouraging signs, but also disturbing ones, and we are still not there yet.

One of the most encouraging developments is, of course, the IRA's renunciation of armed struggle, and the decommissioning of its weapons—a remarkable step in the path to peace. The IRA must follow through on its proclamations and cease all criminal activities as well. The most disturbing factor, however, is the alienation of the unionist community. The large majority of decent people on the unionist side, who hope for peace as ardently as nationalists, are skeptical of IRA promises. They are also terrorized by their own paramilitaries. Those pararnilitaries need to follow the IRA example, and disarm, and cease their criminal activities. They are right now one of the greatest dangers to peace and stability.

The Government of the United Kingdom has begun all party negotiations to restore the Northern Ireland Assembly and the power sharing executive. It is also preparing legislation to devolve the administration of justice and policing to a restored Northern Irish executive. Mitchell Reiss, President Bush's Special Envoy to the Northern Ireland peace process briefed us on the current prospects and challenges facing the restoration of self-government in Northern Ireland.

There has been some progress in the continuing reform of Northern Ireland's police force. Nearly 7 years ago I chaired a hearing on policing in Northern Ireland. Chris Patten, who had just released the famous report that bears his name, testified before us. Now we shall have a chance to hear about the progress that has been made in implementing the 175 recommendations made by the Patten Report. There is a new police force, the Policing Service of Northern Ireland, PSNI; there is a vigorous and fiercely independent Police Ombudsman's Office, whose chief, Nuala O'Loane, has been a catalyst for reform. The Police Ombudsman's office has been recognized as an effective mechanism for holding

the police in Northern Ireland accountable and helping people develop some confidence in a policing service that has faced credible charges of collusion in crime and assassination. In fact a poll conducted in March of last year showed that public confidence in the ombudsman's objectivity was high, with 78 percent of respondents saying they were confident that complaints were dealt with impartially.

There is now a Policing Board in Northern Ireland, composed of independent and party representatives, designed to provide civilian control and fair, nonsectarian, policing. There are district police partnerships, to guarantee that both the police and the communities they guard understand that the role of the police is to protect the community, not to impose some form of political control. The Patten Commission also envisioned a police force more representative of the whole community. Although Northern Ireland is nearly 45 percent Catholic, the old police force, the Royal Ulster Constabulary, RUC, was over 90 percent Protestant, and often seemed to function more as an auxiliary to loyalist paramilitaries than the upholder of law and order. Today, recruits to PSNI are supposed to be 50 percent Catholic, so that in time the police will hopefully be representative of the people they are supposed to protect. Now only 20 percent of the police force is Catholic. It's an improvement, but only a start. In the disturbing riots last fall and summer by unionists, the police vigorously enforced the law instead of standing aside as they often did before. This again is a hopeful sign.

But questions remain about ''bad apples'' who may still remain somewhere in the ranks of Northern Ireland's police and about Special Branch members. The U.S. Congress has long understood the importance of supporting police reform and community reconciliation in Northern Ireland. As the author of the Foreign Relations Authorization Act for FY 2000–2001—H.R. 3427; Public Law 106–113—I have been particularly interested in training and or exchange programs conducted by the Federal Bureau of Investigation or other Federal law enforcement agencies for the RUC, now PSNI. In fact it was my legislation that suspended all FBI–RUC training until 2001, when President Bush certified that the human rights and vetting standards established by my legislation were implemented in the program.

In this year's State Department Authorization Bill, which I sponsored and which passed the House overwhelmingly, 351–78, I included funds to provide specialized investigative training for personnel in the office of the Police Ombudsman to ensure that policing in Northern Ireland is carried out in compliance with internationally recognized human rights standards. We also amended the authorization for the International Fund for Ireland, IFI, to provide up to $7 million for programs that enhance relations between communities, and between the police and the communities they serve, promote human rights training for police, enhance peaceful mediation in neighborhoods of continued conflict, promote training programs to enhance the new district partnership police boards, and assist in the transition of former British military installations and prisons into sites for peaceful, community-supported activities, such as housing, retail, and commercial development. We hope the Senate will act soon on this important legislation. The Foreign Operations Appropriations Bill—now Public Law 109–102—specifically allows the IFI to use the U.S. contribution to be used for training police to promote human rights and rule of law, and to foster improved relations between police and the communities they serve.

But one remaining area of great concern are the more than 3,000 unsolved murders between 1969 and the signing of the Good Friday agreement in 1998. Punishment of the guilty in many cases may not be possible, because of previous amnesties which have been granted to promote peace in Northern Ireland. But true peace and true democracy cannot be founded on lies and cover-ups. An integral part of police reform is investigation of police and government collusion in past criminal acts. Only the truth can guarantee that Northern Ireland's new police force is established on a sound basis of respect for law and justice, something the previous force, the RUC could never claim. Only the truth can guarantee that the people of Northern Ireland accept their police as legitimate.

The government has recently instituted the Historical Enquiries Team to investigate and resolve these cases. This has the potential—if operated with transparency and openness—to be a critical, helpful step. Time will tell. Meanwhile, there are several cases which require special attention. The British and Irish Governments in 2001 jointly appointed Judge Peter Cory, a preeminent retired justice of the Supreme Court of Canada to determine whether independent commissions should investigate possible state sponsored collusion in six notorious and horrific murders. They also pledged to abide by his recommendations. Two years ago Judge Cory issued his report and called for five of the six murders to be investigated independently. Yet the British Government has still not appointed an inquiry commission into the murder of the human rights attorney Patrick Finucane, who was gunned down in his home, in front of his wife and three small children, in 1989. Every 1 of the past 10 hearings I have chaired on human rights and police reform in Northern Ireland has dealt with Patrick Finucane's murder. Yet still nothing has been done. The Government of the UK must find a way to institute a credible inquiry which will be accepted by all, especially the Finucane family. The British Government has finally begun its inquiry commission, as demanded by Judge Cory, into police misconduct in the murder of Rosemary Nelson, another heroic human rights lawyer, and mother of three, who fell victim to a car bomb in March 1999. Rosemary, 6 months earlier had testified before my committee about the harassment, intimidation and threats made against her by the RUC. No one has ever been charged in her murder. That inquiry was finally begun on April 19 but has made little progress so far, and serious questions remain as to whether the investigation is being conducted properly. If the population of Northern Ireland is to cease relying on paramilitaries for protection, and transfer its trust to the police, it must have confidence that the police and the authorities deserve trust. These inquiries need to be done, and done well, as soon as possible.

Finally, although political reform and police reform are absolute preconditions for all progress, only economic development can finally end the terrible poverty, among both Catholics and Protestants, nationalists and unionists, which helps breed the violence. Fully employed, prosperous and prospering people, who can see tomorrow as better than today, rarely attack their neighbors. The Catholic and nationalist community, although worried, looks on the fulfillment of the Good Friday agreements with great hope. Too many in the unionist community, unfortunately, have been exploited by extremists to look upon all gains by Catholics as setbacks for themselves, that all jobs that Catholics get, as jobs that they lose. Only economic development can provide the jobs, the housing, the public services that all the people of Northern Ireland, in both communities, need for a better life. We have continued our support—$13.5 million in 2006—for the International Fund for Ireland for both 2006 and 2007, not only to promote police reform, as I mentioned above, but also to promote economic development which is critical to achieving a just and lasting peace. Now that we are nearer to success, this is no time to falter in our efforts.

The IFI has played a vital role in economic progress in Northern Ireland. The U.S. has contributed over half of the total fund, about $400 million in the past 20 years. And it has helped. In the 1990's Northern Ireland's unemployment fell by 40 percent. The fund has created nearly 38,000 jobs. But the IFI does not only fund material progress, and its greatest achievements are not material: It has also developed a series of community building programs, promoting greater dialogue and understanding between Catholic and Protestant, including leadership programs designed to develop a new generation of leaders in Northern Ireland to bring about a more peaceful and prosperous future in the region. Young people are the key to the future everywhere, but in Northern Ireland they are absolutely crucial to breaking the cycle of discrimination and sectarian violence once and for all. For this reason our authorization bill continues support for ''Project Children,'' to bring together Catholic and Protestant participants from the Republic of Ireland, the United Kingdom, and the United States, to help build peace in Northern Ireland through its children and young people.

Besides Mitchell Reiss, we heard testimony from the Right Honorable Sir Desmond Rea, chairman, Northern Ireland Policing Board; Mr. Denis Bradley, vice chairman, Northern Ireland Policing Board; Ms. Maggie Beirne, director, Committee for the Administration of Justice; Ms. Jane Winter, director, British Irish Rights Watch; Ms. Archana Pyati, senior associate, Human Rights Defenders Program, Human Rights First.

TRIBUTE TO MR. FRANKLIN E. FORD

HON. DAVE CAMP

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. CAMP. Mr. Speaker, I rise today to pay tribute to Mr. Franklin ''Frank'' Ford recognizing his recently revealed contributions to the U.S.-led allied victory in World War II as designer and superintendent for The Dow Chemical Company's ethylene plant.

During Word War II, Imperial Japan blocked shipments of natural rubber to the U.S. As necessity is the mother of invention, the U.S.

was forced to develop synthetic rubber to relieve the U.S. military of its dependence on imported rubber.

Mr. Ford and a team of dedicated engineers at The Dow Chemical Company in Midland, Michigan, developed and pioneered domestic ethylene production, which as the precursor to synthetic rubber, was used to supply the U.S. with critical resources necessary to win the war, Ethylene continues to have practical, widespread applications today in plastic bags, paints, antifreeze and car components.

Until recently Mr. Ford's family was unaware of his impact on Dow and his important role in developing ethylene. He is being honored today at the Herbert D. Doan Historical Museum in Midland and finally getting the recognition he and others deserve.

Like so many in Mr. Ford's generation, he never asked for any credit, recognition or accolades for his work or the work of his team during the war. He did not ask for a blue ribbon or a tickertape parade. He is among the many anonymous Americans who quietly, selflessly did his job on the home front to win the war overseas.

That is why more than 60 years after World War II it is a privilege for me to publicly recognize Mr. Ford and his team at The Dow Chemical Company as unsung heroes and acknowledge their contributions to the U.S. during a time of world war.

WELL DONE!—ATLANTA GAS LIGHT

HON. TOM PRICE

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. PRICE of Georgia. Mr. Speaker, on February 16th of this year, Atlanta Gas Light celebrated 150 years of quality and continued service to the people of Georgia. What a privilege it is to take this opportunity to thank Atlanta Gas Light for being a leader in innovation and economic development.

Natural gas is a cornerstone of the energy supply for Georgia residents and businesses. From cooking food and heating our homes to lighting our streets, natural gas has helped make Atlanta the commercial leader of the Southeast.

Atlanta Gas Light has become a community leader as well volunteering time and money and giving back to the citizens of Georgia. In addition to their own accomplishments, Atlanta Gas Light recognizes other community leaders in Georgia with its Shining Light Award. Since 1963, recipients of the Shining Light Award have been recognized by gas lamps erected throughout the city in their honor. This is just one of the many ways Atlanta Gas Light continues to give back to the City of Atlanta and the State of Georgia.

I applaud Atlanta Gas Light on their first 150 years as a business and community leader. Without a doubt, their continued leadership will help Atlanta grow and remain the center of the Southeast for the 21st Century.

PERSONAL EXPLANATION

HON. SOLOMON P. ORTIZ

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. ORTIZ. Mr. Speaker, due to inclement weather, I was unable to vote during the following rollcall vote. Had I been present, I would have voted as indicated below.

Rollcall No. 68: yea.

MONITORING RESPECT FOR HUMAN RIGHTS AROUND THE WORLD

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. SMITH of New Jersey. Mr. Speaker, on March 16, 2006, I chaired a hearing to review the State Department's Country Reports on Human Rights Practices for 2005 and, in the context of those reports, to examine the state of respect for human rights around the world.

Human rights are not a concession or benefit conferred by the state. They are the entitlement of every human person on the basis of that person's inherent dignity and worth. Thus the Universal Declaration for Human Rights and subsequent international human rights treaties did not establish human rights—they recognized those rights. Therefore, human rights cannot be abrogated or otherwise removed by any government. They are entitlements pre-existing and superseding the prerogatives of the government, and as such are either respected or violated.

Certain human rights are fundamental, and are the basis for the recognition and enjoyment of all other human rights. Foremost of these rights is the right to life. If a human being is denied or threatened with the denial of life, the existence of other rights is meaningless. And attempts to exclude any category of human beings from the inviolable right to life at the whim of expediency or the more powerful undermines and threatens the respect of life for all peoples. A determination to take the life of one human being easily translates into taking the life of another, limited only by the relative power of the aggressor and the vulnerability of the one whose life is threatened. It is for these reasons that the life of every human being, from conception to natural death, is of such critical, overriding importance.

As affirmed by the Universal Declaration for Human Rights, liberty, justice and peace in the world are built on the foundation of the recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family. Human rights are central to United States foreign policy not only because they are a moral imperative but also because they are central to any effort to establish and maintain a democratic, peaceful, stable society. Those who ignore or repudiate human rights are sowing the seeds of instability, rebellion and violence.

It is therefore disturbing that human rights concerns are often subordinated to other concerns, such as trade, cooperation on terrorism, immigration control, or selling military equipment, in the name of maintaining relations with countries of high importance to U.S. strategic goals. This misses the point. The most important U.S. interest is the promotion of freedom and democracy and long-term stability. We are strong enough, and we are prosperous enough that we have no need to accept blood money or to send refugees back to persecution or to seek our alliances among regimes that murder and torture their own people.

The Country Reports are among the most important tasks undertaken by the Department of State. These reports allow the United States an opportunity to bear witness, to reassert fundamental principles, and also to examine its own conscience about whether its foreign policy comports with these principles. Other annual reports, such as the Trafficking in Persons report and the report on International Religious Freedom, also shine the spotlight on specific human rights areas which bear closer examination.

Although the human rights mechanism of the United Nations is not directly germane to the release of the Country Reports, the importance of the recent adoption by the General Assembly of the resolution establishing the new Human Rights Council is of such importance that I included it in the discussions of the hearing. I personally am deeply disappointed and dismayed that the United Nations adopted such a weak and deeply flawed replacement for the discredited Human Rights Commission.

Furthermore, the new Council's anticipated promotion of the goals and commitments "emanating" from UN conferences and summits, measures not intended by negotiating member states to be on a par with human rights treaties, will dilute and trivialize the solemn importance rightly attributed to fundamental human rights. Many of us in Congress will be watching the development of the new Council closely, and we strongly encourage the Administration to work assiduously to not only ensure that this new council promotes and defends human rights but also that it does not distort the established and accepted framework of fundamental human rights.

The 2005 Country Reports document several important steps forward taken by governments around the world to respect and protect the fundamental human rights of their citizens. Burundi concluded a four-year transitional process and large numbers of displaced persons were encouraged to return home. The election of President Ellen Johnson Sirleaf in Liberia marked "a significant milestone" in that country's efforts to achieve democracy and peace. Afghanistan experienced its first parliamentary elections in almost 30 years, with women enthusiastically participating. And in Ukraine, the Orange Revolution resulted in a democratically elected government and a notable improvement in respect for human rights.

Unfortunately, the news is not all good. The Country Reports also serve to confirm and document what we knew already, that the last year has not been a good one for the state of human rights in the world. The Zimbabwean government's Operation Restore Order led to the demolition of houses and businesses and displaced or destroyed the livelihoods of more than 700,000 people. The government of Belarus President Lukashenko detained, fined, and imprisoned pro-democracy activists, including opposition politicians, students and newspaper editors, for criticizing him and his

regime. And the people of Nepal continued to suffer many serious human rights abuses, both during and after the February–April state of emergency that suspended all fundamental rights except for habeas corpus—and even habeas corpus orders issued by the court were not respected.

The totalitarian governments of China, North Korea, Vietnam and Cuba all continued their persecution of political and religious dissidents. The Chinese government and security forces, in particular, are cited by the 2005 Reports as having increased their harassment, detention and imprisonment of those perceived to be a threat to government authority. The government considers the number of death sentences to be a state secret, but foreign experts estimated that between 5,000 and 10,000 persons are executed each year. There were claims that 20 public protesters were killed last year during one demonstration, and the state-run media reported that in general 460 persons were killed through abuse or dereliction of duty. The UN Special Rapporteur on Torture Manfred Nowak reported after his November visit that torture in China remains widespread.

One of the most egregious human rights abuses that is receiving grossly insufficient global attention is the one-child per family policy enforced in China since 1979. The policy says that if a woman happens to become pregnant with a second child, despite the government's best efforts to assure that this does not happen, then the parent must pay a heavy penalty or unborn child must be aborted. Heavy fines are imposed upon couples who have an ''unapproved'' child. These so-called ''social compensation fees'' can be up to ten times a person's annual salary, compelling them to abort the baby.

The Chinese government goes to appalling lengths to enforce its one-child limit, abusing the rights of Chinese women, in particular, to a degree that is unique in both kind and degree. For example, Government Family Planning Bureaus conduct periodic pregnancy tests on married women, and give them unspecified ''follow-up'' services. Fines for failing to undergo these tests can be as high as $60 US. It should therefore not be surprising that approximately 500 women in China commit suicide each day—more than five times the global rate. Possible reasons given for this tragic statistic include that country's birth limitation policies and the traditional preference for male children.

Officials who help individuals to evade the birth limitations are legally subject to significant and detailed sanctions. On the other hand, those who meet the population goals established by their administrative region are rewarded. Thus, it is no wonder that local officials violated individual's rights in attempting to reduce the number of births in their region. The 2005 Reports state that in just one province, 130,000 people were detained to force them or their relatives to submit to abortion or sterilization procedures. Several late-term abortions were documented, and at least 7,000 people were forcibly sterilized. Local officials profited personally from the fees charged for attendance at the ''population schools.'' One legal activist was placed under house arrest for exposing these abuses. Other instances of forced sterilizations and abortions, committed in pursuance of these harsh birth limitation policies, were again documented.

The combined effect of the birth limitation policies and the traditional preference for male children resulted in the disproportionate abortion of female fetuses at a rate of 116.9 to 100 overall, and a shocking 151.9 to 100 for second pregnancies. As a direct result of these ongoing crimes against humanity, China today is missing millions of girls, girls who were murdered in the womb simply because they are girls. A couple of years ago, the State Department suggested that as many as 100 million girls of all ages are missing—that is to say, they should be alive and well and are not, a direct consequence of the government's one-child policy. This gendercide constitutes one of humanity's worst blights, and a far greater peril to peace and security than is being credited at this time.

Elsewhere in the world, dictatorships in Belarus and Burma were unsurprisingly similar in their oppressive methods of control to maintain power. Security forces in both countries arbitrarily arrested and detained citizens for political reasons. Police abuse and torture of prisoners continued in Belarus, and in Burma, abuses also included rape, beatings, forcible relocation of populations, and conscription of child soldiers.

In Africa, human rights abuses continued to be widespread throughout the continent. In Ethiopia, the refusal of the opposition parties to accept the announced results of the May elections resulted in serious human rights abuses. Authorities arbitrarily detained, beat and killed opposition members and freedom of the press and freedom of assembly were severely curtailed. In addition to the forced displacement mentioned earlier, Zimbabwe once again went through the charade of elections that in fact were marked by fraud and the improper participation of security forces in the tabulation of ballots, irregularities in voter registration, and continued restrictions on speech, press and assembly.

The world is all too aware of the continuing tragic situation in Sudan. According to the World Health Organization, the conflict in Darfur has resulted in the deaths of at least 70,000 civilians, the internal-displacement of more than 1.9 million civilians, and the flight of an estimated 210,000 refugees to neighboring Chad. When confronted with such numbers, one must also take into account the attending human rights violations, including the abuse of children, extensive trafficking in persons, and the acts of torture and violence against women.

The human rights record of Iran also worsened this past year, with numerous troubling violations reported. The government executed many political dissidents following trials that lacked due process. Dissent was criminalized and the death penalty applied to such offenses as apostasy, ''attempts against the security of the State, outrage against high-ranking officials and insults against the memory of Imam Khomeini and against the Supreme Leader of the Islamic Republic.'' A report released during the past year stated that at least 8 evangelical Christians have been killed in Iran and another 15 to 23 reported missing or ''disappeared'' over the past 15 years.

Also alarming were the reports of serious human rights violations by governments with which the United States enjoys a close relationship. The 2005 Reports give no indication that Saudi Arabia is correcting its traditional disregard for religious freedom. Officially sanctioned discrimination against the Shi'a Muslim minority continued, and Christians still faced arrest and detention for practicing their faith, even in the privacy of their own homes. One newspaper reported that 40 Pakistani citizens, including one Muslim, were arrested after holding Christian services in an apartment. Other human rights abuses took place in Saudi Arabia as well, including abuse of prisoners by security forces, arbitrary arrests, and legal and societal discrimination against women.

Finally, I continue to be deeply troubled by the lack of respect for human rights and religious freedom in Vietnam. Vietnam is a one-party state run by the Communists which oppressively controls the ordinary lives of its citizens, rigidly represses political rights, and denies its people the exercise of their religious freedom. The Country Report on Vietnam documents that the government subjected religious leaders to administrative detention, ''pagoda arrest,'' and varying degrees of informal detention in their residences. Citizens who tried to exercise their rights to practice their religion, assembly, or expression also were detained at times for several days by security forces. Such conduct should not be ignored when a country is seeking stronger economic relations with the United States.

In conclusion, the biggest challenge with the Country Reports is not the reporting itself, but the uses to which this human rights reporting will be put to achieve universal respect for human rights and thus greater peace and stability in our world. Human rights can not be the work of one political officer in the Embassy who prepares the annual report once a year and then turns to other tasks. Rather, it must be the foundation on which our bilateral relationships are based.

The cornerstone of U.S. foreign policy must be the promotion of American values, which include the protection and advancement of fundamental human rights of people around the world. The moral character and depth of soul of any society will be measured not by its military might, technological prowess, athletic excellence or GDP, but by the respect it accords to the inherent dignity and worth of every person who lives within its borders.

RECOGNIZING DR. I. KING JORDAN FOR HIS CONTRIBUTIONS TO GALLAUDET UNIVERSITY AND THE DEAF AND HARD OF HEARING COMMUNITY

SPEECH OF

HON. STENY H. HOYER

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2006

Mr. HOYER. Mr. Speaker, today I rise to express my strong support for H. Res. 680 and to pay tribute to the long and distinguished career of Dr. I. King Jordan, the first deaf President of Gallaudet University. Dr. Jordan's compelling life story, keen intellect, and unbridled passion have combined to make him an extraordinary educational leader, one of our nation's foremost advocates for people with disabilities, and an international leader and role model for the deaf and hard of hearing.

Over the 18 years that he has served as University President, as well as his years as

Dean of the College of Arts and Sciences and Chair of the Psychology Department, Gallaudet University has thrived under Dr. Jordan's leadership. Gallaudet is the world's only university in which all programs and services are specifically designed for deaf and hard of hearing students. As President, Dr. Jordan dramatically expanded the University's endowment, improved and expanded academic programs, added new facilities, and recruited world-class faculty and administrators.

I got to know Dr. Jordan during the passage of the Americans with Disabilities Act, which was signed into law in 1990. Dr. Jordan was a lead witness during a joint session of Congress and delivered key testimony, which was instrumental to the passage of this landmark civil rights legislation.

Dr. Jordan has never relented in his commitment to improving the lives of people with disabilities. Last year, I was privileged to join Dr. Jordan in receiving the George Bush Medal for the Empowerment of People with Disabilities. That distinguished award is just one of the many that Dr. Jordan has received for his work. His numerous accomplishments and awards include no fewer than eleven honorary degrees, the Washingtonian of the Year, the James L. Fisher Award from the Council for Advancement and Support of Education (CASE), the Larry Stewart Award from the American Psychological Association, the Distinguished Leadership Award from the National Association for Community Leadership, and the U.S. Presidential Citizens Medal.

In 1990, President George Bush appointed Dr. Jordan Vice-Chair of the President's Committee on Employment of People with Disabilities (PCEPD), and in 1993 he was later reappointed as Vice-Chair by President Clinton of this influential body that made national recommendations on issues of employment.

Dr. Jordan recently announced that he will retire as Gallaudet's first deaf President on December 31, 2006. While the University will be losing a remarkable leader, I know that Dr. Jordan will continue to be a driving force in our community.

Mr. Speaker, I wish to express my deep gratitude to Dr. Jordan on behalf of the millions of individuals he has helped and inspired throughout his career. His tireless efforts have improved not only Gallaudet University, but also our nation and our world. I wish Dr. Jordan the best of luck in his retirement. His leadership and legacy will never be forgotten.

