Pass this amendment. 

Mr. TAYLOR or North Carolina. I yield 3 minutes to the gentleman from California (Mr. DOOLITTLE).

Mr. DOOLITTLE. Mr. Chairman, I don’t know why the Clinton/Gore administration negotiated these leases. They do some rather extraordinary things that there would be no built-in provision when the price of oil reached a certain amount that you wouldn’t start to pay royalties.

I have read that substantial amounts of money were raised by the Clinton administration and the Gore candidacy from the major oil companies. Maybe that had something to do with it. I don’t know.

All I know is it is wrong and to me it seems inherently unfair, and to violate due process and equal protection of the law, to take people who have current leases that are legal and say to them, we are not going to allow you to bid on some leases over here unless you change the leases you presently have. That is coercion. That is almost extortion.

And it is not the right of the government to behave in such a fashion.

And I have heard asserted here that private companies can do that, and I would question that. But the government is bound by the provisions of the United States Constitution not to impair contracts, not to deny equal process of the law, and to guarantee due process.

Therefore, I would urge defeat of this amendment.

Mr. HINCHEY. Mr. Chairman, I just want to mention that we have an administration now in the White House that is replete with oil contacts; and the transition team that set up the energy policy of this administration was made up entirely, except for one person, of people from the oil companies. That is what needs to be dealt with.

I yield 2 minutes to the gentleman from Massachusetts (Mr. MARKEY).

Mr. MARKEY. Mr. Chairman, I rise in support of the Hinchey-Markey amendment. This amendment does absolutely nothing to any existing contract. The oil companies signed a deal at $25 a barrel, royalty relief complete. It goes to $50 a barrel, they still don’t have to pay royalties; $75 a barrel, they still don’t have to pay royalties; $100 a barrel, still no royalties. And we are not going to take that contract away.

All we are saying is that if you are going to play Uncle Sam as Uncle Sucker, then we are not going to allow you to have any new contracts, because the American consumer is being shaken upside down and having money shaken out of their pockets. Subsidizing the oil industry at $70 a barrel to drill for oil is like subsidizing fish to swim. You don’t have to do it.

President Bush said on April 19, I will tell you with this $55 a barrel oil we don’t need incentives to oil and gas companies to explore, Bush said in a speech to newspaper editors. There are plenty of incentives.

But here is the GOP, not the Grand Old Party, but Gas and Oil Party. That is what they have turned into.

And by the way, last night they cut public health programs by $16 billion. They cut veterans programs by $8 billion. And where could the money have come from? Well, another $10 billion from royalties. If Kerr McGee wins their case, another $90 billion.

If you kicked the Republican budget in the heart, you would break your toe. Keep the money, they say, in the hands of the oil companies. Let them rake off all this money from the taxpayer. Cut the programs in public health, in education, and for veterans, even as their own president is saying they don’t need these royalties.

So, ladies and gentlemen, we say keep those contracts, but you are not getting any new contracts with our government if you are going to keep these windfall profits. That is why you should vote for the Hinchey-Markey amendment to send a message to the oil companies in our country.
Mr. TAYLOR of North Carolina. I yield 2 minutes to the gentleman from New Mexico (Mr. PEARCE).

Mr. PEARCE. Mr. Chairman, we have heard a lot of talk here. I have heard about a corrupt political system.

I wish that I went to Russia, the Soviet Union, in about 1991. They are awash in petroleum. They are awash in enough petroleum to change the price of the world price of petroleum significantly. But they have a corrupt political system, and they can’t even produce.

To claim that the American oil companies are somehow gaming the system simply just doesn’t wash. Oil is traded as a commodity. No company is large enough to affect the price of oil. It is set worldwide. The price of oil is set.

When I look at a demand curve from China, I see that the price of oil is exactly mirroring China’s increased demand across the last few years. India is sitting out there requiring a lot of oil too.

For us to begin to talk about punishing people who are bringing a product to the market when people desperately need it, and another system, the Soviet system, cannot even get into a position in which anyone should be able to get oil to the market at that price, seems ludicrous; and it seems like we are not even talking in the United States of America.