DEFINING PROTECTIONISM DOWN

HON. BARNEY FRANK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. FRANK of Massachusetts. Mr. Speaker, one of the most disturbing trends that we have seen recently is that of those who would adopt rules abolishing any restrictions on the untrammelled flow of capital around the world, taking away from countries their sovereign rights to impose restrictions that serve legitimate national interests. This applies both to direct foreign investment, and even more to the notion that short-term purely financial investments must be allowed under any circumstances whatsoever. As Daniel Davies notes in a British newspaper, the Guardian, while it is true that the general rule should be to allow cross-border purchases of companies, "there are, quite feasibly, a lot of uncommon but not impossible situations in which a democratic government might want to pass a law about the operations of a company, and not want to find itself being taken to a WTO tribunal for doing so." He correctly says in closing, "Of course, there is not really all that much to be said for local ownership restrictions in most cases . . . But on the other hand, nor is it 'protectionism.' The case for capital market openness is very much weaker than the case for goods market openness and we should all resist the attempt to define down protectionism."

[From the Guardian, Mar. 20, 2006]

DEFINING PROTECTIONISM DOWN

(By Daniel Davies)

Economic "protectionism" is back in the news with a vengeance, with France objecting to takeovers in the steel sector, Spain putting together national champion utilities and the USA crying blue murder over Dubai Ports World's proposed acquisition of P&O. James Surowiecki had an article in the Saturday Guardian painstakingly setting out the conventional wisdom on this subject (ie, that it's very bad). Trouble is, this isn't really what "protectionism" means.

Basically and historically, "protectionism" (and "mercantilism" and related terms) always used to refer to tariff policy, with respect to goods markets and trade between buyers and sellers. The use of the terms to refer to policies about capital markets and ownership of companies is a new one; I spotted it beginning to arise in the FT and Economist around the beginning of the 1990s and have been writing Mr Angry letters on the subject ever since. Because capital markets "protectionism" is much less bad than the goods market type and might not even be bad at all.

It's easy to explain why tariffs are bad. They're a tax on a particular economic activity—trade. Because of this, they cause people to do things that they wouldn't otherwise do in order to avoid the tariff, or not to do things they otherwise would do because the cost of the tariff means it isn't worth their while. There is a deadweight loss associated with this, and empirically it turns out that this deadweight cost is substantial. That's why tariffs are bad, and why we have a WTO dedicated to removing them.

On the other hand, ownership of a company isn't an economic activity at all (because "ownership" isn't an activity, it's something you can do while sleeping, in a coma or even dead). So it is much harder to see how any deadweight loss can be created by placing taxes or other kinds of barriers on overseas investment in domestic companies. The very fact that James Surowiecki in his article has to appeal to "the discipline of the takeover market on inefficient managements" ought to raise eyebrows here. If there is one thing we do know about the discipline of the stock market, it's that it's a very weak force for good indeed, if it's a force for good at all. And the empirical evidence bears this out as well; while the gains from goods markets liberalisation are big and definitely there, the gains from capital account liberalisation are small and frustratingly difficult to detect, no matter what econometric techniques you bring to bear.

Set against this, there are on occasion quite legitimate reasons why one might want to put curbs on the foreign ownership of domestic industries. Most particularly, you might want to be absolutely sure that you can govern them via domestic national laws. There is a lot of ill-founded paranoia about "multinationals", but it is true that a company with multinational operations has a lot more wriggle room when it comes to regulations it doesn't like. Furthermore, you can keep a lot more control over the tax base, and over things like shipping records and accounts which are usually stored in head office. Even the Thatcher governments recognised this, which is why the government used to have a "golden share" in a lot of privatisation companies. There are, quite feasibly, a lot of uncommon but not impossible situations in which a democratic government might want to pass a law about the operations of a company, and not want to find itself being taken to a WTO tribunal for doing so.

And this is what the root of the problem is, I think. The rise of cross-border ownership of companies has gone hand in hand with the rise of a lot of bogus WTO cases trumped up by multinational companies which don't like the way in which they are being regulated in one of their countries of operation, and have managed to convince someone that it is a restraint of international trade. At about the time that the new usage of the word "protectionism" was being popularised, the international civil service was trying to negotiate something called the Multilateral Agreement on Investment (MAI). If it had been passed, this would have more or less guaranteed to foreign investors in any country that they would be able to carry out business in the same way in which they did in their own country. The fact that this would lead to a lowest-common-denominator effect pretty quickly was, of course, not an unintended consequence—this was the grand high era of neoliberalism, after all. However, more or less for this reason, the MAI was incredibly unpopular (particularly in the USA, where there are all sorts of local regulations and industry sweetheart deals which everyone wanted to preserve) and it died the death of a thousand committees.

Ever since the death of the MAI, global civil servants at places like the EU and the WTO have been trying to resurrect it. They've been doing this, as far as I can see, by attempting to blur the distinction between goods market and capital market protection. I've mentioned that the WTO is chock full of bogus cases where regulations on a local subsidiary of a large company have been portrayed as a restraint of trade, but the EU is if anything worse; the office of Charlie McCreevy and the Single Market Directorate Generale of the EU have a really nasty habit of claiming that the "right of establishment" of the Treaty of Rome gives them the power to force through any cross-border merger in Europe in the face of government opposition. So the linguistic confusion between "protectionism" in the sense of tariffs and "protectionism" in the sense of local ownership restrictions is not really all that innocent.

Of course, there is not really all that much to be said for local ownership restrictions in most cases. If someone wants to buy shares in a company, the fact that he comes from overseas is usually not a very good reason to stop him. But on the other hand, nor is it "protectionism". Even Adam Smith had very different opinions on free trade in goods markets, versus international investment. The case for capital market openness is very much weaker than the case for goods market openness and we should all resist the attempt to define down protectionism.

CONGRATULATING CLIFFORD AND RUTH MELBERGER AS THEY RECEIVE THE DISTINGUISHED COMMUNITY SERVICE AWARD FROM THE ANTI-DEFAMATION LEAGUE

HON. PAUL E. KANJORSKI

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. KANJORSKI. Mr. Speaker, I rise today to ask you and my esteemed colleagues in the House of Representatives to pay tribute to Clifford and Ruth Melberger, of West Pittston, PA. This year, the Anti Defamation League of Eastern Pennsylvania has selected them to be the recipients of the Distinguished Community Service Award.

Both Ruth and Clifford have been long time champions of the greater Wyoming Valley, the community in which they were both born and raised. They have consistently committed themselves to their family, educational programs and the growth of the region for current and future generations.

Since her days as an art teacher in West Pittston and East Pennsboro High Schools, Ruth has worked with many community associations. She is presently on the board of directors of the Scranton Cultural Center, the West Pittston Cemetery Association, the West Pittston Historical Society and she has been a volunteer for the Meals on Wheels program for 14 years. She is also an elder in her church.

Ruth also served on the President's Council of Wilkes University, the boards of directors of the Pittston YMCA and the Scranton Council for Literacy Advance. She also headed the West Pittston Shade Tree Commission for 15 years.

Ruth and Clifford founded Diversified Information Technologies, an information management company of which Clifford serves as president and chief executive officer.

Clifford is currently on the board of trustees of Wilkes University, the steering committee of the Great Valley Technology Alliance, board of directors of the State of PA Business Roundtable and he is an elder in his church.

Clifford was a member of the board of trustees of Bucknell University as president of their National Alumni Association. He was also a member of the board of Team Pennsylvania, the Greater Scranton Chamber of Commerce, Scranton Tomorrow, the Downtown Wilkes-Barre Touchdown Club and the Bison Athletic Club of Bucknell University.

Clifford received the Arthritis Foundation's 1998 Community Leader of the Year Award for Northeastern Pennsylvania, the Wilkes-Barre Chamber of Commerce National/International Business of the Year Award, the Ben Franklin Partnership Award for Excellence of Innovation, Bucknell University's Bison Club Award for outstanding contributions to the University's athletic program and a member of the Wyoming Area High School and Bucknell University Athletic Halls of Fame.

Clifford is also the namesake for the "Melberger Award," an annual award presented to the most valuable Division III college football player in the nation.

Ruth and Clifford are committed to educational causes as both attended college on scholarships. They have established the Ruth Boorom Melberger scholarship at Wilkes University, a Player of the Game scholarship at Wilkes University and Bucknell University for each home football game and named scholarships in honor and memory of family members at Bucknell University.

Ruth earned a bachelor's degree in art education with minors in English and social studies from Wilkes University and Clifford earned a bachelors degree in business administration and a masters degree in education from Bucknell University.

They have two children and six grandchildren.

Mr. Speaker, please join me in congratulating the Melbergers. Their commitment to community service is exemplary and it is fitting that the Anti Defamation League should honor them in this way. Clearly, the Melbergers have improved the quality of life in the greater Wyoming Valley.

PERSONAL EXPLANATION

HON. JIM GIBBONS

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. GIBBONS. Mr. Speaker, I rise today to explain how I would have voted on March 28, 2006 during rollcall votes No. 68 and No. 69 during the second session of the 109th Congress. The first vote was for H.R. 4882—the Vietnam Veterans Memorial Visitor Center Deadline Enforcement Act—and the second was S. 2120—the Milk Regulatory Equity Act of 2005.

If present, I would have voted "yes" on these rollcall votes.

RECOGNIZING DR. I. KING JORDAN FOR HIS CONTRIBUTIONS TO GALLAUDET UNIVERSITY AND THE DEAF AND HARD OF HEARING COMMUNITY

SPEECH OF

HON. JAMES R. LANGEVIN

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2006

Mr. LANGEVIN. Mr. Speaker, I rise today to pay tribute to the impressive career of Dr. I. King Jordan, as he retires from his presidency of Gallaudet University. For many years, Dr. Jordan has tirelessly served his community as an advocate and a champion for people who are deaf or hard of hearing. for the past 18 years, he has served as the president of the only institution of higher learning serving primarily deaf and hearing impaired students. I am proud to call Dr. Jordan a friend and honored to have had the opportunity to work with him in his capacity of university president over the years.

Under Dr. Jordan's tenure as president, Gallaudet University has seen tremendous growth, with an increased endowment and strong progress in many academic areas. Dr. Jordan has raised awareness of the important educational contributions Gallaudet makes to the Nation and the world.

As the first deaf president of Gallaudet University, Dr. Jordan served as a role model, as well as an advocate. One of his legacies at Gallaudet will be the President's Fellows program, which he established to increase the number of deaf and hearing impaired faculty. His unwavering support and belief that all individuals, regardless of disabilities, should be encouraged to fulfill their potential has inspired countless students, faculty and others in the deaf and hearing impaired community to work towards that end.

Dr. Jordan has accomplished a great deal in his professional career. I am pleased to have this opportunity to acknowledge his service to Gallaudet and his efforts to improve the quality of life for individuals who are deaf and hearing impaired, and individuals with disabilities. I thank him for his dedication and I urge all of my colleagues to support H. Res. 680.

PERSONAL EXPLANATION

HON. ROBERT C. SCOTT

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. SCOTT of Virginia. Mr. Chairman, on the afternoon of March 16, 2006, I was at the White House for a meeting with the President and was unavoidably detained, thereby causing me to miss five rollcall votes. I would like to submit this statement for the record to reflect how I would have voted had I been present.

On rollcall No. 55, had I been present, I would have voted "nay"; on rollcall No. 56, had I been present, I would have voted "aye"; on rollcall No. 57, had I been present, I would have voted "nay"; on rollcall No. 58, had I been present, I would have voted "aye"; on rollcall No. 59, had I been present, I would have voted "nay."

PERSONAL EXPLANATION

HON. MARK GREEN

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. GREEN of Wisconsin. Mr. Chairman, on rollcall vote No. 57 on H.R. 4939, my vote was mistakenly recorded as "nay" when I should have said "aye." I ask unanimous consent that my statement appear in the RECORD immediately following rollcall vote No. 57.

VETERANS' MEMORIAL MARKER ACT OF 2006

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. MILLER of Florida. Mr. Speaker, as chairman of the Subcommittee on Disability Assistance and Memorial Affairs of the Veterans' Affairs Committee, I am proud to introduce H.R. 5038, the Veterans' Memorial Marker Act of 2006. The Subcommittee's Ranking Member, SHELLEY BERKLEY, joins me as an original cosponsor of this bill.

H.R. 5038 would extend for 1 year the Department of Veterans Affairs' authority to provide a government marker for the marked grave of a veteran buried in a private cemetery. Under current law, this authority will expire on December 31, 2006. In addition, the

bill would extend eligibility of this benefit to include deaths occurring on or after November 1, 1990. Currently, this benefit is only available for deaths occurring on or after September 11, 2001.

This bill would also authorize the VA to provide a government marker or memorial headstone for eligible deceased dependent children whose remains are unavailable for burial. Today, the VA is only authorized to provide a marker or memorial headstone to commemorate a veteran or spouse whose remains are unavailable for burial.

Mr. Speaker, the Nation owes a debt of gratitude to the men and women who served in the armed forces of the United States. This is but one way we can commemorate and memorialize their service and sacrifice.

I urge my colleagues to support this bill.

KEEP AMERICA COMPETITIVE GLOBAL WARMING POLICY ACT OF 2006

HON. TOM UDALL

OF NEW MEXICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. UDALL of New Mexico. Mr. Speaker, I rise today to introduce the Keep America Competitive global Warming Policy Act of 2006. I am pleased to be joined in introducing this bill by my colleague from Wisconsin, the Honorable Tom Petri.

We introduce this legislation in the face of a rapidly strengthening scientific consensus that the Earth is warming faster over the last few decades than at any time ever in the geologic record. Ten of the last 15 years have been the hottest years since we began recording global temperatures. There are prolonged droughts across the United States, such as in my home state of New Mexico. Other parts of the country have seen record precipitation and floods. In Representative Petri's home state of Wisconsin, average winter temperatures are increasing, leading to thinner ice and earlier melts on as much as 80% of the state's lakes. Dramatic melting has been seen in icecaps, glaciers, and sea ice on both poles and high mountain regions around the world. And, as we all know, the North Atlantic saw a record number of deadly hurricanes in 2005. The increase in the frequency of severe storms has been directly linked to an increase in sea surface temperatures. It is also very worrisome that sea surface temperatures are already above normal this year.

Scientists are in almost unanimous agreement that most of the global warming and the resultant extreme weather events are directly related to the build-up in the atmosphere of carbon dioxide released from the burning of fossil fuels. To date, the United States has done nothing to address the most serious environmental issue any of us will ever encounter. We must begin, and we must begin now. However, any emissions reduction policy we enact must minimize economic harm and dislocation.

That is why we are introducing this legislation today. Our bill will help America curb our emissions but is designed to avoid an economically devastating price run-up that will cause harm and dislocation to American businesses and workers. The Keep America Competitive Global Warming Policy Act will spur innovation and keep America in the technological lead. In addition, by engaging the developing world in efforts to combat global warming, our bill makes certain that the United States will not be placed at a competitive disadvantage to other countries. Our bill also acknowledges that technology is the long-term solution to global warming. Thus, an integral part of our legislation will devote substantial resources exclusively to the research and development of low and no-carbon technologies.

The bill is an economy-wide, upstream, cap-and-trade policy that covers all greenhouse gas emissions. However, to ensure that the cost is both modest and certain, the bill provides for an unlimited number of additional ''safety valve'' allowances. These allowances will be sold by the Treasury Department at a fixed and reasonable price, which will escalate over time. Also, to bring about the participation of developing countries on addressing global warming, we tie the safety valve escalator to the emissions-control activities of the five largest developing country greenhouse gas emitters. This ensures that America will not be put at a competitive disadvantage if the developing countries do not join the effort.

We know that there may be less emissions reduction with a safety valve than without one. However, the cost certainty and the modest starting cost of the safety valve allowances provide assurance that there will not be economic harm from the adoption of this global warming policy. We believe it is better to have a policy that works slowly yet surely rather than one that might prove unworkable. Many companies have expressed the need for a safety valve in any mandatory greenhouse emissions control legislation, including the largest utility in my home state of New Mexico. Every day here in Congress, we debate the trade-offs between cost and effectiveness. We expect that the debate on how to best address carbon emissions and global warming will continue for some time. But the most important thing is that the House of Representatives actually begin that debate.

Taking into account the potential for some economic harm as the economy adjusts to this policy, our legislation allocates allowances to those people, entities, and localities that may incur dislocations because of this legislation. Additional allowances will be used to ensure that the legislation is revenue-neutral.

Our legislation also builds upon the 2005 recommendation of the National Academy of Sciences in its ''Rising Above the Gathering Storm'' report recommending the creation of an organization within the Department of Energy modeled on the Defense Department's Advanced Research Projects Agency, also known as DARPA. The goal of this E–ARPA is to explore the truly out-of-the-box, high-risk, high-payoff research that will be necessary if we are to get to a low or no-carbon dioxide and greenhouse gas world.

Mr. Speaker, this bill is modest, certain, and efficient. It begins the process of committing America to reducing its greenhouse gas emissions and addressing the global warming issue by having emitters internalize the costs of the problems associated with global warming. This monumental step of putting a price on carbon and other greenhouse gases will stabilize greenhouse gas emissions and eventually reduce them, finally putting the United States on the road toward curbing the effects of global warming.

I urge my colleagues in the House to cosponsor this comprehensive and economically rational legislation and help break the stalemate that exists on the global warming issue.

TRIBUTE TO HERB SWARZMAN

HON. GINNY BROWN-WAITE

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Ms. GINNY BROWN-WAITE of Florida. Mr. Speaker, I rise to honor Herb Swarzman, a leader in Florida's gulf coast community. This past weekend, Herb was honored by the Tampa Committee of AIPAC for his years of service to the organization and to Israel.

Since his first trip to Israel in 1978, Herb has been a tireless advocate for the Israeli people and the Israeli-American partnership. Herb has served as a liaison between leaders in the two governments, including working with Florida leaders like Representatives MICHAEL BILIRAKIS and Senator Connie Mack.

I have gotten to personally know Herb and his lovely wife Joyce over the years, and I can tell you that Herb is a great credit to our community.

In addition to his work strengthening ties between America and Israel, Herb has taken a leadership role serving his fellow Florida citizens. Whether it is helping to raise funds for the Retired Enlisted Association, Dartmouth's alumni association or getting involved in local veterans' advocacy organizations, Herb's energy and commitment to the region is unmatched.

Herb has also established himself as a leader in Israeli-American relations over the past 30 years. He currently serves as chairman of the AIPAC Tampa Bay Committee, a member of the AIPAC Executive Committee, chairman of the Florida Institute, and a board member and executive committee member of the Tampa Jewish Federation.

Mr. Speaker, it is because of Herb's dedication to the Israeli-American partnership that he was honored by the Tampa Committee for AIPAC. Herb is not just a dedicated family man, but also a proud and productive American and a walking tribute to the Israeli spirit and to AIPAC's goal of education.

TRIBUTE TO DAVID W. HIGUERA

HON. JOHN T. SALAZAR

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. SALAZAR. Mr. Speaker, I rise today to pay tribute to David W. Higuera, the police chief of Parachute, CO. He is retiring in April after 22 years of service to our community.

Chief Higuera and his wife, Willa, have raised three children in Parachute—Jeff, Jenny, and Jake. He has been actively involved in Parachute and has contributed greatly in a variety of ways. As a member of the Parachute Police Department, he has played a key role in ensuring that the safety and well being of the citizens of the community are paramount, and that they are protected in their homes, businesses, and schools. While his years of service have resulted in a number of achievements, the accomplishment for which he is probably the

proudest has been the creation of a resource officer position at the Grand Valley High School.

While his work in law enforcement has been critical to the community, he has also made significant contributions in other ways. He remains active with the St. John Middle School football program and for many years was the assistant coach for the Grand Valley High School baseball team. He has also served as a director for the Garfield 16 school board and the local park and recreation district.

I commend Chief Higuera for his years of service and dedication to the town of Parachute. It is people like him that make our communities safe and pleasant places to live and work. We owe him a debt of gratitude and wish him well in his retirement.

SUPPORT FOR THE VANADIUM TECHNOLOGY PARTNERSHIP

HON. PHIL ENGLISH

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. ENGLISH of Pennsylvania. Mr. Speaker, I rise today in strong support of the Vanadium Technology Partnership, a program of great importance to both my constituents in Northwest Pennsylvania and the men and women serving in the United States military at home and overseas. The Vanadium Technology Partnership, or VTP, is a cooperative relationship between the vanadium microalloyed steel industry and the U.S. Army. The partnership is working to apply high-performance steels in military applications.

The military uses some quantity of vanadium in virtually every application where steel products are employed. As the chairman of the Congressional Steel Caucus, I recognize the crucial benefits that VTP offers to domestic steel industry as well as the U.S. armed services. I have worked extensively on behalf of VTP, including Bear Metallurgical Company, a key vanadium producer in my district and member of the partnership. Since VTP's inception in 2003, the steel industry and the military have employed vanadium in their daily operations to a much larger degree. Vanadium is currently being used to increase armor strength and reduce the weight of current combat vehicles, tactical vehicles, tactical bridges, material handling equipment, aircraft, watercraft and rail. Further, case studies looking at ways to expand vanadium's uses have been completed and are now in the process of deployment, including a vanadium steel rebar program, long span structures, trailer weight reduction, and vanadium spiral-welded pipe.

I would also like to offer my sincere gratitude to Dr. John Beatty with the Army Research Lab for his support and oversight of VTP since its inception. I was particularly pleased to learn that the Army has agreed to support the use of VTP funding to undertake critical health and safety research. This research will help ensure the safe and continued use of vanadium for industry and the military.

In closing, I am grateful to both my colleagues and the military for recognizing the crucial benefits of the Vanadium Technology Partnership. I have made the advancement of this technology a top priority and encourage its continuation. With the Army's commitment to the VTP, the many uses of vanadium will continue to benefit our servicemen and women serving at home and overseas.

PRESIDENT HU JINTAO—PRESIDENT OF CHINA

HON. G.K. BUTTERFIELD

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. BUTTERFIELD. Mr. Speaker, it is with great importance we have the opportunity to discuss Chinese President Hu Jintao's upcoming visit to Washington this April. During his visit, a number of issues will be discussed with President Bush, especially the issue of Taiwan.

We welcome President Hu Jintao and we hope his visit will help reduce mounting tensions in the Taiwan Strait.

As President Hu Jintao visits Washington, we urge the administration and the international community to help China accept the universal values of democracy, freedom and human rights and to renounce the use of force to resolve the Taiwan issue.

Mr. Speaker, I welcome President Hu Jintao to the United States and hope that he has productive meetings with the administration on a wide range of issues, especially the issue of Taiwan.

THE ELLA J. GILMORE STREET DESIGNATION

HON. CORRINE BROWN

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Ms. CORRINE BROWN of Florida. Mr. Speaker, on behalf of Congressional District Three, the Central Florida community, and the City of Apopka, it is my sincere pleasure to congratulate Ella J. Gilmore for this historic street name designation.

Your numerous noteworthy accomplishments and leadership in the Central Florida community includes work in the early 1970's in obtaining street paving and lighting for West 14th Street residents. You coordinated and provided leadership for the Orange County's South Apopka Targeted Initiative Pilot Project in 1991, which included community improvement projects, street lighting and paving, public facilities and youth programs in the South Apopka community.

It has often been said, "To whom much is given, much is required." This statement is exhibited by the work you have done and continues to be done in your position as Deputy Director of the Orange County Health and Family Services Department.

Continue to let your light shine as God directs your path in your mission to impact this and other Central Florida communities. Your unending involvement helps to improve the quality of many, many individual lives. Your community involvement will never go unnoticed.

Again, I say "Congratulations." It is an honor to say you are truly a "Phenomenal Woman."

TRIBUTE TO COMMUNITY LEADER PAULA WHITNEY

HON. ANTHONY D. WEINER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. WEINER. Mr. Speaker, I rise today in recognition of a great civic and community leader, Paula Whitney, upon her retirement as President of the Mill Basin Civic Association. Paula Whitney is a lifetime resident of the Mill Basin community and can trace her roots back to one of the first families to establish a residence in the area. She has a deep love for this close knit Brooklyn community and has dedicated a large part of her time and energy to ensuring the opportunities provided to her and her family over the years are preserved and fortified for future community residents.

Paula Whitney joined the Mill Basin Civic Association in 1979 and held several offices before being elected president in 1989. As president, Paula Whitney has spearheaded many campaigns to improve the Mill Basin community and keep it family friendly. She has brought many problems that otherwise might be swept under a rug into the light of day and had an uncanny ability to demand the proper amount of attention and respect from elected officials, our local police precinct and our local schools. Thanks in large part to Paula Whitney's persistence and hard work, no issue raised at her meetings ever went unanswered.

Paula Whitney taught civic responsibility by example, and her two children, Michael Francis and Jeanne Marie, learned it well. Jeanne serves on the civics' Board of Directors. Paula is married to Allan Whitney, a civic leader in his own right, who serves as the Third Vice President.

Paula's dedication to our community runs deeper than devoting herself to just one organization. She has represented her Mill Basin community at School Board meetings, served as a former Board Member of the Mill Bergen Chemical People Task Force, as a member of the Flatlands Volunteer Ambulance Corps, and as a member of Community Board 18, where she is chairperson of the Libraries Committee.