This is a free market economy. The price is set because of supply and demand. We have arbitrarily limited the supply through our failure to drill in ANWR. We are limiting the supply by not issuing BLM leases throughout the Nation. This BLM today is issuing one-third fewer leases than 5 to 10 years ago. Those are the reasons that we have a price that is going up rather than down. It is a matter of supply and demand.

Mr. HINCHHEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Connecticut.

Ms. DELAURO. Mr. Chairman, it is about families. It is about families across this country who are wrestling with record-high gas prices. This Congress not only has the obligation to do something; but with this amendment, we have an opportunity to do something.

National average price of gasoline per gallon, double what it was when President Reagan left office. Oil executives making off with half billion dollar retirement packages.

We can all agree that we have better things to do with as much as $80 billion of taxpayer money than giving it to the oil companies for nothing in return.

$80 billion is how much the GAO says we could simply be giving away to the oil companies over the next 25 years if we do not change the royalty relief law.

Royalty relief is not without its purpose. Prices are low; royalty relief can create a powerful incentive to remove more oil from the ground.

Let’s look at the prices. This is nothing more now with royalty relief than a giveaway to those who least need it. One Shell official, New York Times said the other day, under the current environment we don’t need royalty relief. They are worth it. ExxonMobil, $36 billion last year. Record, historic. Shell, $22.9 billion. It is about the people in our communities, the people that we represent that are taking their savings and they are putting it in their fuel tanks.

These folks are taking their money. They are dealing with their stock options. They are paying down their debt, and they are taking high salaries. It is time we took away this opportunity to do that.

And I will tell you that my colleagues on the other side that want to talk about contracts, the Federal Government is given the right to terminate contracts without cause. It is in the contract law; it is called the termination of convenience of the government. So we can do this. Let’s do it with this bill.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Oklahoma (Mr. BOREN).

Mr. BOREN. Mr. Chairman, the sponsors of this amendment suggest that it will fix an error made by the Interior Department in failing to include price thresholds for royalty relief in leases issued in 1998 and 1999.

The fact is, most companies pay their royalty obligations as they are required. A very small number have disputed their obligations, and that matter is under litigation. Congress should let the legal system do its work and not meddle.

The oil and gas industry spends billions of dollars in this country every year, providing good-paying jobs for Americans and providing energy to fuel this massive economy.

The Gulf of Mexico is one of the most attractive investment opportunities in the world right now, and it is in our best interest to keep it that way.

If we adopt this amendment, we will send a signal that the United States does not abide by its contracts and obligations.

In this time of high prices and unrest in oil markets, the last thing we should do is limit access to our domestic resources.

If companies holding 1998 and 1999 leases are, in effect, precluded from participating in the 2007 sale, it will impair the domestic oil and gas supply chain. At a time of record-high energy costs and an uncertain global market, we need to encourage our domestic companies to invest here at home, not shut them down.

Mr. Chairman, I urge my colleagues to oppose this amendment that is full of unintended consequences and is wrong for America.

Mr. HINCHHEY. Mr. Chairman, I yield 1½ minutes to the gentleman from Arizona (Mr. GRIJALVA).

Mr. GRIJALVA. Mr. Chairman, I rise in support of the Hinchey amendment. This amendment is a fair and fiscally responsible way to fix a huge problem in our country.

Because of mistakes made in lease agreements in the 1990s and other subsidies contained in last year’s Energy Policy Act, we currently are allowing energy companies to reaping huge profits, to take oil and gas from our public lands and waters without paying any return to the taxpayer.

The situation as it currently stands will result in the loss of many billions of dollars in revenue.

So while our constituents suffer from skyrocketing gas and home heating prices, oil companies are able to take publicly owned resources for free.

Both oil company executives and the President said that there is no need for incentives because oil prices are so high, to encourage companies to drill for new sources.

Yet, this Republican leadership has thus far failed to take any action to address the situation.

Energy companies should willingly come forward to renegotiate the leases in question. They should refuse more subsidies. To continue to benefit so much from mistakes made in the 1990s and to take subsidies when they are not needed is corporate irresponsibility at its worst.