Therefore, on behalf of the United States House of Representatives, I congratulate Paula Whitney upon the completion of her service as president of the Mill Basin Civic Association and thank her for her many years of hard work on behalf of my constituents and the City of New York.

TRIBUTE TO DIANNE REEVES

HON. DIANA DeGETTE

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Ms. DEGETTE. Mr. Speaker, I would like to recognize the extraordinary accomplishments of a remarkable woman in the 1st Congressional District of Colorado. It is both fitting and proper that we recognize Dianne Reeves for her preeminent artistic achievement and her excellence in numerous creative endeavors.

Dianne Reeves has used her talent, skill and energy to create an inimitable musical and artistic presence for which she has received international acclaim. She came to our

community from Detroit, Michigan where she and her sister Sharon were raised by their grandmother. Dianne inherited a love of music from her parents and as a child, took piano lessons and sang at every opportunity. While singing with the George Washington High School big band, she was spotted by jazz trumpeter Clark Terry at the National Association of Jazz Educators Conference in Chicago where the band took first place in the 1974 jazz festival. She studied music at the University of Denver before moving to Los Angeles in 1976. Dianne experimented with various musical genres including Latin American music and toured with Eduardo Del Barrio's group ''Caldera.'' She sang with the Billie Child's ''Night Flights'' jazz band and later toured with both Sergio Mendez and Harry Belafonte as his lead singer.

In 1987, Reeves was the first vocalist signed to the reactivated Blue Note/EMI label. Reeves has recorded with Daniel Barenboin and the Chicago Symphony Orchestra, with Sir Simon Rattle and the Berlin Philharmonic and she has also recorded and performed extensively with Wynton Marsalis and the Lincoln Center Jazz Orchestra. Over the course of numerous recordings and hundreds of live performances, Dianne Reeves has burnished a reputation as a versatile and vivacious singer who has been compared to such masters of jazz as Ella Fitzgerald, Dinah Washington, Carmen McRae and Sarah Vaughn.

Dianne Reeves is in a class by herself. She won her fourth Best Jazz Vocal Grammy Award for the soundtrack to the critically acclaimed Good Night, And Good Luck, which chronicles Edward R. Murrow's confrontation with Senator Joseph McCarthy. Dianne is the only artist to have three consecutive recordings win in the jazz vocal category—A Little Moonlight, The Calling: A Tribute to Sarah Vaughn and In the Moment, She is an Ella Fitzgerald Award recipient and was awarded the Denver Mayor's Award for Excellence in the Arts. She was the first Creative Chair for Jazz of the Los Angeles Philharmonic Orchestra and has performed throughout Europe and Asia. Reeves is the first internationally renowned jazz artist to perform in Qatar and recently, she was the featured performer at UNICEF's Annual Gala in New York City.

We are indeed fortunate to have an artist of such consummate reputation and international acclaim in our community. She has mastered a wide range of styles and interpretation, all of which reflect both a perceptive and unique artistic ability and skill. Her artistic sensibilities are set apart by a fidelity to the spirit of various compositions and renderings of notable artists; by an intimate expression of mood and emotion and a style of singular elegance, sophistication and grace.

We owe much to our artists as they have the unique ability to distill our cultural essence from our collective experience. Please join me in commending Dianne Reeves, a distinguished artist. Her gifts enhance our culture and her contributions have enriched the American Experience.

PAYING TRIBUTE TO JOHN TARTAN

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor John Tartan and his career as a teacher, coach, counselor, administrator. He is recognized today at the formal dedication of John Tartan Elementary School, which is named in his honor.

John was born November 6, 1924, in Ruth, Nevada. His parents were immigrants from Yugoslavia. In 1925, the family moved to McGill, Nevada, where John attended McGill Grade School and later White Pine High School in Ely. John graduated in 1943, and he enlisted in the Army-Air Corps. After the war, John won a spot on the ''Ogden Reds'' baseball team, a farm team for the Cincinnati Reds. There he earned the nickname ''Buck'' because he could run like a buck deer. That experience helped secure a baseball scholarship to Utah State University, where he earned his Bachelor of Science Degree in 1952.

John was hired by White Pine High School to teach, before he was recalled into the U.S. Air Force during the Korean War. John coached and played for the Walker AFB in Roswell, New Mexico. He deployed to Mendel, England. He was discharged from the armed services in July 1953.

One month later, he accepted a position at Basic High School in Henderson, teaching general science and biology. He also became head baseball coach and assistant football coach. Under John's direction, Basic won two State Championships in baseball. Basic won the Tri-State championship and then competed in the C.I.F. tournament in Southern California. This was a first for a Nevada school. In 1955 John was named the ''Helms Athletic Coach of the Year.'' John also introduced the slogan ''Home of the Basic Wolves'' on the school scoreboard. In addition to the scoreboard, John was the first coach to dress in team uniform, along with the bat-boy. This started a precedent at all the high schools in the Las Vegas valley.

In 1957, John left Basic to pursue a Master's Degree at Arizona State University. He returned to Las Vegas and Rancho High School. John led the Rancho Baseball Teams to Three State Championships in a row.

John moved out of the classroom and into administration. As a counselor at Rancho, John made it a point to help every student secure a scholarship. He handled all the senior class for twelve years. At Rancho High School, John served as Head of Counselors, and eventually as Assistant Principal.

In 1976, John transferred to Valley High School as Assistant Principal and in 1978, he requested to be transferred to Las Vegas High School, because it was so similar to his own Alma Mater. He retired from Las Vegas High School in 1980.

John is married to Judy Breeding Tartan for forty-two years. He has three children, five grandchildren and two great grandchildren.

Mr. Speaker, I am honored to pay tribute to John Tartan on the floor of the House today. I thank him for his service.

IN HONOR OF TOM DUFFY

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Tom Duffy, a tireless advocate for children in the State of Delaware. Since March of 2000, Tom has served as a court appointed special advocate in Delaware's Family Court. He has represented over 20 children from numerous families and works diligently to protect their best interests.

Tom goes above and beyond the call of duty by paying close attention to all aspects of a child's life, monitoring everything from safety to education. His top priorities are always happiness and safety for the child.

In a legal system often overwhelming to the children it serves, Tom is able to explain complicated situations in a gentle manner. His dedication and skill has eased the fears of many children over his years of service.

Tom has been recognized locally as a finalist for the Delaware Jefferson Award, an honor awarded annually by the American Institute of Public Service commending outstanding public service leaders within the community. He is one of five very admirable nominees, all making exceptional contributions to the State of Delaware. No matter who is chosen as the recipient of this award, they are each deserving candidates who demonstrate that one person can truly make a monumental difference.

I congratulate and thank Tom Duffy for all of his contributions to the State of Delaware. Many families are grateful and I am pleased to be able to vocalize their appreciation. He is an exemplary citizen and a proud American. Thank you, Tom, for all you have done and continue to do for the families of our State.

RECOGNIZING THE PASSING OF VICE ADMIRAL JOHN H. ''JACK'' FETTERMAN, JR., UNITED STATES NAVY, RETIRED

HON. JEFF MILLER

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. MILLER of Florida. Mr. Speaker, it is with great sadness and honor that I rise today to recognize a true patriot, Vice Admiral Jack Fetterman, United States Navy, retired. Admiral Fetterman left us Friday night, March 24th. He was 73 years old. Vicki and I were saddened to learn of his passing and our thoughts and prayers are with his wife Nancy Glenn Austin and their two sons, John and Kevin.

The Pensacola News Journal called him ''a tireless civic leader who dreamed big, never stopped working for Pensacola and always was thinking of how to make it a better place to live'' and I would add that few people have shown the perseverance, dedication and commitment to our community that he has shown.

Admiral Fetterman was born in Ashland, Pennsylvania on 4 August 1932. He began college at Susquehana University, graduating from Albright College in 1954. He was commissioned an Ensign in the United States Navy in 1955 and was designated a naval aviator in 1956.

Vice Admiral Fetterman's first operational tour was with Attack Squadron 105 at Cecil Field, Florida. Flying A–IH Skyraiders from the deck of the aircraft carrier USS *Essex* (CVA–) in the Sixth and Seventh Fleets, he participated in both the Lebanon and Formosa crises in 1958. In October 1959, he reported to Fleet Airborne Electronics Training Unit Atlantic and served as Light Attack Nuclear Weapons Training Instructor.

Following this tour, he reported to Attack Squadron 44 for A–4 Skyhawk replacement pilot training prior to joining the staff of the Commander Attack Carrier Air Wing 8 aboard the aircraft carrier USS *Forestall* (CVA–59). After tours at the Naval War College and Attack Squadron 44, Vice Admiral Fetterman reported to Attack Squadron 81 aboard the aircraft carrier *Shangri-La* (CV–38) where he served as maintenance officer during two Mediterranean deployments. A tour in Attack Squadron 174, where he served as Operations Officer, was followed by orders to Attack Squadron 87 as executive officer.

In March 1972, while deployed in the Mediterranean aboard the aircraft carrier USS *Franklin D. Roosevelt* (CVA–4), Vice Admiral Fetterman assumed command of Attack Squadron EIGHTY-SEVEN's ''Golden Warriors.'' During this command tour, he was selected as team leader of a joint U.S. Navy and Air Force air-to-ground weapons team, which represented the United States in NATO competition in Greece. In March 1973, Vice Admiral Fetterman reported to the Office of Legislative Affairs, Washington, D.C., where he served for two years as assistant director for the Navy Senate Liaison Office. In July 1975, he assumed command of Carrier Air Wing EIGHT aboard the aircraft carrier USS *Nimitz* (CVN–68) and made deployments to the Caribbean, North Atlantic and Mediterranean.

In January 1977, Vice Admiral Fetterman assumed command of the command ship USS *La Salle* (AGF03), flagship of Commander, Middle East Forces. In March 1978, he reported to the Office of the Chief of Naval Operations where he served as Special Projects Manager of the Royal Saudi Naval Forces Expansion Program. In February 1979, Vice Admiral Fetterman assumed command of U.S. Naval Base, Naval Station, and Naval Air Station, Guantanamo Bay, Cuba. He was selected for Rear Admiral in February 1981, and, in July, assumed duties as the Commander of Tactical Wings, Atlantic. In July 1983, he reported as Commander, Training Command, U.S. Atlantic Fleet. From May to December 1985, he served on the staff of Commander in Chief, U.S. Atlantic Command and U.S. Atlantic Fleet as Deputy Chief of Staff for Readiness and Resources. In December 1985, he assumed his duties as Naval Inspector General. On 1 September 1987, he was promoted to the rank of Vice Admiral and in August assumed the duties as Commander, Naval Air Force, U.S. Pacific Fleet. On 1 February 1991, he assumed the duties as Chief of Naval Education and Training. Vice Admiral Fetterman retired from active duty on 1 March 1993.

His personal awards include the Distinguished Service Medal, Defense Superior Service Medal, the Legion of Merit (five awards), the Meritorious Service Medal, the Navy Achievement Medal, and the Meritorious Unit commendation in addition to various campaign and service awards. During his naval career, Vice Admiral Fetterman accumulated 7,000 hours of flight time in 20 different aircraft and recorded 960 carrier landings.

In November 1993, Vice Admiral Fetterman assumed his most recent position as President and Chief Executive Officer of the Naval Aviation Museum Foundation. He served as Chairman of the Mayor's Community Core Values Board; the Board of Directors, EAA; Past Chairman of the Pensacola Area Chamber of Commerce and Vice Chairman of Chamber Military Affairs; past Chairman of the USS Mitscher, USS *Bonhomme Richard* and USS *Iwo Jima* Commissioning Committees.

While his Navy career was long and distinguished, Admiral Fetterman's post-Navy accomplishments and contributions to Northwest Florida were just as significant. He had the exceptional vision to look at the city of Pensacola and not see what it was, or what it is, rather, he saw what it could be.

Mr. Speaker, Admiral Fetterman was a man of unquestionable character, unwavering resolve and unmatched determination. He represented everything that is great about Pensacola, our Nation and the United States Navy. His presence will be deeply missed, but his example will always be with us.

IN REMEMBRANCE OF ROBERT JONES

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. PORTER. Mr. Speaker, I rise today to pay tribute to Attorney Robert E. Jones, who passed away on January 28 of this year, at the age of 93.

Robert was a resident of Las Vegas for 39 years and a resident of Salt Lake City the last 22 years of his life. While living in Las Vegas, from 1947 to 1951, he served as the Clark County District Attorney. He also was the general counsel for the Clark County Housing Authority for 37 years, held a similar post at the Las Vegas Convention and Visitors Authority for 14 years and was the first attorney for the Colorado River Commission. He became the Convention Authority's first attorney in 1958 when the agency was known as the Clark County Fair and Recreation Board. There, Robert was credited with putting together 6 bond questions, 4 of which passed, that helped shape the powerful Convention Authority during its formative years.

Before moving to Las Vegas Robert served as an FBI Special Agent in Savannah, Georgia, and Birmingham, Alabama, from 1940 to 1945. Robert is the father of U.S. District Judge Robert E. Jones, and the Clark County Housing Authority's Jones Gardens was opened and named in his son's honor in 1985.

Mr. Speaker, It is an honor to recognize and pay tribute to Robert Jones today, on the floor of the House. He was a great American and he will be remembered as a philosophical man whose kindness and involvement in the community stands as an example to all of us.

IN HONOR OF VINCENZA CARRIERI-RUSSO

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Vincenza Carrieri-Russo, for her tireless dedication to eradicate our community of illiteracy. Vincenza has accomplished amazing things in a very short amount of time. As a high school senior, she co-founded Success Won't Wait, a statewide effort to improve literacy.

The program places children's books in everyday places such as doctor's offices, dance studios, auto repair shops, and hair salons. The idea is that when equipped with the proper books, these common waiting areas transform into environments where parents and children can share in the enjoyment of reading.

Since its inception, Success Won't Wait has continued to expand its mission with new projects. While continuing to place children's books in offices at no charge, the organization plans to expand existing libraries and their children's book collections as well as creating more ''Independent Libraries'' like the recent installation of over 1,000 books at the Bayard House in Wilmington.

Vincenza has been recognized locally as a finalist for the Delaware Jefferson Award, an honor awarded annually by the American Institute of Public Service commending outstanding public service leaders within the community. She is one of five very admirable nominees, all making exceptional contributions to the State of Delaware. No matter who is chosen as the recipient of this award, they are each deserving candidates who demonstrate that one person can truly make a monumental difference.

I congratulate and thank Vincenza Carrieri-Russo for all she has contributed to the State of Delaware. Thousands of children are grateful and I am pleased to vocalize their appreciation. She is an exemplary citizen and a proud American. Thank you, Vincenza, for all you have done and continue to do for the children of our State.

IN HONOR OF INTERFAITH OLDER ADULT PROGRAMS

HON. GWEN MOORE

OF WISCONSIN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Ms. MOORE of Wisconsin. Mr. Speaker, I rise today in recognition of Interfaith Older Adult Programs as they celebrate their 30th anniversary. Over the past three decades, Interfaith Older Adult Programs has contributed greatly to enriching the lives of older adults and their caregivers in Wisconsin's Fourth Congressional District, advocating for the needs of senior citizens while also providing them with concrete ways to participate in and enhance their communities.

Interfaith Older Adult Programs grew out of an effort by several faith congregations to reach out to isolated older adults on Milwaukee's east side. From that humble beginning

in 1973, Interfaith Older Adult Programs has grown to a comprehensive countywide program. With the mission of linking older adults to a caring community, Interfaith Older Adult Programs has worked to find innovative and concrete ways to engage local residents in the work of caring for older adults, while ensuring that they have meaningful opportunities to continue contributing to their communities.

Interfaith Older Adult Programs provide the crucial support needed to enable older adults to continue living in their homes, while building a safety network that assists them with specific challenges. The Neighborhood Outreach Program, for example, provides transportation to medical appointments and grocery shopping as well as companionship to frail and isolated elders. Other programs match seniors with neighborhood volunteers who provide help with snow removal and other outside chores or provide a daily telephone check-in.

Interfaith has also been a primary conduit for enabling senior citizens to serve their communities. Key programs link seniors to volunteer opportunities with local nonprofit organizations throughout Milwaukee County, and connect them with foster children who need tutoring, mentoring, nurturing and counseling. Participating in these programs ensures the wisdom and expertise of our older adults is not lost, providing support for the community while also energizing older volunteers.

I am delighted to recognize Interfaith Older Adult Programs for their efforts on behalf of the older adults in the Fourth Congressional District. I thank them for their compassion, their vision, and their commitment to serving our elders, and I wish them another 30 years of success.

PAYING TRIBUTE TO TONI AND VICTOR CHALTIEL

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Toni and Victor Chaltiel, who will be recognized this Sunday at the Milton I. Schwartz Hebrew Academy Annual Gala in Las Vegas, by receiving the First Dr. Miriam & Sheldon G. Adelson In Pursuit of Excellence Award.

Longtime philanthropists and community volunteers, Toni and Victor Chaltiel are enormously active in Nevada's education, art and community outreach programs.

Founder, chairman and CEO of Health Dad Insights, Inc., Mr. Chaltiel has 35 years of experience as an executive in the health care industry including 10 years as chairman and CEO of NASDAQ and NYSE publicly listed companies. He also currently serves as founder and chairman of RedHills Ventures LLC, a venture capital group focusing in claims integrity and market-driven health care. Born in Tunis, Tunisia, Mr. Chaltiel is a graduate of the Ecole Superieure Des Sciences Economiques et Commercials in Paris, France, and the Harvard Business School and actively supports the United Way, AIPAC, and ADL; he also serves as a member of the Board of Directors of the Nevada Ballet Theater and as chairman of the Board of Trustees of the Milton I. Schwartz Hebrew Academy.

Mrs. Chaltiel is the cofounder and manager of RedHills Ventures LLC and was president of Total Insurance and Planning Corporation in Torrance, CA. A native of Dublin, Ireland, Mrs. Chaltiel graduated from Dublin City University and the Institute of Personnel Management in Dublin. She is active in several community and not-for-profit organizations, including the United Way, and serves on the Board of Directors of both the Nevada Ballet Theatre and the Jewish Community Center of Southern Nevada. The Chaltiels have three children, Oscar, Maxime, and Sarah, all of whom attend the Milton I. Schwartz Hebrew Academy.

Mr. Speaker, I am honored to recognize Toni and Victor Chaltiel. I commend them for their services to Southern Nevada.

IN HONOR OF BRIAN HARTMAN

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to Brian Hartman, a tireless advocate for people with disabilities in the State of Delaware.

Brian has devoted himself, both professionally and personally, to improving every facet of life for disabled individuals. In addition to his work as project director for the Disabilities Law Program, Brian is also committed to other volunteer programs working with families and children in difficult situations.

Brian is deeply involved in each of his cases, one mother who was a client of Brian's recalls that, "from the date of [the] hearing forward . . . we could call Brian day or evening and he would respond." The Disabilities Law Program of Delaware is lucky to have such a dedicated individual serving as its director.

Brian has been recognized locally as a finalist for the Delaware Jefferson Award, an honor awarded annually by the American Institute of Public Service commending outstanding public service leaders within the community. He is one of five very admirable nominees, all making exceptional contributions to the State of Delaware. No matter who is chosen as the recipient of this award, they are each deserving candidates who demonstrate that one person can truly make a monumental difference.

I congratulate and thank Brian Hartman for all he has contributed to the State of Delaware. Many disabled Delawareans and their families are grateful and I am pleased to be able to vocalize their appreciation. He is an exemplary citizen and a proud American. Thank you, Brian, for all you have contributed to the families of our State.

TRIBUTE TO THE PEACE CORPS' 45TH ANNIVERSARY

HON. ADAM B. SCHIFF

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. SCHIFF. Mr. Speaker, I rise today to commemorate the 45th anniversary of the establishment of the Peace Corps.

On the heels of his historic Inaugural Address, President Kennedy signed an Executive Order on March 1, 1961 to establish the Peace Corps in order to promote world peace and friendship.

Over the past 45 years, the Peace Corps has deployed over 182,000 volunteers to more than 138 nations to work on various important issues. At the beginning of the 21st century, the Peace Corps' mission remains as relevant as ever with 7,810 volunteers working in 75 countries to address some of the globe's most pressing challenges, such as the HIV/AIDS pandemic. In addition, the Peace Corps has swiftly responded to recent natural disasters.

I recently visited East Timor—the world's newest democracy and one of the poorest nations in Asia—as part of my work on the House Democracy Assistance Commission. While we were there, we met several Peace Corps volunteers and learned about the wonderful work they were doing to improve the lives of the people of that new nation. I could not have been more impressed with their dedication, compassion, and commitment to service.

I would like to recognize past and present Peace Corps volunteers who have made invaluable contributions in all corners of the globe over the past 45 years. I am proud to say that 12 of my constituents are currently serving overseas as Peace Corps volunteers. They are: Khaled Alquaddoomi, Wendy Chien, Jennifer Chow, Nicole Gabriel, Kelly Golden, Karen Hamilton, Ibrahim Kalla, Alice Luck, Keenton Luong, Kristina Ortiz, Lassana Toure, and Katherine Wang. Let us commend these dedicated young Americans—and all of those who have served—for their efforts in such a noble task, defined by President Kennedy as "bringing to man that decent way of life which is the foundation of freedom and a condition of peace."

PAYING TRIBUTE TO REVEREND ROBERT MILLER

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Rev. Robert Miller. Reverend Miller, a 4-year resident of Las Vegas, is a Vietnam veteran who works tirelessly to serve homeless veterans with a unique need, that need being that they need someone to give them a proper burial.

Reverend Miller's interest in helping homeless veterans started about 23 years ago, when he was living in Detroit. He was shopping at a produce market when a homeless man asked him for 50 cents. When he gave the man some money he looked strangely familiar. The two realized that they had served together in Vietnam. Reverend Miller bought the man breakfast and quickly became involved with feeding homeless veterans through various organizations in Michigan. When he moved to Las Vegas he continued this work.

About 2 years ago Reverend Miller started volunteering his time to conduct services for homeless and indigent veterans who are buried at the Southern Nevada Memorial Veterans Cemetery. He believes that all homeless veterans deserve to be laid to rest with respect and with the same honors that other veterans receive. About 1,650 veterans a year

are buried at the cemetery. Most of the time, the service includes grieving families mourning their loss. But each year, about 120 homeless veterans are also buried there, and rarely does a family member attend. Reverend Miller, the chaplain for the Vietnam Veterans of America, Chapter 17, conducts services, and an honor guard is provided by the appropriate service branch.

At the age of 57, Reverend Miller is not the only one to provide this greatly needed final farewell. But when he started handling the services 2 years ago, he was one of the most frequent unpaid volunteers conducting services. He drives 60 miles round trip from his home to the cemetery and often performs services for more than one veteran a day. On January 31st, he held services for six homeless veterans, only one of which had any family there to attend.

Mr. Speaker, it is a privilege to honor Rev. Robert Miller on the floor of the House, today. He stands as an example to all of us by helping those who cannot help themselves. I commend him for his selfless acts of service.

IN HONOR OF J. RANDALL WARD JR.

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to J. Randall Ward Jr., for his years of service to the United Cerebral Palsy of Delaware (UCP) organization.

Randall has dedicated over 40 years of service to the United Cerebral Palsy of Delaware organization. Before Randall's efforts, the UCP's summer camp used an inaccessible swimming pool for more than 100 children and all camp activities were held in outdoor tents with portable bathrooms as the only restroom facility. Camp Manito now boasts a new campus, with a larger more handicapped accessible swimming pool. The tents have been replaced with a beautiful building equipped with many amenities, including air-conditioning and accommodations for 4 full-time staff members.

Randall has been recognized locally as a finalist for the Delaware Jefferson Award, an honor awarded annually by the American Institute of Public Service commending outstanding public service leaders within the community. He is one of 5 very admirable nominees, all making exceptional contributions to the State of Delaware. No matter who is chosen as the recipient of this award, they are each deserving candidates who demonstrate that one person can truly make a monumental difference.

I congratulate and thank Randall Ward for all he has contributed to the State of Delaware. Many children are grateful and I am pleased to be able to vocalize their appreciation. He is an exemplary citizen and a proud American. Thank you, Randall, for all you have done and continue to do for our State and our country.

TRIBUTE IN RECOGNITION OF GREEK INDEPENDENCE DAY

HON. CAROLYN B. MALONEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mrs. MALONEY. Mr. Speaker, I rise today to celebrate the 185th anniversary of Greece's declaration of independence from the Ottoman Empire. Against incredibly difficult odds, the Greeks defeated one of the most powerful empires in history to gain their independence.

Following 400 years of Ottoman rule, in March 1821 Bishop Germanos of Patras raised the traditional Greek flag at the monastery of Agia Lavras, inciting his countrymen to rise against the Ottoman army. The bishop timed this act of revolution to coincide with the Greek Orthodox holiday celebrating the archangel Gabriel's announcement that the Virgin Mary was pregnant with the divine child. Bishop Germanos's message to his people was clear: A new spirit was about to be born in Greece. The following year, the Treaty of Constantinople established full independence for Greece.

Greek Independence Day is an appropriate time to reflect upon the strong ties between Greece and the United States and the strong commitment to democracy shared by both nations. The Greeks of 1821 fought for independence from the Ottoman Empire while drawing inspiration from the ideals and institutions of the fledgling United States. During their war of independence, the Greeks also received support from many Americans, including Presidents James Madison and James Monroe and Representatives Daniel Webster and Henry Clay, each of whom gave memorable speeches in Congress in support of the Greek revolutionaries. Just as our defeat of the British army was remarkable, so too was the Greek triumph over the Ottoman Army, a momentous achievement in world history.

New York City is home to the largest Hellenic population outside Greece and Cyprus. Western Queens, which I have the honor of representing, is often called Little Athens because of the large Hellenic population in that neighborhood.

New Yorkers celebrate Greek Independence Day with a parade on Fifth Avenue in Manhattan, along with many cultural events and private gatherings. These events, hosted by the Federation of Hellenic Societies and other Hellenic and Philhellenic organizations and friends, remind us of the Hellenic-American community's many contributions to our Nation's history and culture.

On April 2, the president of the Federation of Hellenic Societies, Nikos Diamontidis, along with the organization's officers and board members, will join Parade Committee Chairman Dinos Rallis and Secretary Petros Galatoulas in reminding New Yorkers of the glory of Greece and the hope of freedom and human rights for all. The grand marshals of this year's parade are Mayor Michael Bloomberg, Andrew Athens, Paul Stapholopoulos, and John Rangos.

Relations between the United States and Greece remain strong with a shared commitment to ensuring stability in southeastern Europe. I hope permanent solutions can be found for ending the division of Cyprus and finding a mutually agreeable name for the former Yugoslav Republic of Macedonia.

Greece continues to be the home of wonderful artistic achievements including the annual Eurovision song contest, which this year will be held in Athens. I also am pleased to note that Greece hopes to open its Acropolis Museum by the end of next year. This museum will give visitors the opportunity to experience and learn about the Acropolis in a new and exciting way. I hope that the Elgin Marbles, which have been on view in the British Museum, will soon be returned to their home.

As a founder and cochair of the Hellenic Caucus in Congress, I ask the Nation to join me in celebrating Greece's independence. Additionally, it is my sincere pleasure to pay tribute to New York's Hellenic-American community for its many contributions to our city and Nation.

Zeto E Eleftheria. Long Live Freedom.

PAYING TRIBUTE TO REV. PATRICIA SPEARMAN

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Rev. Patricia Spearman for an exemplary life dedicated to God and community.

Patricia was born in Indianapolis, and spent much of her childhood traveling throughout the Midwest and South with her evangelist mother. They spent a week or so at a time at different churches and between her eighth grade year and second semester of her junior year she attended over 200 schools. Traveling so much fostered in her a curiosity of people and the roads they travel and gave her a healthy respect for human diversity. After 16 years, Patricia was tired of traveling and decided to finish high school in Kansas City, MO. She supported herself with after-school jobs and later, took her first pastorate in a small Kansas City church.

After graduation, Patricia attended college in Dallas on a band scholarship for 1 year, and then transferred to Norfolk State University in Virginia on an academic scholarship. She majored in political science, planning on a career as a minister and attorney. Then, during her freshman year, Patricia enrolled in Reserve Officers Training Corps to fulfill a physical education requirement. She did so well, that during her sophomore year she committed to serving 2 years' active duty in the Army after college, followed by 4 more years in the Army Reserves. She served with the military police in South Korea, advancing through the ranks until leaving active duty in 1983 as a lieutenant colonel. Since then, as a reservist, Patricia has been recalled to active duty several times, and last fall completed a 30-month deployment working in counterterrorism at the Pentagon.

From the days of that first posting in South Korea, Patricia continued working in ministry, sometimes unofficially, often under the auspices of overworked but grateful chaplains. Now she brings to Las Vegas skills learned during a lifetime of serving churches, working in campus ministry at the University of Louisville in Kentucky and serving as school board president in Texas. Last November, Rev. Patricia Spearman was named pastor of the Las Vegas's Covenant United Methodist Fellowship. While she has traveled extensively in her

lifetime, she arrives in Las Vegas with the conviction that this is exactly where she's supposed to be. At the age of 50 she uses her experience to segue seamlessly from a story about everyday life into a Bible story. And in a time when many people segregate to worship Patricia holds firm to the idea that diversity is also one of God's creations and it must be celebrated. Anyone and everyone is welcome to attend her sermons and the average crowd that gathers to hear her words attests to Patricia's love of diversity.

Mr. Speaker, I am honored to recognize Rev. Patricia Spearman on the floor of the House today.

IN HONOR OF JOHN LAROCK

HON. MICHAEL N. CASTLE

OF DELAWARE

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. CASTLE. Mr. Speaker, it is with great pleasure that I rise today to pay tribute to John Larock, whose work has been invaluable in forming and maintaining Miracle Workerz, a nationally recognized science and engineering mentoring program focusing on an international robotics competition.

In 1993, John began a DuPont sponsored Explorer Post which grew in 2000, to become a team. This team is affiliated with the international robotics competition, FIRST (For Inspiration and Recognition of Science and Technology). Each year, John recruits adult volunteers who reach out in the community and inspire young students to pursue the fields of science, technology and engineering. His success is a direct result of making learning fun.

John is also known for being a leader who encourages others to participate in community service. His positive outlook, tremendous vision, and unlimited energy create an environment where people want to contribute to the achievement of others.

John has been recognized locally as a finalist for the Delaware Jefferson Award, an honor awarded annually by the American Institute of Public Service commending outstanding public service leaders within the community. He is one of five very admirable nominees, all making exceptional contributions to the State of Delaware. No matter who is chosen as the recipient of this award, they are each deserving candidates who demonstrate that one person can truly make a monumental difference.

I congratulate and thank John Larock for all he has contributed to the State of Delaware. Hundreds of young people are grateful and I am pleased to be able to vocalize their appreciation. He is an exemplary citizen and a proud American. Thank you, John, for all you have done and continue to do for the children of our State.

IRAN: THREATS, CHALLENGES AND PROSPECTS FOR CHANGE

HON. WM. LACY CLAY

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. CLAY. Mr. Speaker, on Wednesday February 15, 2006, a briefing was conducted in the Canon Caucus room of the U.S. House of Representatives. Entitled: Iran: Threats, Challenges and Prospects For Change, the briefing was sponsored by bipartisan group of Members of Congress. During this event speakers assessed the current situation in Iran, the Iranian nuclear threat and the status of the Iranian opposition group, the MEK. I would like to take this opportunity to share with all of my colleagues my opening statement and some of the highlights from the remarks of the panelists:

I would like to begin by thanking all of the Iranian Americans who have traveled to Capitol Hill today to hear the views of our expert panelists. I also want to thank my fellow members of Congress who are here with us in support of this event. Let me start by recognizing TOM TANCREDO of Colorado, thank you for being here, and also Congressman BOOZMAN of Arkansas. Can we give them both a hand for their participation [applause]. I also want to thank our distinguished panelists for taking the time to share their insights and understanding of current events in Iran. It is critically important that all Americans understand the true nature of the grave threat posed by the radical extremists, anti American regime in Tehran. We're facing a very dangerous crisis with Iran today. The Iranian government is sponsoring terrorism, developing nuclear weapons, meddling in the future of Iraq and violating the fundamental human rights of their own people. The world community cannot afford to allow the Iranian mullahs to continue to be a regional threat or to grow into a nuclear threat. For too many years we have done nothing to help the Iranian people—inside and outside of Iran—in their struggle for democracy. For too many years we have tolerated terrorism and violence from Iranian extremists. It is time to take action. If we fail to take action against the mullahs meddling in Iraq we risk the future of the Iraqi people and we may find that the Iranian regime and not the Iraqi people were the real winners of the Iraq war.

U.S. policies toward Iran have failed to achieve our goals. While many advocate more dialogue with Tehran our time is running short. We must seize the opportunity to aid the people of Iran and it is time to give support to the Iranian people who have longed for democracy for more than a quarter of a century. I am troubled by the strategy of our government and the insistence that the Iranian government and the Iranian opposition, the MEK are equal threats to peace and freedom. There is no logic in this reasoning and it is undermining our foreign policies. The U.S. must exercise a genuine commitment to helping the Iranian people overcome the oppressive regime that despises democratic principles and denies fundamental human rights.

I commend all who are working today for the sake of human rights, peace and democracy in the Middle East. I share your vision of a free and peaceful Iranian nation.

The first panelist to address the briefing was Professor Raymond Tanter the former member of the National Security Agency and the President of Iran Policy Committee. His statement began:

Please allow me to cut to the chase and begin with my conclusions: Coercive diplomacy, military action, and regime change for Iran are three options for the international community. Rather than sliding into military action as coercive diplomacy also fails, it is time to consider regime change for Iran. Because the only possibility to carry out regime change is via the groups feared by the regime in Tehran, the United States should remove their terrorist designation. Coercive diplomacy combines threat of force with promise of diplomacy. For several years, the European Union pursued a policy of promise without threat, ostensibly in order to bolster the fortunes of moderates like former President Mohammad Khatami relative to the likes of the Supreme Leader and President of Iran, Mahmoud Ahmadinejad. Rather than reinforcing the moderates, however, there has been a consolidation of power under the Supreme Leader and his selected President Ahmadinejad. Professor Tanter went on to say: President Bush should issue a Finding or Presidential Directive authorizing all appropriate measures to effect regime change in Iran

The next panelist to address the conference was Ms. Lynn Derbyshire who is a representative of victims of terrorism in Beirut She recently testified in the U.S. Congress against the Mullah's regime support of terrorism. She started her remarks with the story of her brother who was killed in Beirut by the Iranian regime. Ms. Derbyshire then explained that placing the Iranian Resistance in the terrorist list was a present to the clerical regime in Iran. She said: "Ahmadinejad, not Iranian Resistance, is a terrorist." She continued on saying that "Iranian and American people basically want the same thing. They all want to put a stop on terrorism."

Lt. General Tom McInerney (USAF, ret.), former Assistant Vice Chief of Staff of the Air Force, and an IPC Co-Chair, also addressed the briefing. He examined the military option toward Iran: and said:

The United States has the ability to target the known nuclear sites of Iran and delay its nuclear weapons program. With such capability in hand and in the context of failing diplomacy, we should leave the military option on the table. General McInerney added: However, military alternatives have risks, which suggest that choosing the military option should be a last resort. Prior to taking military action, it is important to begin a regime change clock. McInerney concluded: Regime change begins when the Great Powers remove Iranian opposition groups from so-called terrorist lists. I favor removing of the Mujahedeen-e Khalq from such lists; empowering the Iranian people by recognizing their main opposition groups; building an Arab political coalition to support these opposition groups; and eroding the legitimacy of Tehran regime to point where it collapses in face of determined efforts of the Iranian people working through dissidents and exiles.

The next speaker to address the briefing was Mr. Bruce McColm, President, Institute for Democratic Strategies, a non-profit organization committed to strengthening democratic processes abroad. In his remarks he asked:

Can we imagine one day saying that Iran is an island of democratic stability in a turbulent region? We can if we help the Iranian people stand up and demand a greater say in their government and in their own lives.

He continued:

Since the days of the Iranian Revolution, we in the West have viewed the Iranian people as victims of a repressive regime. Some thought the period of the Khatami Presidency could usher in much-needed reforms, a little more respect for basic human rights, and possibly the day when a democracy could be established and the Iranian people could take their rightful place in the world community. The election—I mean, selection—of Mahmoud Ahmadinejad as President should dispel this illusion once and for all.

He stated:

Now is the time when we should stop looking at Iranians as victims and use our considerable resources to empower this talented civilization so it can create the free, prosperous society their considerable talents are capable of.

McColm also said:

If we are serious about regime change in Iran, what can be done?

He talked about the bills passed in the Congress that are necessary first steps to send the proper signal to Tehran that there is a new day dawning and their day is ending. He explained:

Attempts by the United States and the European Union to placate the leadership of Iran by placing the MEK on the proscribed list of terrorist organizations should end. It is way past time to take back lran's lone diplomatic victory over the past fifteen years. De-List the MEK and the NCRI now. It is the right thing to do.

He also said:

Before his recent execution, MEK activist, 30-year old Hojjat Zamani wrote Kofi Annan a letter to encourage the United Nations investigation of the status of the families of political prisoners in Iran. He was too aware that the Iranian regime has been adroit in blackmailing families of those involved in activities considered contrary to the regime. This practice continues to this day. The international community should create a fund in Zamani's name to subsidize the families of political prisoners so as to alleviate their financial suffering.

The last speaker was Mr. Nasser Rashidi who showed a picture of the Mojahedin member, Hojjat Zamani and announced his execution by the Iranian regime which took place on February 7th. He highly praised all the political prisoners and said that the people of Iran are determined to bring freedom and democracy back to their homeland no matter what price they have to pay. Mr. Rashidi said that the people of Iran have already sacrificed 120,000 of their best children who have been executed to bring freedom to their country and they will pay even more. He continued as saying:

It is a mistake to believe that only one individual in the ruling elite is aiming to wipe another country off the map. The colossal mistake is to name the enemy as the individual called Ahmadinejad and not the ideology. The rulers of Iran are representing an ideology that is called ''Islamic Fundamentalism'', or sometimes is called ''Islamic Extremism.'' He said that many members of both chambers have expressed their opposition to the designation of MEK as an FTO. He thanked the many congressional advisors and staff present at the meeting for supporting the Iranian people and their resistance. He then pointed out the latest news conference held by Mrs. Maryam Rajavi in Auver-sur-Oise, France where she said:

If the West stops giving concessions to the mullahs, petro-dollars do not fill the mullahs' coffers, silence and inaction vis-a-vis the systematic human rights abuses and terrorist crimes are ended, and the terrorist list as well as other unjust restrictions on the Resistance are removed, change would be within reach.

At the conclusion of the three hour briefing reporters interviewed the panelists about the Iranian threat.

PAYING TRIBUTE TO THE BOULDER DAM HOTEL ASSOCIATION

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor the Boulder Dam Hotel Association for their work in preserving the Boulder Dam Hotel.

The Boulder Dam Hotel is an historic building constructed in 1933 located in Boulder City, Nevada. The building is listed on the National Register of Historic Places and stands in the center of the nationally registered historic district of Boulder City. By 1934 the hotel was accommodating a steady clientele which included Hollywood celebrities, politicians, European aristocrats and Far Eastern royalty. The hotel gained a worldwide reputation, and as a result there were not enough rooms to accommodate all who wished to stay. In the summer of 1934 a southeast wing with 18 rooms was added, and in the fall of 1935 the hotel was expanded a final time with the addition of a dining room and 30 bedrooms. Since that time the only changes have been the addition of a sun room off the dining room, and an elevator and swimming pool in the early 1980's.

Throughout the 1930's and into the 1940's the Boulder Dam Hotel was maintained as southern Nevada's finest inn. As is often the case with historic structures, subsequent years were not as kind to the building and it went through a succession of owners. One of them was Senator Cliff McCorkle who attempted to restore it to its former glory. Though a significant amount of work was done, that effort was not successful and in later years it fell into disrepair and was largely unprofitable.

A number of Boulder City citizens became concerned that the community might lose this beautiful structure, so they formed a group called Friends of the Hotel and investigated the feasibility of taking the building into public ownership. On December 15, 1993, 60 years to the date after the first opening of the Hotel, a newly formed organization, the Boulder Dam Hotel Association, Inc., formally took possession of the hotel. The Association is comprised of the city of Boulder City, the Boulder City Chamber of Commerce, the Boulder City Arts Council, and the Boulder City Museum and Historical Association. It has a 12-member board composed of 2 members appointed by each of the owners and 4 additional members who were selected from the community at large by the initial 8 members.

Mr. Speaker, for more than a decade the Boulder Dam Hotel Association has worked to preserve and restore this beautiful and important part of southern Nevada's history. I am honored to recognize them on the floor of the House today.

TRIBUTE TO WOMEN'S HISTORY MONTH

HON. JO ANN DAVIS

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent to address the House and to revise and extend my remarks.

This week we conclude the celebration of Women's History Month; a month during which we acknowledged and honored those women who struggled and fought for suffrage and equal rights. As we do so, I would like to bring special attention to an often over-looked message espoused by the early heroines of our country: a message of preborn women's rights.

Susan B. Anthony, a well-known pioneer of the women's movement, was a staunch defender of the rights of the unborn. She believed that abortion violated the rights of women and children, by exploiting women and by denying unborn children the most precious of rights—the right to life. Alice Paul, author of the Equal Rights amendment, agreed and said that, ''Abortion is the ultimate exploitation of women.''

As we reflect upon the life and achievements of the early suffragettes during Women's History Month, let us also recognize the need to protect and value all human life.

TRIBUTE TO CHARLES W. BOWSER

HON. ROBERT A. BRADY

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. BRADY of Pennsylvania. Mr. Speaker, I rise to honor a great Philadelphian, Charles W. Bowser.

A respected attorney, civil rights advocate and humanitarian, Mr. Bowser has made an indelible imprint on Philadelphia's civic and political landscape. Understanding that freedom is not free, for nearly 50 years Mr. Bowser has advanced the cause of freedom and justice. His path-clearing campaigns for mayor of Philadelphia in 1975 and 1979 launched a movement that ultimately helped to elect W. Wilson Goode, the city's first Black mayor.

A man of action, Mr. Bowser utilized his legal acumen and his journalistic skills to lead the fight for justice and inclusion but also to articulate the dreams and rights of the politically unempowered. Equally comfortable in a neighborhood community meeting, the board room of his legal firm or a mayor's cabinet meeting, Charles Bowser has had the same steady and strident voice raised against injustice.

In celebration of his 70th birthday he wrote, ''My generation of African Americans was guided by the belief that we had to be united to oppose racial injustice. Racial injustice was our enemy and we knew that the great hope of freedom could only begin with the end of injustice. Our unity began in our churches, in our homes, in our schools and in our dreams. We believed that ensuring the great hope of freedom was our personal responsibility.''

Throughout his career Mr. Bowser has led by example and we all have benefited from his leadership, intellect and integrity. Because he understood that freedom is not free, he has consistently demonstrated his willingness to contribute his share of the price of the hope of freedom, and we are indebted and it is for these reasons that I ask that you and my other distinguished colleagues rise to honor him.

PAYING TRIBUTE TO CHARLES ''DOC'' BROADUS

HON. JON C. PORTER

OF NEVADA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. PORTER. Mr. Speaker, I rise today to honor Charles "Doc" Broadus for his contributions to the sport of boxing and to helping the youth of his community.

At the age of 86, Las Vegas resident Doc Broadus is still active as a boxing trainer, spending his days at the Las Vegas Boxing Center. Although he is driven by his love of boxing, Doc strives to use the sport as an avenue for keeping kids out of trouble. He heads Doc Broadus Sports & Entertainment, a nonprofit organization, which aims to improve the quality of life for local children by giving them the opportunity to compete and perform.

One famous example of Doc's work is the 1968 Mexico City Olympic Gold Medalist, George Foreman. Doc met the young boxer in 1965 at a Job Corps center in Pleasanton, CA. George was headed to California State Prison for getting into a fight and Doc thought his punching ability could be better used in the ring. After effectively getting George out of his sentence by agreeing to work with him, Doc became a father figure of sorts.

What followed were 30 years of training and some of the greatest fights of the 20th century. George became a legend and helped to further unite the Nation, when he won gold in Mexico after he chose to fight instead of caving in to the demands of a small radical group. Doc was in George's corner in the 1974 Rumble in the Jungle versus Muhammad Ali, in Jamaica a year earlier for the upset of Joe Frazier and still present in 1994 at the age of 74, when George defeated Michael Moorer to become the oldest heavy-weight champion in the history of the sport.

Doc's goal is to have 12 kids win 12 gold medals. Although he may never reach this lofty goal, on the way there he will continue to have many successes of a greater value.

Mr. Speaker, it is an honor to recognize Charles "Doc" Broadus today. I commend him for a life of dedication to the sport of boxing and to serving the youth of Southern Nevada.

CELEBRATING THE BIRTH OF JOHN GOODWIN FELDER

HON. JOE WILSON

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. WILSON of South Carolina. Mr. Speaker, today, I am happy to congratulate Beth and Ted Felder of Beaufort, SC, on the birth of their new baby boy. John Goodwin Felder was born in Beaufort on March 29, 2006, at 9:20 a.m., weighing 6 pounds and 3 ounces. He has been born into a loving home, where he will be raised by parents who are devoted to his well-being and bright future.

His father Ted Felder serves as deputy district director for the Lowcountry in the Office of Second Congressional District of South Carolina. He is extremely knowledgeable about the Lowcountry and works tirelessly to help citizens throughout South Carolina. Today, I am pleased to congratulate the Felder family on John's birth.

SWEARING IN OF PORTIA SIMPSON-MILLER AS NEW PRIME MINISTER OF JAMAICA

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. RANGEL. Mr. Speaker, I rise today to congratulate Jamaicans on the commencement of a new era. This week, Ms. Portia Simpson-Miller will be sworn in as the new Prime Minister of the great nation of Jamaica as she leads the People's National Party.

Simpson-Miller has been a passionate, longtime voice for the oppressed. Her career in politics has spanned three and a half decades most recently as vice president of the PNP since 1978 and president of the PNP Women's Movement since 1983. Her previous assignments also include several Cabinet portfolios—serving as a Minister of Labour, Welfare and Sport and a Minister of Local Government, Community Development and Sport. By serving her people diligently, she has earned the right to succeed Mr. P.J. Patterson, the island's longest serving Prime Minister.

Simpson-Miller is part of a new generation of leaders representing the vanguard of women succeeding in politics throughout Latin America and the Caribbean. Not only is her dedication to her people reflected in her experience and length of tenure serving in Jamaican politics, but also in the throngs of supporters who will rejoice in her inauguration. During her election, she was the people's candidate. Now she will become the people's Prime Minister—with Jamaicans both on the island and abroad, even in the great 15th Congressional District of New York hailing her victory.

Simpson-Miller is a Jamaican success story; an iconic figure who has become a metaphor for the hopes and aspirations of poor, underprivileged black people, particularly black women. She is a woman of faith, conviction and of the people—traits that will surely be needed to effectively address the problems of entrenched poverty and crime and enhance employment opportunities for youth.

Mr. Speaker, please join me in congratulating Prime Minister Designate Simpson-Miller in assuming her new position this week and in holding steadfast to her proven commitment to Jamaicans.

[From the CaribNews, Mar. 14, 2006]

CARIB WOMAN—JAMAICA'S NEW PRIME MINISTER-DESIGNATE

Born on December 12, 1945 at Wood Hall, St. Catherine Age, Hon. Portia Simpson Miller was educated at St. Martin's High School; Union Institute and University of Miami, Florida (BA Public Administration); Jamaica Institute of Management/University of California, Berkeley (certificate in Advanced Management); and completed Harvard (Executive Program for Leaders in Development at the John F. Kennedy School of Government).

Simpson Miller was awarded an shonorary doctorate by Union Institute and University for her 'enduring efforts to improve the quality of life for all Jamaican citizens regardless of race, class, color or creed'. She is married to businessman, Errald Miller, a former telecoms executive with Cable & Wireless Jamaica; she enjoys reading, music, boxing and horseback riding.

Her career in politics has spanned three and a half decades; debuting as KSAC councilor in the early 1970s; then Member of Parliament for South West St. Andrew since 1976; vice president of the PNP since 1978; and president, PNP Women's Movement since 1983.

Simpson Miller has consistently topped opinion polls as Jamaica's most beloved political personality for many years but has had to beat back detractors inside and outside her party who claim she lacks the requisite intellectual and social credits to lead the country.

Her career in government has included several Cabinet portfolios. As Minister of Labor, Welfare and Sport, she developed a new Overseas Recruitment Center, created the National Insurance Fund, established a chair in Labor Studies at the University of the West Indies, presided over long periods of harmonious relations between employers, workers and trade unions and established the National Council on the Aged. As Minister of Tourism and Sport and Minister of Local Government, Community Development and Sport, she has taken steps to establish a sports medicine and treatment facility for injured athletes. She also has had responsibility for the Women's portfolio.

Hon. Portia Simpson Miller has undertaken international assignments on local government for the Organization of American States (OAS) and is chair of the Caribbean Forum of Ministers Responsible for Decentralization, Local Government, Community Development and Citizen Participation as well as board member of the Commonwealth Local Government Forum.

Her campaign focused on themes of empowerment for the marginalized, especially the poor, and uniting all classes to tackle deep-rooted problems of crime and economic underdevelopment.