My constituents are angry about taxpayer handouts to an industry awash in cash. This amendment is a fair way to deal with an issue that is currently defying common sense and fiscal responsibility.

Vote “yes” for the Hinchey amendment, and in that way, protect our consumers and in that way respect the hardworking American taxpayers.

Mr. HINCHHEY. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Washington (Mr. DICKS).

Mr. DICKS asked and was given permission to revise and extend his remarks.

Mr. DICKS. Mr. Chairman, I rise in support of the Hinchey amendment.

As I understand the situation, because of the price of crude oil, energy companies have made profits over the last three years totaling more than $125 billion. Exxon alone had profits in one quarter last year of $9.9 billion and are estimated to have had a profit of $36 billion in a single year.

A portion of those profits—about $7 billion according to the New York Times—came because of an administrative error made by the Mine and Minerals Service. At issue is a set of oil and gas leases entered into during the 1990’s when oil was selling for $10 a barrel. As an incentive for oil companies to drill, the U.S. government said it would waive its right to royalty payments if oil prices remained low.

These royalty forgiveness leases also, however, typically had a clause that said if oil exceeded $35 per barrel, the deal is off and you have to pay the royalty.

The error occurred in about 1000 leases when, evidently by accident, the $35 cancellation clause was not included. This small clerical error has created an enormous windfall
Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Kansas (Mr. TIAHRT).

Mr. TIAHRT. Mr. Chairman, I thank the gentleman from North Carolina for yielding.

I rise in opposition to Mr. HINCHEY’s amendment because it does not follow sound principle or the rule of law. Basically what we are saying in this amendment is that if you are out there with a lease today that has a provision that was put in place by the Clinton administration in the Outer Continental Shelf, then you cannot have any future leases. So if you have made a deal, you have signed a contract, and you are out there producing product that is helping us keep our gas prices from going completely through the roof instead of just high like they are now, then you cannot do that any more unless you break your existing contract.

I think this is commonly referred to as blackmail. If you do not do this, then we are going to make you suffer. And under this amendment, an oil company who in good faith entered into a contract with the Clinton administration to produce a product when nobody else was willing to do it, and then you terminated into that contract in good faith, we are going to punish you for that unless you completely absolve yourself of that contract and start paying more money to the Federal Government.

Personally, in the private sector nobody gets a free ride on royalties, and I do not think anybody should produce a product without paying royalties if it is natural gas or if it is crude oil. Any place in Kansas where we have been drilling for gas for over 100 years, we pay royalties. But that is really not the point here. The point is the Clinton administration made those agreements and are we going to allow, as the Federal Government, them to abide by that contract or are we just going to blacklist them into doing something totally different?

I think we should vote down this amendment, that we should honor the contracts that we have made, whether it was with the Clinton administration or the Bush administration, and not blackmail people who are just trying to produce a product, something that we greatly need.

So oppose the Hinchey amendment and let us move on.

Mr. HINCHEY. Mr. Chairman, I yield 1 minute to the gentlewoman from New York (Mrs. MALONEY).

Mrs. MALONEY. Mr. Chairman, I rise in support of the Hinchey royalty relief amendment and am proud to be included as a co-sponsor.

As I mentioned earlier, the original deep water royalty relief legislation was on the House floor in 1995, I opposed it and said that it was “an early Christmas” for big oil.

Eleven years later, the holiday has never ended and royalty relief keeps on giving ever bigger gifts.

We were assured by the champions of royalty relief that the 1995 act was a miraculous piece of legislation that would end up making money for the taxpayers by giving away public owned oil as an incentive for drilling.

But the concept of paying big oil companies to do what they would do anyway did not make any sense then and it makes even less sense now. Simply put, the taxpayer should not continue to massively subsidize an industry reaping the benefits of record prices and swimming in profits.

According to a recent estimate by the GAO, deep water royalty relief under the 1995 act will cost the taxpayers between $20 billion and $80 billion over the next 25 years, depending upon the outcome of an industry lawsuit.