CONGRATULATING CHICAGO OLYMPIC SPEED SKATER SHANI DAVIS FOR HIS HISTORIC PERFORMANCE AT THE 2006 OLYMPIC WINTER GAMES

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Ms. SCHAKOWSKY. Mr. Speaker, I am proud to pay tribute to Chicago Olympic speed skater Shani Davis for his triumphant performance at the 2006 Winter Olympics in Torino, Italy. Shani Davis has achieved excellence at the world's highest level and in doing so he has blazed a new trail in Olympic and speed skating history.

The Olympic Games are a celebration of the sporting spirit that unites all athletes of the world. No performance at the 2006 Winter Olympics was more demonstrative of this spirit than that of Chicago's Shani Davis. On February 18, 2006 he became the first African-American to win an individual gold medal in Winter Olympics history by finishing the 1,000 meter competition in 1 minute 8.89 seconds. Three days later he added to this amazing accomplishment by winning the silver medal in the 1,500 meter event.

On March 19, 2006, with the Olympic flame still burning brightly in his heart, Shani Davis

set a new world record in the men's 1,500-meter event at the International Skating Union all-around speed skating world championships in Calgary, Canada. Davis finished in 1:42.68 lowering the previous world record by 0.1 second (1:42.78).

These remarkable accomplishments are a testament to Shani Davis' courage and reflect his many years of hard work, dedication, and sacrifice. I am particularly proud to know that Shani Davis' journey to sports greatness has deep roots in the 9th Congressional District of Illinois. Shani Davis lived in the Rogers Park neighborhood of Chicago and began his speed skating experience at the tender age of six under the tutelage of Sanders Hicks at the Robert Crown Ice Rink in Evanston. Shani Davis trained and enhanced his skills as a member of the Speed Skating Club at Robert Crown.

Even though he has already established an outstanding speed skating career, I believe that the future will be even richer and brighter for Shani Davis. I have witnessed his interactions with young people and I know his experiences have helped spark their imaginations and inspired them to achieve greatness in their own lives. The lessons of setting high goals, being persistent and believing in yourself are lessons that all children need to learn, lessons that are abundantly evident in the power of Shani Davis' example.

Shani Davis' world record and outstanding contributions to the legacy of the Olympics will forever serve as a source of pride and inspiration for the people of Evanston, Chicago, and all Americans. In honor of his remarkable achievements, I offer Shani Davis this United States flag as a symbol of appreciation, esteem and good wishes. This flag was flown over the United States Capital building in Washington, DC and is a fitting gift for a patriot and champion.

On behalf of the people of the 9th Congressional District of Illinois, I offer Shani Davis my heartfelt congratulations and best wishes for his continued excellence.

RECOGNIZING THE LIFE OF WELLINGTON TIMOTHY MARA

SPEECH OF

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, March 28, 2006

Mr. ROTHMAN. Mr. Speaker, I rise today to honor the extraordinary life and achievements of Wellington T. Mara, co-owner of the New York Football Giants. Mr. Mara will always be remembered for his accomplishments with the NFL. However, his legacy extends far beyond the gridiron. He was much more than the successful owner of a professional football team—he was a community leader, a dedicated family patriarch, a devout man of faith, and an outstanding American.

Wellington Mara was a devoted husband to his wonderful wife Anne, a loving father to his eleven children, an adoring grandfather to his 42 grandchildren, and a role model to all who knew him. When called to serve his nation, Wellington did so proudly as a Lieutenant Commander in the United States Navy during World War II. Later in life, Mara served his community as a member of the board of the Giants Foundation, an organization that provides important social and financial support to underprivileged youth and their families in the New York/New Jersey Metropolitan Area.

Mr. Mara's foresight helped to turn the NFL into the successful American enterprise that it is today. In the early 1960's, Wellington and his brother, Jack Mara, as co-owners of the most profitable team in the NFL, put the league ahead of their team by agreeing to share lucrative television revenue equally among all NFL teams. The current success of the NFL is a tribute to the esteemed character and selfless sacrifice ofthe Mara brothers. They proved to the NFL and to the nation that honorable business practices and teamwork can indeed generate great success.

Mr. Mara was well respected within the Giants organization and throughout the NFL. He was extremely loyal to players, coaches, employees, and especially the fans. He treated everyone with whom he came into contact with great respect. Under Wellington Mara's leadership, the Giants appeared in 26 postseasons, won 16 NFL divisional championships and 6 NFL championships, including the remarkable title runs in 1986 and 1990 (Super Bowls XXI and XXV) that captivated the entire New York/New Jersey area. The leadership of Wellington Mara made the Giants a wonderful organization that I am proud to have in my district.

Mr. Speaker, I am sure that my colleagues will join with me in honoring the life of this exceptional man. We should all be so fortunate to leave such a tremendous legacy.

CHALLENGES FACING CARIBBEAN REGION AS IT FACES INTEGRATION

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. RANGEL. Mr. Speaker, I rise again to strongly support the words spoken by the Prime Minister of Jamaica, the Honorable P.J. Patterson, in an effort to bring to light challenges facing the region and his proposals for what actions need to take place to secure a brighter future for the Caribbean nations. I would also like to enter into the RECORD the second portion of his speech delivered March 9 to the Protocolary Session of the Permanent Council of the Organization of American States on the theme of "Caribbean Integration In Emerging Hemispheric Relations".

DEMOCRACY, SECURITY AND DEVELOPMENT

I am convinced that unless we focus in a meaningful way on the intrinsic link between democracy, good governance and international security on the one hand, and development on the other, our goals for peace, stability and political and economic security will always remain elusive. We must therefore address the development agenda with the same energy and commitment as we have sought to strengthen the democratic agenda, giving each equal dedication, in order that the benefits of democracy can be widely felt to improve the quality of life for our peoples.

When Heads of Government of the Hemisphere met during the 4th Summit of the Americas in Mar del Plata, Argentina last November, we jointly committed ourselves to the task of Creating Jobs to Fight Poverty and Strengthen Democratic Governance in the Hemisphere. Our Declaration, issued at the end of the meeting, was a clarion call for sustained, long term and equitable economic growth that creates jobs, reduces poverty, eliminates hunger and raises the standard of living for the most vulnerable sectors and social groups in our diverse societies. We also stressed the need to expand trade, as a means of boosting growth and our capacity to generate more, higher quality, and better-paying jobs.

As small open economies, CARICOM countries are highly dependent on trade as the primary driver of economic and social growth, and by extension the stability and democracy of the region.

In 1994, when we launched the Summit of the Americas process, Jamaica and the rest of CARICOM readily put our efforts and scarce human, financial and technical resources into ensuring that our collective vision of prosperity in the Americas would become a reality. Four years later, we formally launched the FTAA negotiations, fully cognizant of the contribution that economic integration and trade liberalization in the Americas could make to create jobs, fight poverty and strengthen democratic governance in our Hemisphere.

It is with disappointment that on the eve of my departure from office as Prime Minister of Jamaica and Chairman of the Prime Ministerial Sub-Committee on External Negotiations of CARICOM, the FTAA is faltering on the rock of political will.

CARICOM is fully committed to the goal and objectives of the Summit of the Americas generally. If the FTAA has no future, we must be realistic and begin to explore new alternatives. Given the slow progress to date in the Doha Development Round of multilateral negotiations, we need to find a hemispheric impetus for advancing discussions on key issues in the WTO.

For example, the Work Programme for Small Economies in the DDA as well as the recent Aid For Trade initiative could build on the initiatives and acceptance by Hemispheric Heads at our Fourth Summit, that smaller economies should be recognised as a special category of countries. Special and differential treatment in favour of smaller economies have to be an accepted fundamental principle of whatever negotiations we pursue.

Our collective vision of growth, economic prosperity and stability for the Hemisphere must not be confined to the narrow territorial boundaries of the hemisphere. Let us broaden the boundaries of our collaboration beyond the OAS and the United Nations. It is high time for the Caribbean and Latin American countries to pool our collective bargaining resources in the WTO, where we also have common goals and concerns.

Every effort must be made to bring Haiti into full participating in the various trade negotiations in the hemisphere and the WTO. In this case, there can be no question about the need for special and differential treatment and technical assistance.

Let me place on record the appreciation of CARICOM for the contribution of OAS and CIDA to technical assistance and capacity building. As we contemplate the multiple trade agendas facing our region, there will be need for sustained assistance to ensure our adjustment and implementation of these new obligations.

How can we then ensure that actions taken at the hemispheric level dovetail automatically into the regional development agenda, the two processes working simultaneously towards a united objective? I will return to my own thoughts on this later in my presentation.

INTEGRATION—A RESPONSE TO GLOBALISATION

The emergence of various economic blocs across the globe is not mere coincidence, but a natural progression towards strengthening the ability of individual countries to use their collectivity to face the new era of international economic relations.

Smaller units operating on their own can no longer be viable counterweights in this rapidly changing world. Based on this recognition, we in this hemisphere have not shied away from the inevitable and we see the integration movement as our best response to the challenges we face. The establishment of CARICOM, MERCOSUR, THE Andean Group et al, are therefore regional ''lifelines'' cast upon the turbulent waters of globalisation.

Let me share briefly with you, some of the challenges we face in the Caribbean. We have been seriously affected by the EU's stipulation as it relates to bananas and sugar.

In the case of the former, we have expressed the importance of the higher tariff of Euro 275/t to ensure adequate protection is in place for our farmers.

For sugar, the proposed cut of some 39% is a grave concern for us, as is the proposed timetable for implementation over a four-year period.

In 2004 damage from Hurricane Dennis totalled some US$40million. The impact was much greater in 2005, with more hurricanes affecting the agricultural and tourism sectors, and even more horrible damage to our infrastructure.

Through these illustrations, which in some cases may be magnified based on the country in the region you choose, I proffer today, that our solutions for the various sub-regions we represent and by extension, the hemisphere, cannot be simple, unilateral or implemented overnight.

CARICOM formally launched the Single Market just over a month ago and we hope to move towards the Single Economy by 2008, as we had envisaged in the Grand Anse Declaration of 1989 in Grenada.

We have, through the methodical, comprehensive and measured approach, taken the necessary steps to ensure that our modus operandi, carries with it the philosophy, that no country will be left behind. For this reason, we in CARICOM have been careful to elaborate plans for a Regional Development Fund to assist in the adjustment period. We also fervently believe that at the hemispheric level, no country should be left behind.

Over the years and even now, we have put in place a number of other institutional arrangements that seek to ensure a structured operation through which we hope any future transition can be seamless and effective. CARICOM Heads entertain no misconceptions of the challenges we face. If we are to effectively deliver on the objectives in our revised Treaty of Chaguaramas, we must take some bold steps and remain unswerving in the commitment to achieve the targets.

The moment has arrived for us to now seek solid bipartisan commitment to national and regional goals, which will then translate into full integration into other institutional arrangements. The strength of governance will only be enhanced when we are able to replace the retracing of steps by different administrations, with a brisk walk forward towards our common goals.

Education must be an engine driving growth and pushing development. The technology-driven world we live in today demands knowledge, skills, research and solutions, and a thirst for answers by our youth. We must facilitate that process at all levels to ensure that progression from one level to the other, from one discipline to the next, takes place consistently. If we are to achieve these objectives as outlined in the Millennium Development Goals, the Charters of the Organization and the Strategic Plan, we must act now on this other pillar of development.

Justice and the rule of law in all its forms, at all levels, must exist without compromise or prejudice. We have to exercise the will to maintain law and order, not merely through the imposition of penalties but through the encouragement of a sense of just, law-abiding and ordered behaviour by all our citizens. Too much of our resources are being spent on managing conflict and security and therefore preventing us from providing more, as opposed to securing less, as we do now.

Sometimes when we seek to solve larger problems, such as the challenges to globalisation, we over-think and over-analyse them and by-pass the adherence to the fundamentals. We must always be mindful of the basic elements, the smallest cogs in the wheels, the importance of measurements.

Let me now address an issue which is very close to my heart. The conduct of international and institutional relations can only be improved when we allow principle, integrity, honour and justice to prevail. The people we lead and the interests we serve are looking to us to provide enlightened and inspired leadership. That expectation becomes magnified with every decision we are called upon to take, because we are more interdependent than we have ever been before.

Security, health and environment issues remind us daily of our own vulnerability as individuals and countries and behove us to be mindful of these concerns at all levels. The recent outrage in the Muslim world recalls for us the far-reaching effect of our actions and by extension our own intolerances. We must guard against these inclinations.

Inclusion and inclusiveness must be one of the principles which we use to dovetail our own actions and create what I would call concentric circles of goodwill. The old adage holds true today that ''we will reap what we sow''. Let us be mindful of the seeds we put down today, to avoid reaping bitter fruits in the future.

Sixty years after its creation, the OAS is summoned to face bold new challenges which confront our entire Hemisphere. In order to adequately respond, the modality by which it operates must change. It must avoid sterile debate and become an instrument of positive change.

This requires that it become an effective Institution for decision-making at the highest political and economic levels. This must be your quest for the decade ahead.

Your Excellencies, Ladies and Gentlemen,

It has indeed been a pleasure for me to address you today; to share my thoughts and to issue a charge and a challenge to you all. As life and experience have taught me, the process of learning never ends. As we learn we must impart, for in the words of Khalil Gibran—''to withhold is to die''. We have a tremendous responsibility to make the world safer and better, for those who have placed their confidence in us. We have many opportunities to do so everyday by our own conduct and leadership. Let us not deny ourselves a Hemisphere of social justice where peace, prosperity and harmony will prevail.

CONGRATULATIONS TO MAIN TOWNSHIP HIGH SCHOOL'S WE THE PEOPLE: THE CITIZEN AND THE CONSTITUTION PROGRAM

HON. JANICE D. SCHAKOWSKY

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Ms. SCHAKOWSKI. Mr. Speaker, from April 29–May 1, 2006, approximately 1,200 students from across the country will visit Washington, D.C., to take part in the national finals of We the People: The Citizen and the Constitution, the most extensive educational program in the country developed specifically to educate young people about the U.S. Constitution and Bill of Rights. The We the People program is administered by the Center for Civic Education and funded by the U.S. Department of Education by act of Congress.

I am proud to announce that a team from Maine Township High School, located in my Congressional district, will represent the State of Illinois in this prestigious national event. These outstanding students, through their knowledge of the Constitution, won their statewide competition and earned the chance to come to our nation's capital and compete at the national level.

While in Washington, the students will participate in a 3-day academic competition that simulates a congressional hearing in which they ''testify'' before a panel of judges. Students demonstrate their knowledge and understanding of constitutional principles as they evaluate, take, and defend positions on relevant historical and contemporary issues.

We the People students display great political tolerance and commitment to the principles and values of the Constitution and Bill of Rights. With many reports and surveys indicating the lack of civic knowledge and civic participation, I am pleased to support such a superb program that is producing an engaged citizenry.

Mr. Speaker, the names of the outstanding students from Maine Township who will be participating in the national finals are:

Lauren Allegretti, Cailin Bake, Katy Bratko, J.P. Carolan, Liz Chao, Rebecca Christopher, George Gianakakos, Melissa Hansen, Katherine Hapeman, Andrew Juiris, Natalie Kociubinski, David Krone, Chris Lenzini, Matt Lenzini, Meghan Machon, Meghan McKelvey, Christine Recsetar, Pat Rhine, Mike Ross, Janelle Santos, Christina Solari, Amanda Swanson, Bill Warnock, and Mary Yu.

I also wish to commend their teacher, Andrew Trenkle, who is responsible for preparing these young constitutional experts for the national finals. Also worthy of special recognition is Patton Feichter, the state coordinator, and John Heuman, the district coordinator, who are among those responsible for implementing the We the People program in my district.

I wish these students much success as they prepare to compete at the We the People national finals, and I applaud their outstanding achievement.

IN TRIBUTE TO GREEK INDEPENDENCE DAY

HON. STEVEN R. ROTHMAN

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. ROTHMAN. Mr. Speaker, I rise in celebration of the 185th Anniversary of Greek Independence Day and in doing so, join millions of my fellow Americans in commemorating the rebellion of the Greek people against the Ottoman Empire and celebrate their declaration of independence on March 25, 1821.

The strong and invaluable friendship between the United States and Greece leads me to recognize Greek Independence Day, a day in which we celebrate the Hellenic people's long, but heroic revolt against 400 years of oppressive rule by the Ottomans. Their struggle for independence demonstrates the strong commitment of the Greek people to achieving freedom from tyranny and oppression. We can see this through Greece's steadfast support of the United States in every major struggle for freedom and democracy, including our global fight against terror. The strength of our great friendship with and the contributions to our nation made by the Hellenic community make me proud to honor such an important day in Greek history.

Our two nations are committed to the shared values of democracy, justice and freedom. Greek ideals of democracy and freedom inspired our nation's founders and helped shape the very fabric of our democratic government. Greek immigrants have been welcomed to the shores of America for generations, and we are grateful for how they have enhanced our collective culture and contributed to our country. I stand proudly with the many Hellenic-Americans in the 9th District of New Jersey and salute them and their ancestors' struggle for freedom on the anniversary of Greek Independence Day.

I welcome this opportunity to celebrate the 185th Greek Independence Day with the Hellenic community. On this day let us remember more than just Greece's independence, but also celebrate Greece as an invaluable ally and longstanding friend of all freedom-loving peoples.

TRIBUTE TO HARRIET TUBMAN AND THE 2006 HARRIET TUBMAN SPIRIT AWARD RECIPIENTS

HON. CHARLES B. RANGEL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. RANGEL. Mr. Speaker, I rise today to recognize the significance of the Harriet Tubman Spirit Awards, created to honor women of New York State who have perpetuated Tubman's legacy and her humanitarian accomplishments and to praise the 15 women chosen to be recipients of such a prestigious honor. Harriet Ross Tubman was a great liberator who was a monument to courage and determination in the fight for freedom and human rights for slaves in bondage.

Harriet Tubman was called the ''Moses'' of her people. She was born on a plantation in Maryland, in or around 1820, and escaped from slavery in 1849. Upon gaining her freedom, Harriet Tubman settled in Philadelphia where she met William Still, the Philadelphia ''Stationmaster'' of the ''Underground Railroad.'' In 1850, Harriet Tubman became a ''conductor'' on the Underground Railroad and eventually became the most influential of all the ''conductors'' by returning to the South 19 times through the Underground Railroad, freeing 300 slaves.

In the mid-1850's, Harriet Tubman made the acquaintance of United States Senator, Secretary of State and former New York State Governor William H. Seward and his wife, Frances, in Auburn, New York. In 1857, the Sewards provided a home for Harriet Tubman in Auburn, which she later purchased and used as new headquarters for the Underground Railroad. Since 1995, New York State has assisted with efforts to recognize Harriet Tubman's legacy. In 1999, the State Office of Parks, Recreation and Historic Preservation (OPRHP) helped to document and list Tubman's historic brick home, her church and her gravesite in the Fort Hill Cemetery to the State and National Registers of Historic Places.

In February 2001, Governor Pataki announced the creation of a $1.4 million Underground Railroad Heritage Trail Grant Program to enhance heritage tourism and support site improvements at historic sites and interpretive centers commemorating the Underground Railroad across New York State. In addition, the Governor committed more than $280,000 in Bond Act funds to restore Harriet Tubman's home in Auburn. An additional $100,000 was provided in 2002 to help restore the Harriet Tubman Memorial African Methodist Episcopal Zion Church, also in Auburn, New York.

In 2003, Governor George E. Pataki proclaimed March 10th as ''Harriet Tubman Day''. He then officially signed into law a bill designating the day as a day of commemoration in New York State for the life and heroic contributions of Harriet Ross Tubman. Governor Pataki chose March 10th because it is the day Harriet Tubman died in 1913 at the age of 93. As part of the State's tribute, the second annual New York State Governor's Harriet Tubman Spirit Awards were presented to 15 women, whose accomplishments strongly embraced the spirit of Harriet Tubman,

The 15 honorees have shown through their tireless efforts significant contributions to the culture and well being of New York and have paved the way for future leaders in the ongoing fight for human rights. All of these women, like Harriet Tubman, possess a pioneering spirit of excellence.

The 2006 Harriet Tubman Spirit Award recipients were: Zenaida Chape', NYC Humanitarian and Community Advocate; Sarah Curry-Cobb, Pioneer and Civil Rights Advocate from Albany: Dr. Joan O. Dawson, NYC Educator and Youth Advocate; Patricia A. Devine, Youth Advocate from Albany; Maria Ginter, Diversity and Community Advocate from Albany; Mona Golub, Pioneer and Cultural Arts Advocate from Schenectady; Alvania Hill, Educator from Albany; Sharon Jordan Holley, Educator and Historian from Buffalo; Reverend Carolyn Peterson-Vaccaro, Women and Family Advocate from Albany; Frances Ethel Powell Pratt, Civil Rights Advocate from Nyack; Ruth Russell, Health and Community Advocate from Rensselaer; Dr. Cecilia Sanz, Children and Family Advocate from Albany; Rose Stuart, Pioneer and Family Advocate from Albany; Meilin Tan, NYC Humanitarian and Entrepreneur and Benita Zahn, Health and Media Advocate from Albany.

Mr. Speaker, please join me in recognizing this stellar award and the very deserving recipients during the 2nd anniversary month of the New York State Governor's Harriet Tubman Spirit Awards.

PERSONAL EXPLANATION

HON. EDDIE BERNICE JOHNSON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I ask unanimous consent that on rollcall vote No. 69, I would like the RECORD to reflect that I inadvertently voted ''nay.'' I would like the RECORD to reflect that I intended to vote ''yea.''

TOM McDANIEL: A HARD-WORKING PUBLIC SERVANT WHO WILL BE MISSED

HON. JOHN R. CARTER

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. CARTER. Mr. Speaker, on February 28, 2006, Williamson County lost a hard working friend of the community with the untimely passing of Williamson County Commissioner S. Thomas McDaniel. Tom was an effective, grassroots politician. A close friend and advisor, I had the honor of swearing Tom into office as Williamson County Commissioner for Precinct 3 on November 2, 2004.

Well-respected by his colleagues, Tom brought a new perspective to Williamson County politics. In some areas he probably stepped on a few toes and in other areas he was a breath of fresh air. Commissioner McDaniel was a steward of the communities in Williamson County's Third Precinct, continually working to improve the region's infrastructure. He continually encouraged efficient, effective operations at the county level. During his service as Commissioner, construction began on the City of Georgetown Public Library and the Williamson County Courthouse Restoration began, among other successes.

Born in Terrell, Texas, on April 1, 1944, Tom is a third generation Texan. Tom is survived by his lovely wife of 32 years, Linda, and his son, Ryan.

Tom was a really fine man, and I am going to miss him terribly. He will be missed by me, my family, and all of Williamson County.

TRIBUTE TO COMMANDER CHARLES L. STUPPARD

HON. DANNY K. DAVIS

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. DAVIS of Illinois. Mr. Speaker, I rise today to congratulate Commander Charles L. Stuppard, United States Navy, for his outstanding and brilliant performance as Commanding Officer of the United States Ship

Arleigh Burke (DDG 51) from March 5, 2004 to April 3, 2006. USS *Arleigh Burke* was commissioned in Norfolk, Virginia on July 4, 1991. She is the first of the most powerful and survivable class of destroyers ever put to sea. She possesses the AEGIS weapons systems with multifunction radar, capable of detecting and tracking hundreds of targets simultaneously while conducting multiple engagements.

On March 5, 2004, in Norfolk, Virginia, Commander Stuppard's took command of this powerful Navy vessel. Commander Stuppard graduated from Cornell University in 1982 with a bachelor of science degree in mechanical and aerospace engineering. He worked for 3 years as a design and test engineer in the A–10A, T–46 and SF–340 aircraft programs for Fairchild Republic Corporation in Long Island, New York. In 1985 he joined the Navy as an aviation officer candidate. After commissioning and flight training Commander Stuppard switched to Surface Warfare. In 1998 Commander Stuppard obtained his master's degree in national security and strategic studies at the Naval War College in Newport, Rhode Island.

During Commander Stuppard's flawless and noteworthy tour of duty as ''Captain,'' he masterfully led his ship, the *Arleigh Burke* with 300 sailors, through an extensive and demanding training phase followed by a major fleet inspection. He then took the ship through a rigorous intermediate and advanced training cycle, which included two Joint Maritime Course exercises off the coast of the United Kingdom, particularly in Scotland and a Submarine Commander's Course off the islands of the Bahamas. With his crew fully prepared and ready, he deployed to the Mediterranean Sea as the sole United States member of the Standing NATO Maritime Group Two from November 2005 to May 2006 in support of Operation ACTIVE ENDEAVOR and NATO operations with a primary mission to prevent terrorists from using the high seas for their misdeeds.

Under his sterling leadership USS *Arleigh Burke* maintained an impeccable record of outstanding achievements. His attention to detail, keen foresight and dedication to duty resulted in 100 percent operational and combat readiness and a very successful 6 months deployment in southern Europe. On April 3, 2006, Commander Stuppard will have his change of command ceremony while on his European deployment in Valletta, Malta. His tour of command was nothing short of magnificent. His next duty station will be at the Command Leadership School in Newport, Rhode Island where he will be an instructor to all naval prospective commanding officers over the next 3 years. His experience and leadership will positively affect a whole generation of future naval commanding officers. I am looking forward to pay him a visit there.

Commander Stuppard's excellent reputation and commitment to duty will become an indelible mark on the crew of this legendary Navy vessel, the USS *Arleigh Burke*. Commander Stuppard consistently projects the Navy core values of ''Honor, Courage and Commitment'' and will always be remembered by every *Arleigh Burke* officer, chief and sailor known as ''team 51'' who served under his command. Commander Stuppard immensely and effectively touched the life of so many of our men and women in uniform. The following five words are the motto by which Commander Stuppard led his brave and valiant crew: ''Be Good—Do Good Work''.

Commander Stuppard's accomplishments and achievements are truly outstanding and serve as an example to all citizens throughout our country, the United States of America. Commander Stuppard is a true gentleman and an outstanding American. I congratulate Commander Charles L. Stuppard and the crew of the *Arleigh Burke* for a job well done.

HOMELESS ASSISTANCE CONSOLIDATION ACT OF 2006

HON. RICK RENZI

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. RENZI. This afternoon I am introducing legislation, by request of the Bush Administration, designed to combat homelessness nationwide.

The Homeless Assistance Consolidation Act of 2006 would consolidate three competitive homeless assistance programs within the Department of Housing and Urban Development—Supportive Housing, Shelter Plus Care, and Section 8 Single Room Occupancy—into a single program aimed at alleviating homelessness in this country.

Consolidation of these programs would provide more flexibility to localities, fund prevention of homelessness, and dramatically reduce the time required to distribute grant funds to groups combating homelessness.

The legislation would streamline the three programs into one competitive program with a single set of eligibility requirements and would provide incentives for communities to carry out permanent housing activities with supportive services for the homeless.

I believe that this legislation is a good starting point for the House of Representatives in crafting a bill that would help achieve the goal of alleviating homelessness in my home state of Arizona, and the country.

I look forward to working with my colleagues in the House, the Senate, the Administration, and most importantly, individuals and groups throughout the country who have dedicated themselves to fight homelessness, to craft legislation in the coming months which will authorize the funding and provide the tools needed by advocates of the homeless.

In the past, Congress has provided HUD significant funding over the years to distribute to groups to fight homelessness. Millions of individuals and families are, or have in the past, faced homelessness. They deserve our help, and I am committed to fighting on behalf of the homeless, and I am hopeful that this legislation will further this most important effort.

IN RESPONSE TO RECENT ISRAELI ELECTIONS

HON. SCOTT GARRETT

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. GARRETT of New Jersey. Mr. Speaker, I congratulate the State of Israel for once again serving as a model to the Middle East region of what a successful democracy should be. With the threat of severe violence from their neighbors, Israelis proudly went to the polls to take part in the single most important part of any government—expressing one's voice through the vote.

I offer my congratulations to all who were successful in yesterday's elections. You have the will of the people, and more importantly, the responsibility to protect and defend both the land and the people of Israel.

In the coming months and years, you will have many important decisions relating to security and defense that you will need to make. I urge you to resist external political pressures and do what needs to be done to maintain the physical integrity of Israel and uphold the security of your people.

As a Congressman, I vow to continue to do what I can to work with the State of Israel and help one of America's closest allies and I look forward to working with the new Israeli government.

INTRODUCTORY REMARKS FOR CESAR ESTRADA CHAVEZ STUDY ACT

HON. HILDA L. SOLIS

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Ms. SOLIS. Mr. Speaker, today I rise to introduce the Cesar Estrada Chavez Study Act. This legislation authorizes the Department of Interior to conduct a special resources study to examine the areas that Cesar Estrada Chavez lived for potential incorporation into the National Park Service.

Cesar Estrada Chavez was a humble man who knew the importance of hard work and sacrifice. Raised during the Great Depression, Chavez's family lost everything and he was forced to wander the southwestern United States with thousands of other farmworker families. As a migrant farmworker he learned the value of community and family. Farmworkers were united as they fought to survive in the often harsh working and living conditions of the migrant life.

Chavez eventually left the fields in 1952 and began to campaign peacefully against racial and economic discrimination. In 1962, Chavez returned to help farmworker families and started the National Farmworkers Association. Today we know this organization as the United Farm Workers of America. Through non-violent action, the United Farm Workers have fought for fair wages, health care coverage, pension benefits, housing improvements, pesticide and health regulations and countless other protections for the health and wellbeing of the farmworker and their family.

Despite the work of Chavez as a civil rights and labor leader, religious and spiritual figure, community servant and social entrepreneur, there are no historical, geographical or cultural designations in the National Park Service to honor him or his spirit which lives on today. I encourage my colleagues to support this legislation, so the stories of Chavez's struggles and triumphs need to be communicated and preserved for all Americans.

A TRIBUTE TO CARTER GILMORE FOR 50 YEARS OF COMMUNITY SERVICE

HON. FORTNEY PETE STARK

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. STARK. Mr. Speaker, I rise today to pay tribute to a public servant extraordinaire, Carter Gilmore of Oakland California. Mr. Gilmore's friends and colleagues are honoring him on April 20, 2006, for his 50 years of dedicated and tireless community service.

He arrived in California from Houston, Texas, shortly after his marriage to Lizzie Mae Hampton in 1948. They are the proud parents of 6 children, 14 grandchildren and 7 great grandchildren. Mr. Gilmore served in the U.S. Navy during World War II and is a retired plant manager of Granny Goose Foods in Oakland.

The brutal death of an African American youth, Emmett Till, in Mississippi in 1955 mobilized the civil rights movement and prompted Carter Gilmore to begin his years of service to civil rights and community service. He joined the Alameda Branch of the NAACP. He became an active member and later became a forceful president of this branch during the civil rights movement. He wrote in the monthly newsletter about the quest for equal rights and his letter was placed in the CONGRESSIONAL RECORD in 1985.

When the NAACP lost is leader, Medger Evers, in Mississippi, Mr. Gilmore was willing to relocate and take his place but realized that his community service was needed in California. Mr. Gilmore's dedication and commitment to civil rights moved him upward through the ranks of the NAACP in California and he became the Northern California Area President.

Mr. Gilmore's leadership was not limited to his dedicated efforts within the NAACP. He was also involved in a host of activities that garnered him honors for his community leadership.

In 1977, Mr. Gilmore was elected to the Oakland City Council. He was reelected in 1981 and 1985 unchallenged. He served as the Vice Mayor from 1979 to 1981.

Mr. Gilmore has served on numerous boards, which include the East Oakland Youth Center, Alameda County Fair, League of California Cities, Goodwill Industries, Bay Area Committee on Hypertension and the Martin Luther King, Jr. Freedom Center of Oakland.

He is an active member of many community-based organizations where he continues his dedicated leadership helping seniors, youth, and veterans.

Carter Gilmore has proven time and again that one person can make a difference. His 50 years of service has touched many lives and his contributions have been felt in numerous ways. I join his friends and admirers in expressing admiration for his accomplishments and heartfelt appreciation for all his efforts. He has earned the well deserved title public servant extraordinaire.

THE PASSING OF MRS. ERMA BYRD, WIFE OF SENATOR ROBERT C. BYRD

HON. NICK J. RAHALL II

OF WEST VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Mr. RAHALL. Mr. Speaker, we have lost a great daughter of West Virginia. A coal miner's daughter, Erma Byrd was born and raised in the hills of southern West Virginia. More than 68 years ago she married a young man named ROBERT C. BYRD and for the past decades they have enjoyed a wonderful life together working for the people of West Virginia and all Americans.

One of my life's greatest privileges was to know Mrs. Byrd. Always wearing a warm smile, encouraging with a kind word, reassuring with a gentle hand, Mrs. Byrd lived a life for others, clearing a path for each of us.

Her life full of compassion towards others garnered her much respect and admiration throughout my home state of West Virginia. Generations of West Virginians were touched by the life of Erma Byrd. The unfortunate news of her passing will bring sadness to all West Virginians, as even those who did not have the opportunity to meet Mrs. Byrd stand in admiration of Erma and everything for which she stands.

Scripture tells us that faith hope and love abide. The spirit of Mrs. Byrd always abided with these virtues and now always will through those whom her life so graciously touched.

It was a wonderful waltz that lasted over 68 years for Senator and Mrs. Byrd. My family's thoughts and prayers for the Senator and his family join those of countless West Virginians and fellow Americans as we honor and remember the remarkable life of Erma Byrd.

INTRODUCTION OF THE FULL DISCLOSURE IN LOBBYING ACT

HON. MADELEINE Z. BORDALLO

OF GUAM

IN THE HOUSE OF REPRESENTATIVES

Wednesday, March 29, 2006

Ms. BORDALLO. Mr. Speaker, I rise today to introduce legislation that would strengthen third-party lobbying disclosure requirements contained in the Lobbying Disclosure Act, P.L. 104–65. Specifically, the legislation I have introduced today would amend Section 5(b) of the Lobbying Disclosure Act of 1995, 2 U.S.C. 1604(b), by first making a series of technical corrections and then by adding new language to require that specific information be disclosed when a registrant is retained to engage in lobbying activities on behalf of a third party. This legislation would require that the identity of, the contact information for, and the amounts paid by that third party for the registrant's services be disclosed on the registrant's semiannual financial disclosure reports filed with the Clerk of the House and the Secretary of the Senate pursuant to Section 5 of the Lobbying Disclosure Act. The intent of this legislation is to enhance current law by making the practice of third-party lobbying activities more transparent.

Section 4 of the Lobbying Disclosure Act requires that a lobbyist list the name, address, and principal place of business of any organization, other than the client, that contributes more than $10,000 toward the registrant's lobbying activities in a semiannual period, or and in whole or in major part plans, supervises, or controls such lobbying activities. The changes to the Lobbying Disclosure Act proposed by my legislation would reinforce existing Section 4 disclosure provisions. These changes would require the reporting of a third, or subsequent degree, contractual relationship between a lobbyist and a client pursuant to Section 5 of the Lobbying Disclosure Act.

The authors of the Lobbying Disclosure Act understood that accurate reporting of the identity of participants in third-party lobbying activities is important to transparency. In fact, the Committee on the Judiciary expressed its views on Section 4(b)(3) in House Report 104–339, describing that current law ''is intended to preclude evasion of the disclosure requirements of the Act through the creation of ad hoc lobbying coalitions behind which real parties in interest can hide.'' Recent media reports reveal that third-party lobbying activities have been arranged to evade the Lobbying Disclosure Act.

The registration and financial disclosure reports required by Sections 4 and 5 of the Lobbying Disclosure Act should both capture the contractual lobbying relationships entered into by registrants and their clients. Current law requires that registrants declare third-party contractual lobbying relationships on their Section 4 registration reports. However, Section 5 of the Lobbying Disclosure Act does not specifically require the disclosure of the details of third-party contractual lobbying activities. The legislation I have introduced today would close this loophole. This legislation enhances current law and will bring further transparency and accountability to lobbying activities.

I urge my colleagues to support the Full Disclosure in Lobbying Act. It is my hope that this legislation will be enacted, and its merits will be reviewed as the House considers lobbying reform legislation.

SENATE COMMITTEE MEETINGS

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

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

Meetings scheduled for Thursday, March 30, 2006 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

MARCH 31

9:30 a.m.
Judiciary
To hold hearings to examine the call to censure the President.
SD–226

10 a.m.
Homeland Security and Governmental Affairs
To hold hearings to examine the nominations of Uttam Dhillon, of California, to be Director of the Office of Counternarcotics Enforcement, Department of Homeland Security, and Mark D. Acton, of Kentucky, to be a Commissioner of the Postal Rate Commission.
SD–342

APRIL 3

9:30 a.m.
Judiciary
To hold hearings to examine immigration.
SD–226

APRIL 4

9:30 a.m.
Energy and Natural Resources
To hold hearings to examine how Congress might go about creating a program to control U.S. greenhouse gas emissions.
SD–G50

10 a.m.
Commerce, Science, and Transportation
Aviation Subcommittee
To hold hearings to examine Federal Aviation Administration funding options.
SD–562

Banking, Housing, and Urban Affairs
To hold hearings to examine a current assessment of money laundering and terrorist financing threats and countermeasures.
SD–538

Finance
To hold hearings to examine the cost of tax preparation.
SD–215

Armed Services
Strategic Forces Subcommittee
To hold hearings to examine missile defense programs in review of the defense authorization request for fiscal year 2007.
SD–138

2:30 p.m.
Energy and Natural Resources
To continue hearings to examine how Congress might go about creating a program to control U.S. greenhouse gas emissions.
SD–G50

Foreign Relations
To hold hearings to examine the current situation in Iraq.
SD–106

Banking, Housing, and Urban Affairs
Housing and Transportation Subcommittee
To hold hearings to examine reform of FHA's Title I Manufactured Housing Loan Programs.
SD–538

Armed Services
Personnel Subcommittee
To resume hearings to examine health benefits and programs in review of the defense authorization request for fiscal year 2007.
SR–232A

Intelligence
To hold closed hearings to examine certain intelligence matters.
SH–219

3:30 p.m.
Armed Services
SeaPower Subcommittee
To hold hearings to examine the posture of the U.S. Transportation Command in review of the defense authorization request for fiscal year 2007 and the future years defense program.
SR–222

APRIL 5

9:30 a.m.
Armed Services
Emerging Threats and Capabilities Subcommittee
To hold hearings to examine Department of Defense's role in combating terrorism in review of the defense authorization request for fiscal year 2007 and the future years defense program; to be followed by a closed session.
SR–222

Environment and Public Works
To hold hearings to examine the nominations of Richard Capka, of Pennsylvania, to be Administrator of the Federal Highway Administration, and James B. Gulliford, of Missouri, to be Assistant Administrator for Toxic Substances, and William Ludwig Wehrum, Jr., of Tennessee, to be an Assistant Administrator, both of the Environmental Protection Agency.
SD–628

Foreign Relations
To hold hearings to examine the Indian separation plan and the administration's related legislative proposal, relating to U.S.-India atomic energy cooperation.
SH–216

Indian Affairs
To hold hearings to examine the problem of methamphetamine in Indian country.
SR–485

10 a.m.
Health, Education, Labor, and Pensions
Bioterrorism and Public Health Preparedness Subcommittee
To hold hearings to examine all hazards medical response.
SD–430

Homeland Security and Governmental Affairs
To hold hearings to examine S. 2459, to improve cargo security.
SD–342

10:30 a.m.
Appropriations
Legislative Branch Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Sergeant at Arms and U.S. Capitol Police Board.
SD–138

2 p.m.
Appropriations
Commerce, Justice, Science and Related Agencies Subcommittee
To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Department of Justice.
SD–192

2:30 p.m.
Foreign Relations
European Affairs Subcommittee
To hold hearings to examine Islamist extremism in Europe.
SD–419

Homeland Security and Governmental Affairs
Federal Financial Management, Government Information, and International Security Subcommittee
To hold hearings to examine museums and Federal funding, focusing on the various avenues of Federal funding for museums including authorized programs, grantmaking agencies and earmarks.
SD–342

Energy and Natural Resources
Public Lands and Forests Subcommittee
To hold hearings to examine the 2005 wildfire season and the Federal land management agencies' preparations for the 2006 wildfire season.
SD–366

Intelligence
Closed business meeting to consider pending calendar business.
SH–219

3 p.m.
Armed Services
Readiness and Management Support Subcommittee
To hold hearings to examine improving contractor incentives in review of the defense authorization request for fiscal year 2007.
SR–222

APRIL 6

10 a.m.
Commerce, Science, and Transportation
National Ocean Policy Study Subcommittee
To hold hearings to examine offshore aquaculture, focusing on current proposals to regulate offshore aquaculture operations, discuss research in this field being conducted off the coasts of New England and Hawaii, and the impacts that expanded aquaculture operations would have on fishermen, seafood processors, and consumers.
SD–562

2:30 p.m.
Energy and Natural Resources
National Parks Subcommittee
To hold hearings to examine S. 1510, to designate as wilderness certain lands within the Rocky Mountain National Park in the State of Colorado, S. 1719 and H.R. 1492, bills to provide for the preservation of the historic confinement sites where Japanese Americans were detained during World War II, S. 1957, to authorize the Secretary of Interior to convey to The Missouri River

Basin Lewis and Clark Interpretive Trail and Visitor Center Foundation, Inc. certain Federal land associated with the Lewis and Clark National Historic Trail in Nebraska, to be used as an historical interpretive site along the trail, S. 2034 and H.R. 394, bills to direct the Secretary of the Interior to conduct a study to evaluate the significance of the Colonel James Barrett Farm in the Commonwealth of Massachusetts and assess the suitability and feasibility of including the farm in the National Park System as part of the Minute Man National Historical Park, S. 2252, to designate the National Museum of Wildlife Art, located at 2820 Rungius Road, Jackson, Wyoming, as the National Museum of Wildlife Art of the United States, and S. 2403, to authorize the Secretary of the Interior to include in the boundaries of the Grand Teton National Park land and interests in land of the GT Park Subdivision.

SD–366

Intelligence

To receive a closed briefing regarding certain intelligence matters.

SH–219

3:30 p.m.

Armed Services

Strategic Forces Subcommittee

To hold hearings to examine military space programs in review of the defense authorization request for fiscal year 2007.

SR–222

APRIL 26

10 a.m.

Commerce, Science, and Transportation

Technology, Innovation, and Competitiveness Subcommittee

To hold hearings to examine fostering innovation in math and science education.

Room to be announced

10:30 a.m.

Appropriations

Legislative Branch Subcommittee

To resume hearings to examine the progress of construction on the Capitol Visitor Center.

SD–138

MAY 3

10:30 a.m.

Appropriations

Legislative Branch Subcommittee

To hold hearings to examine proposed budget estimates for fiscal year 2007 for the Government Printing Office, Congressional Budget Office, and Office of Compliance.

SD–138

MAY 17

10 a.m.

Commerce, Science, and Transportation

Technology, Innovation, and Competitiveness Subcommittee

To hold hearings to examine accelerating the adoption of health information technology.

Room to be announced

MAY 24

10:30 a.m.

Appropriations

Legislative Branch Subcommittee

To resume hearings to examine the progress of construction on the Capitol Visitor Center.

SD–138

JUNE 14

10 a.m.

Commerce, Science, and Transportation

Technology, Innovation, and Competitiveness Subcommittee

To hold hearings to examine alternative energy technologies.

Room to be announced

CORRECTION

Daily Digest

HIGHLIGHTS

Senate passed S. 2349, Legislative Transparency and Accountability Act.

House Committees ordered reported 25 sundry measures, including the Concurrent Resolution on the Budget for Fiscal Year 2007.

Senate

Chamber Action

Routine Proceedings, pages S2483–S2546

Measures Introduced: Thirteen bills and three resolutions were introduced, as follows: S. 2468–2480 and S. Res. 412–414. **Pages S2533–34**

Measures Passed:

Legislative Transparency and Accountability Act: By 90 yeas to 8 nays (Vote No. 82), Senate continued consideration of S. 2349, to provide greater transparency in the legislative process, after taking action on the following amendment proposed thereto: **Pages S2490–S2511**

Adopted:

Dodd (for Obama/Coburn) Amendment No. 2930, to clarify that availability of legislation does not include nonbusiness days. **Page S2490**

Dodd (for Levin) Amendment No. 2960, to require electronic filing and establish a public database for lobbyists for foreign governments. **Page S2491**

Lott (for Cornyn) Modified Amendment No. 2961, to require lobbyists to distinguish whether clients are public or private entities. **Pages S2492, S2499**

Dodd (for Feingold) Amendment No. 2963, to remove lobbyists altogether from Member trips. **Page S2491**

Lott (for Sununu/McCain) Amendment No. 2970, to revise the time period for Internet availability in the provisions relating to earmarks and availability of conference reports from 24 hours to 48 hours. **Page S2492**

Dodd (for Byrd) Modified Amendment No. 3181, to clarify the termination date of the Commission. **Pages S2491, S2499**

Dodd (for Byrd) Amendment No. 3182, to clarify the subpoena powers of the Commission. **Page S2491**

Lott (for Collins) Amendment No. 2979, to clarify disclosure requirements. **Page S2499**

Lott Amendment No. 3184, of a technical nature. **Page S2499**

Lott Amendment No. 3185, to clarify that lobbying contacts for Congressional staff do not include seeking lobbying disclosure compliance information from the Clerk of the House of Representatives or the Secretary of the Senate. **Page S2499**

Lott Amendment No. 3186, of a technical nature. **Page S2499**

Lott (for Collins) Amendment No. 3187, of a technical nature. **Page S2499**

Lott (for Collins) Amendment No. 3188, of a technical nature. **Page S2499**

Rejected:

Feingold Amendment No. 2962, to clarify the application of the gift rule to lobbyists. (By 68 yeas to 30 nays (Vote No. 80), Senate tabled the amendment.) **Pages S2493, S2498**

Lott (for Ensign/McCain) Amendment No. 2980, to include Federal entities in the definition of earmarks. (By 57 yeas to 41 nays (Vote No. 81), Senate tabled the amendment.) **Pages S2491, S2507–09**

Withdrawn:

Lott (for Ensign/McCain) Amendment No. 2981, to clarify the treatment of out of scope matters in conference reports. **Pages S2506–07**

Lott (for Ensign/McCain) Amendment No. 2983, to permit a Senator to raise a single point of order that several provisions violate Section 102. **Pages S2492, S2509**

During consideration of this measure today, Senate also took the following action:

Chair sustained a point of order against the following amendments, as being in violation of rule XXII of the Standing Rules of the Senate, and the amendments thus fell:

Lott (for Inhofe) Amendment No. 2936, to provide a 1-year prohibition against lobbying for senior career staff of executive branch agencies.

Pages S2492–93

Lott (for Inhofe) Amendment No. 2937, to amend the Lobbying Disclosure Act of 1995 to extend coverage to all executive branch employees. **Page S2493**

Dodd (for Baucus) Amendment No. 2954, to prohibit Members from using 501(c)(3) organizations for personal or political gain. **Page S2493**

Dodd (for Obama/Coburn) Amendment No. 2965, to ban employment negotiations to become lobbyists by Members of Congress and required recusal for senior congressional staff while in office. **Page S2490**

Lott (for Inhofe) Amendment No. 2982, to provide criminal penalties for lobbying by exempt organizations. **Page S2493**

Lott (for Coburn/Obama) Amendment No. 3175, to require full disclosure of all entities and organizations receiving Federal funds. **Page S2492**

Dodd (for Obama) Amendment No. 2995, to expand the prohibition on lobbying in the year after leaving service to the Senate to include a prohibition on paid coordination activities. **Page S2491**

Military Recruiters: Committee on Armed Services was discharged from further consideration of S. Res. 385, expressing the gratitude and appreciation to the men and women of the Armed Forces who serve as military recruiters, commending their selfless service in recruiting young men and women to serve in the United States military, particularly in support of the global war on terrorism, and the resolution was then agreed to. **Page S2540**

Commending the Virginia Wesleyan College Marlins Men's Basketball Team: Senate agreed to S. Res. 413, commending the Virginia Wesleyan College Marlins men's basketball team for winning the 2006 National Collegiate Athletic Association Division III National Basketball Championship.

Pages S2540–41

Celebrating Country Music: Senate agreed to S. Res. 414, celebrating the musical and cultural heritage of country music and recognizing the ''Country: A Celebration of America's Music'' festival at the John F. Kennedy Center for the Performing Arts.

Page S2541

Financial Literacy Month: Senate agreed to S. Res. 410, designating April 2006 as ''Financial Literacy Month'', after agreeing to the following amendment proposed thereto: **Pages S2541–42**

Sessions (for Akaka) Amendment No. 3190, to amend the preamble. **Page S2541**

Prior to the above-listed action, Senate vitiated the March 28, 2006 adoption of S. Res. 410.