Thankfully, today we have an opportunity to adopt the Hinchey amendment and put a halt to this fiscal rip-off.

This carefully crafted amendment provides an incentive for the major oil and gas companies which were granted royalty-free leases under the Clinton administration—companies such as ExxonMobil, Shell, and others—to renegotiate those leases to include a price cap on royalty relief. The companies may choose not to do so, but would then not be eligible for new OCS leases.

Mr. Chairman, there is a lot of false bravado and empty rhetoric in this Chamber when it comes to reducing the budget deficit. But this amendment is the real deal. Let’s stand up for the taxpayers and adopt it.

Mr. RAHALL of North Carolina. Mr. Chairman, I yield the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. Hinchey). The question was taken; and the CHAIRMAN announced that the noes appeared to have it.

Mr. HINCHEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from New York will be postponed.

AMENDMENT NO. 6 OFFERED BY MR. RAHALL

Mr. RAHALL. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:
Amendment No. 6 offered by Mr. RAHALL: At the end of the bill (before the short title) insert the following new section:

SEC. 28. LIMITATION ON USE OF FUNDS FOR SALE OR SLAUGHTER OF FREE-ROFAILING HORSES AND BURROS.

None of the funds made available by this Act may be used for the sale or slaughter of wild horses, mustangs, or burros (as defined in Public Law 92-195).

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from West Virginia (Mr. RAHALL) and a Member opposed each will count 10 minutes.

The Chair recognizes the gentleman from West Virginia.

Mr. RAHALL. Mr. Chairman, this amendment has been passed unanimously by this House in previous years, including last year.

Mr. Chairman, last year the House voted 249 to 159 to adopt my amendment to end the sale and slaughter of wild horses and burros. I ask the House today to reaffirm the stand it took to protect these icons of America's western heritage.

Earlier this year the Nevada State Quarter was issued by the U.S. Mint. Now, Nevada is known as the "Silver State.

However, if you look on the back of the quarter, you will not see a picture of a silver mine. No, what the good people of Nevada chose as the representation of their state was a wild horse.

Neovadans are rightly proud of the heritage of their wild horses. It is unfortunately a heritage at risk because of a legislative rider inserted into an Appropriations bill in the dead of night in 2004 that puts thousands of wild horses and burros in danger of ending up on dining tables overseas.

We need to stop the slaughter of wild horses and burros not only because it is morally wrong but also because the program itself is a failure. As a result of this failure, 41 wild horses have been slaughtered and thousands more face an uncertain fate.

While the Bureau of Land Management may have good intentions to prevent sales for slaughter, the legislative rider that created this problem in the first place severely handicaps any such effort. Make no mistake about it, more wild horses and burros will end up slaughtered. After all, if the purpose of the legislative rider was to prevent sales for slaughter, the legislative rider that created this problem in the first place severely handicaps any such effort.

The Bureau of Land Management has resorted to sending out letters to public land ranchers pleading with them to buy a horse. It has teamed up with a private entity to offer limited financial incentives to purchasers. These are not actions of a sound program but the desperate attempts to implement and unwise and unsound policy.

Mr. Chairman, the wild horse and burro program has failed both morally and administratively. We must do a better job of protecting these magnificent creatures. It is time to sheath the sword that hangs over these animals.

I urge the adoption of my amendment. Mr. Chairman, I yield for the purpose of making a unanimous consent request to the gentleman from Virginia (Mr. MORAN).

(Mr. MORAN of Virginia asked and was given permission to revise and extend his remarks.)

Mr. MORAN of Virginia. Mr. Chairman, I am pleased to support this amendment to help save a national treasure—the wild horse.

The wild horses and burros throughout the world as a symbol of the American West and we should be doing everything we can to protect it.

In the 1800s, more than 2 million wild horses roamed the American West. Today, that number is down to 35,000. Due to a provision slipped into the 2004 omnibus appropriations bill, the sale of any wild horse that has been rounded up and is more than 10 years old is now allowed. This language was placed into law without any hearings or public debate.