Page S2541

Securing America's Borders Act: Senate began consideration of S. 2454, to amend the Immigration and Nationality Act to provide for comprehensive reform. **Pages S2511–26**

A unanimous-consent agreement was reached providing for further consideration of the bill at approximately 10:30 a.m. on Thursday, March 30, 2006, and that the time until 12 noon be equally divided between the Majority Leader and the Democratic Leader, or their designees, for debate only; that at 12 noon, the Chairman of the Committee on the Judiciary be recognized to offer an amendment; and that the time until 5 p.m. be equally divided between the Majority Leader and the Democratic Leader, or their designees, for debate only. **Page S2543**

China Currency—Agreement: A unanimous-consent agreement was reached to amend the order of November 16, 2005, with respect to S. 295, to authorize appropriate action in the negotiations with the People's Republic of China regarding China's undervalued currency are not successful, providing that the Majority Leader, after consultation with the Democratic Leader, shall, no later than the September 29, 2006, or the last day of the second session of the 109th Congress, whichever is earlier, call up the bill; and that all other provisions of the order remaining constant. **Page S2543**

Nominations Confirmed: Senate confirmed the following nomination:

Randall L. Tobias, of Indiana, to be Administrator of the United States Agency for International Development. **Page S2546**

Nominations Discharged: The following nomination was discharged from further committee consideration and placed on the Executive Calendar:

Eric M. Thorson, of Virginia, to be Inspector General, Small Business Administration, which was sent to the Senate on June 28, 2005, from the Senate Committee on Homeland Security and Governmental Affairs. **Page S2546**

Messages From the House: **Pages S2531–32**

Measures Referred: **Page S2532**

Executive Communications: **Pages S2532–33**

Additional Cosponsors: **Pages S2534–35**

Statements on Introduced Bills/Resolutions: **Pages S2535–38**

Additional Statements: **Pages S2429–31**

Amendments Submitted: **Pages S2538–39**

Authorities for Committees to Meet: **Pages S2539–40**

Privileges of the Floor: **Page S2540**

Record Votes: Three record votes were taken today. (Total—82) **Pages S2498, S2509 S2511**

Adjournment: Senate convened at 9:30 a.m., and adjourned at 8:11 p.m., until 9:30 a.m., on Thursday, March 30, 2006. (For Senate's program, see the remarks of the Acting Majority Leader in today's Record on page S2543.)

Committee Meetings

(Committees not listed did not meet)

APPROPRIATIONS: DEPARTMENT OF DEFENSE (AIR FORCE)

Committee on Appropriations: Subcommittee on Defense concluded a hearing to examine proposed budget estimates for fiscal year 2007 for the Air Force, after receiving testimony from Michael W. Wynne, Secretary, and General T. Michael Moseley, Chief of Staff, both of the United States Air Force, Department of Defense.

APPROPRIATIONS: VA

Committee on Appropriations: Subcommittee on Military Construction and Veterans' Affairs, and Related Agencies concluded a hearing to examine proposed budget estimates for fiscal year 2007 for Department of Veterans Affairs, after receiving testimony from R. James Nicholson, Secretary, Jonathan B. Perlin, Under Secretary for Health, Daniel L. Cooper, Under Secretary for Benefits, and William F. Tuerk, Under Secretary for Memorial Affairs, all of the Department of Veterans Affairs.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Emerging Threats and Capabilities concluded a hearing to examine the proposed defense authorization request for fiscal year 2007 and the future years defense program, focusing on the U.S. nonproliferation strategy and the roles and missions of the Department of Defense and the Department of Energy in nonproliferation, after receiving testimony from Peter C.W. Flory, Assistant Secretary of Defense for International Security Policy; General James E. Cartwright, USMC, Commander, U.S. Strategic Command; and Jerald S. Paul, Deputy Secretary of Energy for Nuclear Security and Administrator, National Nuclear Security Administration.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Strategic Forces concluded a hearing to examine the proposed defense authorization request for fiscal year, focusing on the Global Strike Plans and Programs, after receiving testimony from Peter C.W. Flory, Assistant Secretary of Defense for International Security Policy; General James E. Cartwright, USMC, Commander, U.S. Strategic Command; Rear Admiral Charles B. Young, USN, Director, Strategic Systems Programs, Department of the Navy; and Major General Stanley Gorenc, USAF, Director, Operational Capability Requirements, Deputy Chief of Staff for Air and Space Operations, Headquarters, U.S. Air Force.

DEFENSE AUTHORIZATION

Committee on Armed Services: Subcommittee on Seapower concluded a hearing to examine the proposed defense authorization request for fiscal year 2007 and the future years defense program, focusing on the Navy/Marine Corps force structure and future capabilities, after receiving testimony from Vice Admiral Lewis W. Crenshaw, Jr., USN, Deputy Chief of Naval Operations for Resources, Requirements and Assessments; Lieutenant General Emerson N. Gardner., Jr., USMC, Deputy Commandant of the Marine Corps for Programs and Resources; Lieutenant General James N. Mattis, USMC, Deputy Commandant of the Marine Corps for Combat Development and Integration; and Rear Admiral Mark J. Edwards, USN, Director, Warfare Integration (N8F), Office of the Chief of Naval Operations.

EXPORT-IMPORT BANK REAUTHORIZATION

Committee on Banking, Housing, and Urban Affairs: Subcommittee on International Trade and Finance concluded a hearing to examine the reauthorization of the U.S. Export-Import Bank, focusing on ways to improve the Bank's economic impact procedures, after receiving testimony from James H. Lambright, Acting President and Chairman, Export-Import Bank of the United States; Steven R. Appleton, Micron Technology, Inc., Boise, Idaho; and Thomas M. Sneeringer, United States Steel Corporation, Pittsburgh, Pennsylvania.

BASIC RESEARCH IN COMPETITIVENESS

Committee on Commerce, Science, and Transportation: Subcommittee on Technology, Innovation, and Competitiveness concluded a hearing to examine the importance of basic research to United States' competitiveness, focusing on the importance and priority of Federally-funded basic research, after receiving testimony from John Marburger III, Director, Office of Science and Technology Policy; Arden L. Bement, Jr., Director, National Science Foundation; William Jeffrey, Director, National Institute of Standards and Technology, Technology Administration, Department of Commerce; Steven Knapp, Johns Hopkins University, Baltimore, Maryland; Leonard J. Pietrafesa, North Carolina State University, Raleigh,

on behalf of National Ocean and Atmospheric Administration Science Advisory Board; Philip J. Ritter, Texas Instruments, Inc., Dallas; and Adam Drobot, Telcordia Technologies, Inc., Piscataway, New Jersey.

LAND BILLS

Committee on Energy and Natural Resources: Subcommittee on Public Lands and Forests concluded a hearing to examine S. 1056, to direct the Secretary of the Interior to convey to the City of Henderson, Nevada, certain Federal land located in the City, S. 1832, to authorize the Secretary of the Interior to lease oil and gas resources underlying Fort Reno, Oklahoma, to establish the Fort Reno Management Fund, S. 2150, to direct the Secretary of the Interior to convey certain Bureau of Land Management Land to the City of Eugene, Oregon, S. 2373, to provide for the sale of approximately 132 acres of public land to the City of Green River, Wyoming, at fair market value, and H.R. 3507, to transfer certain land in Riverside County, California, and San Diego County, California, from the Bureau of Land Management to the United States to be held in trust for the Pechanga Band of Luiseno Mission Indians, after receiving testimony from Edward B. Knipling, Administrator, Agricultural Research Service, Department of Agriculture; and Lawrence E. Benna, Deputy Director, Bureau of Land Management, Department of the Interior.

CLEAN AIR

Committee on Environment and Public Works: Committee concluded a hearing to examine the impact of the elimination of methyl tertiary-butyl ether (MTBE) from gasoline, including regional imbalances in gasoline supply and demand and temporarily increased fuel prices, especially in the Mid-Atlantic and Northeast regions and Texas, after receiving testimony from Guy Caruso, Administrator, Energy Information Administration, Department of Energy; Robert J. Meyers, Associate Assistant Administrator, Office of Air and Radiation, Environmental Protection Agency; Bill Douglass, Douglass Distributing Company, Sherman, Texas, on behalf of the National Association of Convenience Stores and the Society of Independent Gasoline Marketers of America; and A. Blakeman Early, American Lung Association, and Bob Dinneen, Renewable Fuels Association, both of Washington, D.C.

U.S.-CHINA ECONOMIC RELATIONS

Committee on Finance: Committee held a hearing to examine U.S.-China economic relations revisited, focusing on U.S.-China trade relations entering a new phase in which greater accountability on China's part and greater enforcement on the Administration's part are needed, receiving testimony from Karan K. Bhatia, Deputy U.S. Trade Representative, Office of the U.S. Trade Representative; Timothy D. Adams, Under Secretary of the Treasury for International Affairs; Franklin L. Lavin, Under Secretary of Commerce for International Trade Administration; Joseph S. Papovich, Recording Industry Association of America, John Frisbie, U.S.-China Business Council, and C. Fred Bergsten, Institute for International Economics, all of Washington, D.C.; Robert D. Hormats, Goldman Sachs International, New York, New York; and Gary Joachim, American Soybean Association, Owatona, Minnesota.

Hearings recessed subject to the call.

INDIAN SEPARATION PLAN

Committee on Foreign Relations: Committee met in closed session to receive a briefing to examine United States-India atomic energy cooperation, focusing on the Indian separation plan and the Administration's related legislative proposal, S. 2429, to authorize the President to waive the application of certain requirements under the Atomic Energy Act of 1954 with respect to India, from R. Nicholas Burns, Under Secretary for Political Affairs, and Robert Joseph, Under Secretary for Arms Control and International Security, both of the Department of State.

U.S.-BURMA RELATIONS

Committee on Foreign Relations: Subcommittee on East Asian and Pacific Affairs concluded a hearing to examine United States-Burma relations, focusing on the current situation in Burma, Burma-India relations, and how Burma represents a new, non-traditional security threat to the region, after receiving testimony from Senator McConnell; Eric G. John, Deputy Assistant Secretary of State for Bureau of East Asian and Pacific Affairs; Michael J. Green, Center for Strategic and International Studies, Washington, D.C.; Sean Turnell, Macquarie University, Sydney, Australia; and Thin Thin Aung, Women's League of Burma, New Delhi, India.

NATION'S CAPITAL TERRORISM PREPAREDNESS

Committee on Homeland Security and Governmental Affairs: Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia concluded a hearing to examine the status of strategic planning and readiness in the National Capital Region, focusing on efforts to improve and refine coordination efforts and the NCR strategic plan and implementation, after receiving testimony from Thomas Lockwood, Director, National Capital Region Coordination, Department of

Homeland Security; William O. Jenkins, Jr., Director, Homeland Security and Justice Issues, Government Accountability Office; Edward D. Reiskin, Deputy Mayor for Public Safety and Justice, District of Columbia; Robert P. Crouch, Jr., Assistant to the Governor of Virginia for Commonwealth Preparedness, Richmond; and Dennis R. Schrader, Director, Maryland Governor's Office of Homeland Security, Annapolis.

BUSINESS MEETING

Committee on Indian Affairs: Committee ordered favorably reported the following bills:

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, with an amendment in the nature of a substitute;

S. 1899, to amend the Indian Child Protection and Family Violence Prevention Act to identify and remove barriers to reducing child abuse, to provide for examinations of certain children, with an amendment in the nature of a substitute;

S. 2245, to establish an Indian youth telemental health demonstration project; and

S. 1773, to resolve certain Native American claims in New Mexico, with an amendment.

NOMINATIONS

Committee on the Judiciary: Committee concluded a hearing to examine the nominations of Brian M. Cogan, to be United States District Judge for the Eastern District of New York, who was introduced by Senator Schumer, Michael Ryan Barrett, to be United States District Judge for the Southern District of Ohio, who was introduced by Senators DeWine and Voinovich, and Thomas M. Golden, to be United States District Judge for the Eastern District of Pennsylvania, who was introduced by Senator Santorum, after the nominees testified and answered questions in their own behalf.

REGULATION OF VIDEO GAMES

Committee on the Judiciary: Subcommittee on the Constitution, Civil Rights, and Property Rights concluded a hearing to examine state regulation of violent video games and the first amendment, after receiving testimony from Minnesota Representative Jeff Johnson, Minnesota House of Representatives, St. Paul; Elizabeth K. Carll, American Psychological Association, Long Island, New York; Dmitri Williams, University of Illinois at Urbana-Champaign Department of Speech Communication; David S. Bickham, Children's Hospital Boston and Harvard Medical School Center on Media and Child Health, Boston, Massachusetts; Patricia E. Vance, Entertainment Software Rating Board, New York, New York; Paul M. Smith, Jenner and Block LLP, Washington, D.C.; Kevin W. Saunders, Michigan State University College of Law, East Lansing; and Steve Strickland, Fayette, Alabama.

INTELLIGENCE

Select Committee on Intelligence: Committee met in closed session to receive a briefing on certain intelligence matters from officials of the intelligence community.

INVESTMENT FRAUD

Special Committee on Aging: Committee concluded a hearing to examine how seniors can stop investment fraud, focusing on the Investor Education Program of the U.S. Securities and Exchange Commission, after receiving testimony from Susan Ferris Wyderko, Director, Office of Investor Education and Assistance, Acting Director, Division of Investment Management, U.S. Securities and Exchange Commission; Patricia D. Struck, North American Securities Administrators Association, Inc., Madison, Wisconsin; Elisse B. Walter, National Association of Securities Dealers (NASD), Washington, D.C.; Barry Minkow, Fraud Discovery Institute, San Diego, California; and Ruth Mitchell, Columbiana, Ohio.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 14 public bills, H.R. 5036–5049; and 8 resolutions, H. Con. Res. 366–370; and H. Res. 743–745 were introduced. **Pages H1319–20**

Additional Cosponsors: **Pages H1320–21**

Reports Filed: Reports were filed today as follows:

H.R. 3127, to impose sanctions against individuals responsible for genocide, war crimes, and crimes against humanity, to support measures for the protection of civilians and humanitarian operations, and to support peace efforts in the Darfur region of Sudan, with an amendment (H. Rept. 109–392, Pt. 2); and

H. Res. 742, providing for further consideration of the bill (H.R. 609) to amend and extend the Higher Education Access Act of 1965 (H. Rept. 109–401). **Page H1319**

Speaker: Read a letter from the Speaker wherein he appointed Representative Issa to act as Speaker pro tempore for today. **Page H1199**

Chaplain: The prayer was offered by the guest Chaplain, Dr. John W. Coker, Jr., Pastor, First Presbyterian Church, Fayetteville, North Carolina. **Page H1199**

Agreed by unanimous consent that, during consideration of H.R. 609 in the Committee of the Whole and pursuant to H. Res. 741, the following amendments may be offered out of the specified order: Nos. 9, 12, 14, and 15. **Page H1211**

College Access and Opportunity Act of 2005: The House completed general debate and began considering amendments to H.R. 609, to amend and extend the Higher Education Act of 1965. Further proceedings will continue tomorrow, March 30th. **Pages H1204–81, H1289–92**

Pursuant to the rule, that in lieu of the amendment recommended by the Committee on Education and the Workforce now printed in the bill, the amendment in the nature of a substitute consisting of the text of the Rules Committee Print dated March 22, 2006 shall be considered as an original bill for the purpose of amendment and shall be considered as read. **Pages H1222–59**

Agreed to:

McKeon amendment (No. 1 printed in H. Rept. 109–399) that makes many technical changes that will reword certain phrases or make changes to ensure that the bill conforms to language currently included in the Higher Education Act. In addition, the Manager's Amendment updates all the reauthorization years to begin in fiscal year 2007 (and authorizes for the 5 succeeding years); **Pages H1259–64**

Fossella amendment (No. 9 printed in H. Rept. 109–399) which directs the Department of Education to make a matching grant program to eligible universities for the professional installation of fire alarm detection systems and other fire prevention technologies. This applies to student housing, dormitories, and other buildings controlled by such entities; **Pages H1264–65**

Porter amendment (No. 12 printed in H. Rept. 109–399) which expands loan relief in areas of national need to include qualified public service employees; **Pages H1265–66**

Wilson of New Mexico amendment (No. 14 printed in H. Rept. 109–399) that provides authority for Mathematics and Science Education Coordinating Councils to support regional workshops designed to permit educators, administrators responsible for professional development and curriculum development, and faculty of teacher preparation programs to share successful research-based strategies for improving student achievement in mathematics and science instruction in elementary and secondary schools; **Pages H1266–67**

Blumenauer amendment (No. 2 printed in H. Rept. 109–399) which directs the Secretary of Education, representatives of Federal Agencies, businesses, and industry leaders to focus on establishing administrative and educational sustainability programs, share innovative ideas, and explore funding opportunities and partnerships; **Pages H1267–68**

Boustany amendment (No. 4 printed in H. Rept. 109–399) that requires a study by GAO to evaluate and determine reasons for the decline in the number of medical school graduates entering residency programs lasting more than 5 years; **Pages H1273–74**

Boustany amendment (No. 5 printed in H. Rept. 109–399) which amends Sec. 421 (Loan Forgiveness for Service in Areas of National Need) to include medical specialists with a residency program of more than 5 years and in medical specialties that have shortages; **Pages H1274–75**

Castle amendment (No. 6 printed in H. Rept. 109–399) that authorizes funding to recruit, select, train, and support a national corps of outstanding recent college graduates of all academic majors who commit to teach in low-income communities (an example of a national teacher corps eligible for this funding is Teach for America); **Pages H1275–77**

Cuellar amendment (No. 7 printed in H. Rept. 109–399) which ensures that student financial aid programs are in compliance with the Paperwork Reduction Act of 1965; **Pages H1277–78**

Cuellar amendment (No. 8 printed in H. Rept. 109–399) which ensures that students in certification programs are eligible to receive Pell grants; **Page H1278**

Hart amendment (No. 10 printed in H. Rept. 109–399) that establishes and operates pregnant and parenting student services offices to assist students in locating and utilizing child care, family housing, flexible academic scheduling such as telecommuting programs and parenting classes and programs, and postpartum counseling and support groups; **Pages H1278–79**

Musgrave amendment (No. 11 printed in H. Rept. 109–399) which includes all home schooled children as eligible applicants for the Robert C. Byrd Honors Scholarship Program; **Pages H1279–80**

Sessions amendment (No. 13 printed in H. Rept. 109–399) that allows students with intellectual disabilities (mental retardation) access to Federal work-study funds for enrollment in comprehensive post-

secondary education programs that improve students' academic and personal skills, independence, and employability. Currently, approximately 94 higher education institutions nationwide offer programs for students with intellectual disabilities. However, these students are not able to access Federal work-study funds due to disqualifying factors such as the absence of a high school diploma or enrollment in non-degree education programs. Federal work-study funds to these students would be dispersed from current work-study resources and implemented at the discretion of higher education institutions; and

Pages H1280–81

McMorris amendment (No. 15 printed in H. Rept. 109–399) that adds uses of funds to Title II (Teacher Quality Enhancement Grants) to increase the number of teachers qualified to teach Advanced Placement (AP) courses; Adds uses of funds to the current law Robert C. Byrd Honors Scholarship Program to authorize adjunct teacher opportunities and critical foreign language activities (by a recorded vote of 293 ayes to 134 noes, Roll No. 71).

Pages H1268–72, H1289

Rejected:

Burton of Indiana amendment (No. 3 printed in H. Rept. 109–399) which sought to amend the Higher Education Act of 1965 to require colleges and universities, if receiving funds under Title VI International Education Programs of that Act, to disclose contributions and gifts under the Integrated Postsecondary Education Data System, a publicly available and searchable database (by a recorded vote of 106 ayes to 306 noes, Roll No. 72).

Pages H1272–73, H1290–91

H. Res. 741, the rule providing for consideration of the bill was agreed to by a yea-and-nay vote of 225 yeas to 198 nays, Roll No. 70, after agreeing to the previous question without objection.

Pages H1204–10

Suspensions: The House agreed to suspend the rules and pass the following measure:

Expressing the sense of the House of Representatives that legal action in Afghanistan against citizens who have already converted or plan to convert to other religions is deplorable and unjust: H. Res. 736, to express the sense of the House of Representatives that legal action in Afghanistan against citizens who have already converted or plan to convert to other religions is deplorable and unjust, by a yea-and-nay vote of 427 yeas with none voting "nay", Roll No. 73. **Pages H1281–83, H1291**

Tax Relief Extension Reconciliation Act of 2005—Motion to Instruct Conferees: The House rejected the Rangel motion to instruct conferees on H.R. 4297, to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006, by a yea-and-nay vote of 192 yeas to 229 nays, Roll No. 74, after the previous question was ordered without objection.

Pages H1283–89, H1291–92

Recess: The House recessed at 4:07 p.m. and reconvened at 5:45 p.m. **Page H1289**

Committee Appointment: The Chair announced the Speaker's appointment of the following Member of the House to the Permanent Select Committee on Intelligence: Representative Issa. **Page H1292**

Board of Trustees of the American Folklife Center in the Library of Congress—appointment: The Chair announced the Speaker's reappointment of Mr. William L. Kinney of South Carolina, to the Board of Trustees of the American Folklife Center in the Library of Congress on the part of the House for a term of 6 years, effective April 1, 2006. **Page H1292**

Senate Message: Message received from the Senate by the Clerk and subsequently presented to the House today appears on page H1210.

Quorum Calls—Votes: Three yea-and-nay votes and two recorded votes developed during the proceedings of today and appear on pages H1210, H1289–90, H1291 and H1291–92. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at 10:43 p.m.

Committee Meetings

AGRICULTURE, RURAL DEVELOPMENT, FDA, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies held a hearing on Natural Resources and Environment. Testimony was heard from the following officials of the USDA: Mark E. Rey, Under Secretary, Natural Resources and Environment; Bruce I. Knight, Chief, and Steven A. Probst, Director, Budget Planning and Analysis Division, both with Natural Resources Conservation Service; and W. Scott Steele, Budget Officer.

DEFENSE APPROPRIATIONS

Committee on Appropriations: Subcommittee on Defense met in executive session to hold a hearing on National Foreign Intelligence Program. Testimony was heard from John D. Negroponte, Director, Office of the Director of National Intelligence.

DEPARTMENT OF LABOR, HHS, EDUCATION, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Department of Labor, Health and Human Services, Education, and Related Agencies continued appropriation hearings. Testimony was heard from public witnesses.

Hearings continue tomorrow.

DEPARTMENTS OF TRANSPORTATION, TREASURY, AND HUD, THE JUDICIARY, DISTRICT OF COLUMBIA, AND INDEPENDENT AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies held a hearing on IRS and on DC, Courts and Criminal Justice. Testimony was heard from Mark W. Everson, Commissioner, IRS, Department of the Treasury; the following officials of the District of Columbia Courts and Criminal Justice: Avis E. Buchanan, Public Defender Service; Rufus G. King III, Chief Judge, Superior Court of the District of Columbia; Paul A. Quander, Jr., Court Services and Offender Supervision Agency; and Eric T. Washington, Chief Judge, District of Columbia Court of Appeals, and Chair of the Joint Committee on Judicial Administration.

ENERGY AND WATER DEVELOPMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Energy and Water Development, and Related Agencies held a hearing on DOE, Science Research. Testimony was heard from Raymond L. Orbach, Director, Science, Department of Energy.

FOREIGN OPERATIONS, EXPORT FINANCING, AND RELATED PROGRAMS APPROPRIATIONS

Committee on Appropriations: Subcommittee on Foreign Operations, Export Financing, and Related Programs held a hearing on Millennium Challenge Corporation. Testimony was heard from Ambassador John J. Danilovich, Chief Operating Officer, Millennium Challenge Corporation.

HOMELAND SECURITY APPROPRIATIONS

Committee on Appropriations: Subcommittee on Homeland Security held a hearing on FEMA. Testimony was heard from R. David Paulison, Acting Director, FEMA, Department of Homeland Security.

INTERIOR, ENVIRONMENT, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Interior, Environment, and Related Agencies held a hearing on Smithsonian, on National Endowment for the Humanities, and on National Endowment for the Arts. Testimony was heard from the following officials of the Smithsonian: Sheila P. Burke, Deputy Secretary and Chief Operating Officer; David L. Evans, Under Secretary, Science; and M. John Berry, Director, National Zoological Park; Bruce Cole, Chairman, National Endowment for the Humanities; and Dana Gioia, Chairman, National Endowment for the Arts.

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 Army Budget. Testimony was heard from GEN Peter T. Schoomaker, USA, Chief of Staff, U.S. Army.

The Subcommittee also held a hearing on VA/DHP Information Technology. Testimony was heard from Robert N. McFarland, Assistant Secretary, Information Technology, Department of Veterans Affairs; and Carl Hendricks, Chief Information Officer, Military Health System, Department of Defense.

SCIENCE, THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, AND RELATED AGENCIES APPROPRIATIONS

Committee on Appropriations: Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies held a hearing on Marshals/Prisons. Testimony was heard from the following officials of the Department of Justice: John F. Clark, Director, U.S. Marshals Services; and Harley G. Lappin, Director, Federal Bureau of Prisons.

DEFENSE ACQUISITION REFORM

Committee on Armed Services: Held a hearing on issues relating to defense acquisition reform. Testimony was heard from Terry R. Little, Acquisition Advisor to the Director, Missile Defense Agency, Department of Defense; and public witnesses.

DEFENSE HEALTH PROGRAM

Committee on Armed Services: Subcommittee on Military Personnel held a hearing on the Defense Health Program—Department of Defense Initiatives to Control Costs. Testimony was heard from the following officials of the Department of Defense: David S.C. Chu, Under Secretary, Personnel and Readiness; William Winkenwerder, Jr., M.D., Assistant Secretary, Health Affairs; GEN Richard Cody, USA, Vice Chief

of Staff, Department of the Army; ADM Robert F. Willard, USN, Vice Chief of Naval Operations, Department of the Navy; GEN John D.W. Corley, USAF, Vice Chief of Staff, Department of the Air Force; GEN Robert Magnus, USMC, Assistant Commandant, U.S. Marine Corps; and public witnesses.

DEFENSE SCIENCE AND TECHNOLOGY

Committee on Armed Services: Subcommittee on Terrorism, Unconventional Threats and Capabilities held a hearing on Defense Science and Technology: Investments To Shape the Evolving Terrorist Threat. Testimony was heard from the following officials of the Department of Defense: Terry J. Jaggers, Deputy Assistant Secretary, Air Force for Science, Technology and Engineering, Department of the Air Force; Thomas Killion, Deputy Assistant Secretary, Research and Technology/Chief Scientist, Department of the Army; RADM William E. Landay III, USN, Chief of Naval Research, U.S. Navy; John Young, Director, Defense Research and Engineering; and Anthony J. Tether, Director, Defense Advance Research and Projects Agency.

CONCURRENT RESOLUTION ON THE BUDGET FOR FISCAL YEAR 2007

Committee on the Budget: Ordered reported a resolution establishing the congressional budget for the United States Government for fiscal year 2007 and setting forth appropriate budgetary levels for fiscal years 2008 through 2011.

MISCELLANEOUS MEASURES

Committee on Energy and Commerce: Ordered reported the following measures: H.R. 4127, amended, Data Accountability and Trust Act (DATA); and H. Con. Res. 357, Supporting the goals and ideals of National Cystic Fibrosis Awareness Month.

DIGITAL CONTENT AND ENABLING TECHNOLOGY

Committee on Energy and Commerce: Subcommittee on Commerce, Trade, and Consumer Protection held a hearing entitled ''Digital Content and Enabling Technology: Satisfying the 21st Century Consumer.'' Testimony was heard from public witnesses.

PUBLIC REPORTING OF HOSPITAL-ACQUIRED INFECTION RATES

Committee on Energy and Commerce: Subcommittee on Oversight and Investigations held a hearing entitled ''Public Reporting of Hospital-Acquired Infection Rates: Empowering Consumers, Saving Lives.'' Testimony was heard from Denise Cardo, M.D., Chief, Division of Healthcare Quality Promotion, Centers for Disease Control and Prevention, Department of Health and Human Services; and public witnesses.

FINANCIAL REPORTING TRANSPARENCY

Committee on Financial Services: Subcommittee on Capital Markets, Insurance, and Government Sponsored Enterprises held a hearing entitled ''Fostering Accuracy and Transparency in Financial Reporting.'' Testimony was heard from Scott Taub, Acting Chief Accountant, SEC; and public witnesses.

HOMELAND SECURITY DEPARTMENT INFORMATION

Committee on Government Reform: Subcommittee on Government Management, Finance and Accountability and the Subcommittee on Management, Integration, and Oversight of the Committee on Homeland Security held a joint hearing entitled ''Department of Homeland Security Information Technology Challenges and the Future of eMerge.'' Testimony was heard from the following officials of the Department of Homeland Security: Eugene Schied, Acting Chief Financial Officer; and Scott Charbo, Chief Information Officer; and the following officials of the GAO: McCoy Williams, Director, Financial Management and Assurance; and Randy Hite, Director, Information Technology Architecture and Systems.

REORGANIZE DIRECTORATE FOR INFORMATION ANALYSIS AND INFRASTRUCTURE PROTECTION

Committee on Homeland Security: Subcommittee on Intelligence, Information-Sharing, and Terrorism Risk Assessment approved for full Committee action a measure To reorganize the Directorate for Information Analysis and Infrastructure Protection of the Department of Homeland Security, to facilitate homeland security information-sharing.

VIETNAM HUMAN RIGHTS

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations and the Subcommittee on Asia and the Pacific held a joint hearing on The Human Rights Dialogue With Vietnam: Is Vietnam Making Significant Progress? Testimony was heard from the following officials of the Department of State: Barry F. Lowenkron, Assistant Secretary, Bureau of Democracy, Human Rights and Labor; John V. Hanford III, Ambassador-at-Large, Office of International Religious Freedom; and Eric John, Deputy Assistant Secretary, Bureau of East Asian and Pacific Affairs; and public witnesses.

OFFSHORE BANKING

Committee on International Relations: Subcommittee on Oversight and Investigations held a hearing on Offshore Banking, Corruption, and the War on Terrorism. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on the Judiciary: Ordered reported H.R. 3049, Asian Carp Prevention and Control Act.

The Committee began markup of H.R. 3509, Workplace Goods Job Growth and Competitiveness Act of 2005.

OVERSIGHT—SMALL COPYRIGHT CLAIMS

Committee on the Judiciary: Subcommittee on Courts, the Internet, and Intellectual Property held an oversight hearing on Remedies for Small Copyright Claims. Testimony was heard from public witnesses.

MISCELLANEOUS MEASURES

Committee on Resources: Ordered reported the following measures: H.R. 4200, amended, Forest Emergency Recovery and Research Act: H.J. Res. 78, Approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower; H.R. 122, amended, Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project; H.R. 413, amended, Bleeding Kansas National Heritage Area Act; H.R. 518, amended, Neotropical Migratory Bird Conservation Improvement Act of 2005; H.R. 2563, amended, To authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages with the Snake, Boise, and Payette River systems in Idaho; H.R. 3418, amended, Central Texas Water Recycling Act of 2005; H.R. 3462, amended, To provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah; H.R. 3682, To redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge; H.R. 3967, Pactola Reservoir Reallocation Authorization Act of 2005; H.R. 4013, To amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for conjunctive use of surface and groundwater in Juab County, Utah; H.R. 4080, Glendo Unit of the Missouri River Basin Project Contract Extension Act of 2005; H.R. 4084, To amend the Forest Service use and occupancy permit program to restore the authority of the Secretary of Agriculture to utilize the special use permit fees collected by the Secretary in connection with the establishment and operation of marinas in units of the National Forest System derived from the public domain; H.R. 4204, American River Pump Station Project Transfer Act of 2005; H.R. 4686, amended, Multi-State and International Fisheries Conservation and Management Act of 2006; S. 584, Betty Dick Residence Protection Act; S. 1165, James Campbell National Wildlife Refuge Expansion Act of 2005; S. 1869, Coastal Barrier Resources Reauthorization Act of 2005; H.R. 374, amended, to direct the Secretary of the Interior to take certain tribally-owned reservation land into trust for the Puyallup Tribe; H.R. 1307, Musconetcong Wild and Scenic Rivers Act; and H.R. 2978, To allow the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation to enter into a lease or other temporary conveyance of water rights recognized under the Fort Peck-Montana Compact for the purpose of meeting the water needs of the Dry Prairie Water Association, Incorporated.

TRIBAL DEVELOPMENT CORPORATION FEASIBILITY STUDY ACT OF 2005

Committee on Resources: Held a hearing on H.R. 3350, Tribal Development Corporation Feasibility Study Act of 2005. Testimony was heard from public witnesses.

COLLEGE ACCESS AND OPPORTUNITY ACT

Committee on Rules: Granted, by voice vote, a structured rule on H.R. 609, College Access and Opportunity Act, providing for further consideration of the bill. The rule provides that no further general debate is in order. The rule makes in order only those amendments printed in the Rules Committee report accompanying this resolution. The rule provides that the amendments printed in the report accompanying this resolution 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.

WORKFORCE GLOBALIZATION FINAL DRAFT REPORT

Committee on Science: Began markup of H. Res. 717, Directing the Secretary of Commerce to transmit to the House of Representatives a copy of a workforce globalization final draft report produced by the Technology Administration.

AIR TRAFFIC CONTROL FUTURE

Committee on Science: Subcommittee on Space and Aeronautics held a hearing on the Future of Air Traffic Control: The R&D Agenda. Testimony was heard from the following officials of the Department of Transportation: Jeffrey Shane, Under Secretary, Policy; Bob Pearce, Acting Director, Joint Planning and

Development Office, FAA; and David Dobbs, Assistant Inspector General, Aviation and Special Projects; Lisa Porter, Associate Administrator, NASA; Gerald Dillingham, Director, Civil Aviation Issues, GAO; and a public witness.

UNMANNED AERIAL VEHICLES

Committee on Transportation and Infrastructure: Subcommittee on Aviation held an oversight hearing on Unmanned Aerial Vehicles (UAVs) and the National Airspace System. Testimony was heard from Nicholas Sabatini, Associate Administrator, Aviation Safety, FAA, Department of Transportation; Michael Kostelnik, Assistant Commissioner, Customs and Border Protection, Office of Air and Marine, Department of Homeland Security; the following officials of the Department of Defense: Gerald F. Pease, Jr., Executive Director, Policy Board on Federal Aviation; and Dyke D. Weatherington, Deputy, Unmanned Aerial Systems Planning Task Force, Office of the Under Secretary, Acquisitions, Technology and Logistics Defense Systems-Air Warfare; and public witnesses.

OVERSIGHT—TRANSIT/BUS SECURITY

Committee on Transportation and Infrastructure: Subcommittee on Highways, Transit and Pipelines held an oversight hearing on Transit & Over-The-Road Bus Security. Testimony was heard from Sandra K. Bushue, Deputy Administrator, Federal Transit Administration, Department of Transportation; Tracy A. Henke, Assistant Secretary, Office of Grants and Training, Department of Homeland Security; JayEtta Z. Hecker, Director, Physical Infrastructure Team, GAO; and public witnesses.

OVERSIGHT—IMPROVE QUALITY CARE FOR OUR NATION's VETERANS

Committee on Veterans' Affairs: Held an oversight hearing on improving and enhancing access to quality care for our nation's veterans through VISN-wide care coordination demonstrations (Project HERO). Testimony was heard from Representative Osborne; BG Michael J. Kussman, M.D., (ret.), Deputy Under Secretary, Health, Department of Veterans Affairs; and representatives of veterans organizations.

COMMITTEE MEETINGS FOR THURSDAY, MARCH 30, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Interior and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the Department of the Interior, 9:30 a.m., SD–124.

Subcommittee on Energy and Water, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the Department of Energy's Supply and Conservation account, Electricity Delivery and Energy Reliability account, Office of Nuclear Energy, Office of Civilian Radioactive Waste Management, Office of Environmental Management, Office of Fossil Energy Research and Development, and Office of Science, 10 a.m., SD–138.

Subcommittee on Agriculture, Rural Development, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2007 for programs under its jurisdiction, 10 a.m., SD–192.

Subcommittee on District of Columbia, to hold hearings to examine the potential effects of a flat Federal income tax in the District of Columbia, 1:30 p.m., SD–138.

Committee on Armed Services: Subcommittee on Personnel, to hold hearings to examine reserve component personnel policies in review of the defense authorization request for fiscal year 2007, 2 p.m., SD–106.

Committee on Banking, Housing, and Urban Affairs: Business meeting to consider Foreign Investment and National Security Act of 2006, 10 a.m., SD–538.

Subcommittee on Housing and Transportation, to hold hearings to examine S. 1801, to amend the McKinney-Vento Homeless Assistance Act to reauthorize the Act, and provide for consolidation of HUD's homeless programs, and related proposals, 2:30 p.m., SD–538.

Committee on Commerce, Science, and Transportation: Business meeting to consider pending calendar business, 10 a.m., SD–562.

Subcommittee on Disaster Prevention and Prediction, to hold an oversight hearing to examine National Polar-Orbiting Operational Environmental Satellite System, 11 a.m., SD–562.

Full Committee, to hold hearings to examine competition and convergence, 2:30 p.m., SH–216.

Committee on Energy and Natural Resources: Subcommittee on Water and Power, to hold hearings to examine S. 1577, to facilitate the transfer of Spearfish Hydroelectric Plant Number 1 to the city of Spearfish, South Dakota, S. 1962 and H.R. 4000, bills to authorize the Secretary of the Interior to revise certain repayment contracts with the Bostwick Irrigation District in Nebraska, the Kansas Bostwick Irrigation District No. 2, the Frenchman-Cambridge Irrigation District, and the Webster Irrigation District No. 4, all a part of the Pick-Sloan Missouri Basin Program, S. 2028, to provide for the reinstatement of a license for a certain Federal Energy Regulatory Commission project, S. 2035, to extend the time required for construction of a hydroelectric project in the State of Idaho, S. 2054, to direct the Secretary of the Interior to conduct a study of water resources in the State of Vermont, S. 2205, to direct the Secretary of the Interior to convey certain parcels of land acquired for the Blunt Reservoir and Pierre Canal features of the initial stage of the Oahe Unit, James Division, South Dakota, to the Commission of Schools and Public Lands and the Department of Game, Fish, and Parks of the State of South Dakota for the purpose of mitigating lost wildlife habitat, on the condition that the current preferential leaseholders

shall have an option to purchase the parcels from the Commission, and H.R. 3812, to authorize the Secretary of the Interior to prepare a feasibility study with respect to the Mokelumne River, 2:30 p.m., SD–366.

Committee on Foreign Relations: To hold hearings to examine the hidden cost of oil, 9:30 a.m., SD–419.

Committee on Homeland Security and Governmental Affairs: Permanent Subcommittee on Investigations, to resume hearings to examine securing the global supply chain relating to neutralizing the nuclear and radiological threat, focusing on programs that form the defense against nuclear terrorism including the Container Security Initiative, the Megaports Initiative, the Customs-Trade Partnership Against Terrorism, and the role of the Domestic Nuclear Detection Office, a new office created within DHS to coordinate global nuclear detection architecture, 10 a.m., SD–342.

Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia, to hold hearings to examine the Federal government's implementation of veterans' preference in the hiring of employees, including an evaluation of the laws designed to protect and promote the employment of veterans, the impact workforce flexibilities had on veterans, and how are veterans' redress mechanisms are working, 2:30 p.m., SD–342.

Committee on the Judiciary: Business meeting to consider the nominations of Norman Randy Smith, of Idaho, to be United States Circuit Judge for the Ninth Circuit, Michael A. Chagares, of New Jersey, to be United States Circuit Judge for the Third Circuit, Patrick Joseph Schiltz, to be United States District Judge for the District of Minnesota, Gray Hampton Miller, to be United States District Judge for the Southern District of Texas, and Steven G. Bradbury, of Maryland, to be Assistant Attorney General for the Office of Legal Counsel, Sharee M. Freeman, of Virginia, to be Director, Community Relations Service, and Jeffrey L. Sedgwick, of Massachusetts, to be Director of the Bureau of Justice Statistics, all of the Department of Justice, 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, S. 2453, to establish procedures for the review of electronic surveillance programs, S. 2455, to provide in statute for the conduct of electronic surveillance of suspected terrorists for the purposes of protecting the American people, the Nation, and its interests from terrorist attacks while ensuring that the civil liberties of United States citizens are safeguarded, S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage, and S. Res. 398, relating to the censure of George W. Bush, 9:30 a.m., SD–226.

Committee on Veterans' Affairs: To hold hearings to examine the legislative presentations of the National Association of State Directors of Veterans Affairs, the AMVETS, the American Ex-Prisoners of War, and the Vietnam Veterans of America, 10 a.m., SD–106.

Select Committee on Intelligence: To hold closed hearings to examine certain intelligence matters, 2:30 p.m., SH–219.

House

Committee on Agriculture, Subcommittee on Conservation, Credit, Rural Development, and Research, hearing to review the Rural Development Programs, 10 a.m., 1300 Longworth.

Committee on Appropriations, Subcommittee on Agriculture, Rural Development, Food and Drug Administration, and Related Agencies, on Research, Education, and Economics, 9:30 a.m., and on Avian Influenza, 1:30 p.m., 2362A Rayburn.

Subcommittee on Defense, executive, on Navy/MC Budget/Acquisition, 10 a.m., 2359 Rayburn.

Subcommittee on Department of Labor, Health and Human Services, Education, and Related Agencies, on public witnesses, 10 a.m., and 2 p.m., 2358 Rayburn.

Subcommittee on the Departments of Transportation, Treasury, and Housing and Urban Development, the Judiciary, District of Columbia, and Independent Agencies, on OMB, 10 a.m., 2358 Rayburn.

Subcommittee on Energy and Water Development, and Related Agencies, on DOE, National Nuclear Security Administration, 10 a.m., 2362B Rayburn.

Subcommittee on Homeland Security, on Preparedness, 2 p.m., 2359 Rayburn.

Subcommittee on Interior, Environment, and Related Agencies, on Native American Issues (public witnesses), 10 a.m., and 2 p.m., B–308 Rayburn.

Subcommittee on Science, the Departments of State, Justice, and Commerce, and Related Agencies, on NASA, 10 a.m., and on FTC, 2 p.m., H–309 Capitol.

Committee on Armed Services, Subcommittee on Projection Forces, hearing on the Department of the Navy's Fiscal Year 2007 shipbuilding acquisition strategy and how it supports the Navy's long-range fleet plan, 4 p.m., 2212 Rayburn.

Subcommittee on Readiness and the Subcommittee on Tactical Air and Land Forces, joint hearing on Army and Marine Corps reset strategies for ground equipment and rotorcraft, 1 p.m., 2118 Rayburn.

Committee on Energy and Commerce, Subcommittee on Telecommunications and the Internet, hearing on the Communications Opportunity, Promotion, and Enhancement Act of 2006, 10 a.m., 2123 Rayburn.

Committee on Financial Services, oversight hearing of the Department of Housing and Urban Development, including the Department's budget request for fiscal year 2007, 9 a.m., 2128 Rayburn.

Committee on Government Reform, to consider the following measures: H.R. 4368, To designate the facility of the United States Postal Service located at 60 Calle McKinley, West in Mayaguez, Puerto Rico, as the "Miguel Angel Garcia Mendez Post Office Building;" H.R. 4561, top designate the facility of the United States Postal Service located at 8624 Ferguson Road in Dallas, Texas, as the "Francisco 'Pancho' Medrano Post Office

Building;'' H.R. 4586, Benjamin Franklin Tercentenary Commission Act of 2005; H.R. 4646, To designate the facility of the United States Postal Service located at 7320 Reseda Boulevard in Harrison, Arkansas, as the ''John Paul Hammerschmidt Post Office Building;'' H.R. 4995, To designate the facility of the United States Postal Service located at 7 Columbus Avenue in Tuckahoe, New York, as the ''Ronald Bucca Post Office;'' H.R. 518, Honoring professional surveyors and recognizing their contributions to society; and a measure to support the goals and ideals of Financial Literacy Month; followed by a hearing entitled ''The Need To Know: Information-Sharing Lessons for Disaster Response,'' 10 a.m., 2154 Rayburn.

Committee on Homeland Security, executive, briefing on the Transportation Security Administration airline passenger prescreening watchlist, 2 p.m., H2–176 Ford.

Subcommittee on Economic Security, Infrastructure Protection, and Cybersecurity, to mark up H.R. 4954, SAFE Port Act, 10 a.m., 311 Cannon.

Committee on International Relations, Subcommittee on International Terrorism and Nonproliferation, hearing on The Terrorist Threat From Shoulder-Fired Missiles, 2:30 p.m., 2200 Rayburn.

Subcommittee on the Western Hemisphere, hearing on Counternarcotics Strategies in Latin America, 10:30 a.m., 2172 Rayburn.

Committee on the Judiciary, Subcommittee on Commercial and Administrative Law, oversight hearing on the 10th anniversary of the Congressional Review Act, 2 p.m., 2141 Rayburn.

Subcommittee on Crime, Terrorism, and Homeland Security, hearing on H.R. 5040, Death Penalty Reform Act of 2006, 11:30 a.m., 2141 Rayburn.

Subcommittee on Immigration, Border Security, and Claims, oversight hearing Should Congress Raise the H–1B Cap? 9 a.m., 2141 Rayburn.

Committee on Resources, March 29, to continue markup of H.R. 4200, Forest Emergency Recovery and Research Act and to mark up the following measures: H.R. 122, Eastern Municipal Water District Recycled Water System Pressurization and Expansion Project; H.R. 413, Bleeding Kansas National Heritage Area Act; H.R. 518, Neotropical Migratory Bird Conservation Improvement Act of 2005; H.R. 2563, To authorize the Secretary of the Interior to conduct feasibility studies to address certain water shortages with the Snake, Boise, and Payette River systems in Idaho; H.R. 3418, Central Texas Water Recycling Act of 2005; H.R. 3462, To provide for the conveyance of the Bureau of Land Management parcels known as the White Acre and Gambel Oak properties and related real property to Park City, Utah; H.R. 3682, To redesignate the Mason Neck National Wildlife Refuge in Virginia as the Elizabeth Hartwell Mason Neck National Wildlife Refuge; H.R. 3967, Pactola Reservoir Reallocation Authorization Act of 2005; H.R. 4013, To amend the Reclamation Projects Authorization and Adjustment Act of 1992 to provide for conjunctive use of surface and groundwater in Juab County, Utah; H.R. 4080, Glendo Unit of the Missouri River Basin Project Contract Extension Act of 2005; H.R. 4084, To amend the Forest Service use and occupancy permit program to restore the authority of the Secretary of Agriculture to utilize the special use permit fees collected by the Secretary in connection with the establishment and operation of marinas in units of the National Forest System derived from the public domain; H.R. 4204, American River Pump Station Project Transfer Act of 2005; H.R. 4686, Multi-State and International Fisheries Conservation and Management Act of 2006; S. 584, Betty Dick Residence Protection Act; S. 1165, James Campbell National Wildlife Refuge Expansion Act of 2005; S. 1869, Coastal Barrier Resources Reauthorization Act of 2005; H.J. Res. 78, Approving the location of the commemorative work in the District of Columbia honoring former President Dwight D. Eisenhower; H.R. 374, to direct the Secretary of the Interior to take certain tribally-owned reservation land into trust for the Puyallup Tribe; H.R. 1307, Musconetcong Wild and Scenic Rivers Act; and H.R. 2978, To allow the Assiniboine and Sioux Tribes of the Fort Peck Indian Reservation to enter into a lease or other temporary conveyance of water rights recognized under the Fort Peck-Montana Compact for the purpose of meeting the water needs of the Dry Prairie Water Association, Incorporated, 10 a.m., and to hold a hearing on H.R. 3350, Tribal Development Corporation Feasibility Study Act of 2005, 1 p.m., 1324 Longworth.

Subcommittee on National Parks, hearing on the following bills: H.R. 2134, Commission To Study the Potential Creation of a National Museum of the American Latino Community Act of 2005; H.R. 3961, To authorize the National Park Service to pay for services rendered by subcontractors under a General Services Administration Indefinite Deliver/Indefinite Quantity Contract issued for work to be completed at Grand Canyon National Park; and H.R. 4294, Natural Resource Protection Cooperative Agreement Act, 10 a.m., 1334 Longworth.

Committee on Rules, hearing on H.R. 4975, Lobbying Accountability and Transparency Act of 2006, 10 a.m., H–313 Capitol.

Committee on Science, hearing on K–12 Science and Math Education Across the Federal Agencies, 10 a.m., 2318 Rayburn.

Committee on Small Business, Subcommittee on Regulatory Reform and Oversight, oversight hearing on the procurement assistance programs of the SBA, 2 p.m., 2360 Rayburn.

Committee on Transportation and Infrastructure, Subcommittee on Economic Development, Public Buildings and Emergency Management, hearing on the General Services Administration's Fiscal Year 2006 Capital Investment and Leasing Program, and to mark up the following: GSA's Fiscal Year 2007 Capital Investment and Leasing Program; H. Con. Res. 360, Authorizing the use of the Capitol Grounds for the National Peace Officers' Memorial Service; H. Con. Res. 359, Authorizing the use of the Capitol Grounds for the District of Columbia Special Olympics Law Enforcement Torch Run; and H. Con. Res. 349, Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby, 10 a.m., 2253 Rayburn.

Subcommittee on Water Resources and Environment, oversight hearing on Barriers to the Cleanup of Abandoned Mine Sites, 10 a.m., 2167 Rayburn.

Committee on Veterans' Affairs, Subcommittee on Disability Assistance and Memorial Affairs, oversight hearing on policy and operational issues facing Arlington National Cemetery and the American Battle Monuments Commission, 1:30 p.m., 340 Cannon.

Committee on Ways and Means, Subcommittee on Social Security, to continue hearings on Social Security number (SSN) high-risk issues, 2 p.m., B–318 Rayburn.

Permanent Select Committee on Intelligence, executive, to mark up the Intelligence Authorization Act for Fiscal Year 2007, 9 a.m., H–405 Capitol.

Next Meeting of the SENATE

9:30 a.m., Thursday, March 30

Senate Chamber

Program for Thursday: After the transaction of any morning business (not to extend beyond 1 hour), Senate will continue consideration of S. 2454, Immigration Reform Bill, with a time for debate and an amendment shall be offered.

Next Meeting of the HOUSE OF REPRESENTATIVES

10 a.m., Thursday, March 30

House Chamber

Program for Thursday: Continue consideration of H.R. 609—College Access and Opportunity Act of 2005 (Structured Rule).

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