This rider protects under the Wild Free Roaming Horse and Burro Act, which was passed in 1971 after the public demanded that something be done after the shooting of hundreds of thousands of horses and burros for pet food and meat in European restaurants.

Already, at least 41 horses have lost their lives due to this irresponsible language, and the lives of 8,400 horses now being held by the Bureau of Land Management are in jeopardy.

This is an inhumane slaughter against these majestic animals, and there is no need for it to continue.

There are other options we can explore. The Bureau of Land Management could re-open over 100 herd management areas or use animal contraception methods to keep the size of the herds manageable.

There is simply no reason for these horses to be slaughtered for use as meat in other countries.

The American public want the wild horses protected. In my district alone, countless constituents have asked me to stop this senseless slaughter.

The horse is more than just an animal to our country. It is a beloved literary figure, a symbol of adventure, a friend of the cowboy, and an important part of our history.

Poet and author Pam Brown says, "A horse is the projection of people's dreams about themselves—strong, powerful, and beautiful—and it has the capability of giving us an escape from our mundane existence."

I cannot say any better, and I encourage all of my colleagues to support this amendment and help save the wild horse.

PROTECT AMERICA'S WILD HORSES

After 34 years, protections for wild horses from sale to slaughter were removed through an omnibus rider. No bill, no hearings, no debate. Late in 2004 (and late into the night), Senator Conrad Burns (R-MT) attached this highly controversial rider to the omnibus appropriations bill that included the amendment, passed with no hearings or public review, reversed longstanding federal policy of protecting wild horses from being sold at auctions and subsequently shipped to slaughter plants.

Representatives Nick J. Rahall (D-WV), Ed Whitfield (R-KY), John Sweeney (R-NY), and John Spratt (D-SC) will offer the Rahall-Whitfield-Sweeney-SprattWild Horse Amendment to the FY 2007 Interior Appropriations bill. Just last year, the House overwhelmingly approved this amendment, as well as another similar appropriations amendment to prohibit horse slaughter, but the Department of Agriculture has blocked funding to enable the grisly slaughter of horses to continue. "A public outcry has again begun across the United States over the Department's move to allow the commercial sale and slaughter of these animals," said Rahall. "We need to act before it is too late for thousands of horses.

It is already too late for 41 mustangs. On April 15, 2005, six horses were purchased by Oklahoman Dustin Herbert. Only three days later, these horses were delivered to a foreign-owned slaughter plant in Illinois. Mr. Herbert told the Bureau of Land Management (BLM) that he intended to use the horses for a church youth program. Another 35 were killed at the same slaughter plant one week later after being traded unwittingly by the Rosebud Sioux Tribe soon after they were sold by the Bureau of Indian Affairs. Yet another 52 were snatched from the slaughterplant line in a last minute effort to preserve their lives by some unknown official.

We have graphic evidence in hand now that sale authority is not a workable solution.

Horse slaughter is fundamentally inhumane. The cruelty of horse slaughter is not limited to the slaughter itself. Economic rather than humane considerations dictate transport conditions, as horses are shipped in crowded trucks, frequently over long distances, and are typically given no food, water or rest. The truck ceilings are so low that the horses are not allowed to lie down in a normal, balanced position. Heavily pregnant horses, horses with broken limbs, and horses missing one or both eyes may be legally shipped for many days to slaughter. Inappropriate floor surfaces cause slips and falls, and sometimes even trampling. Some horses arrive at the slaughterhouse seriously injured or dead. Horses are required to be rendered unconscious prior to slaughter, usually with a captive bolt pistol, which shoots a metal rod into the horse’s brain. Horses are sometimes tied on stands and still conscious when they are shackled and hoisted by a rear leg to have their throats cut. In addition, conditions in the slaughterhouses are stressful and frightening for horses. Death at the slaughterhouse is not a humane end for horses. All three of the remaining horse slaughterhouses in the United States are foreign-owned. Congress acknowledged this in the strong, bipartisan votes cast on the FY2006 interior and agriculture appropriations bills in both the House and Senate (House Interior and Related Agencies, Agriculture 269–158; Senate Agriculture 69–28), yet the United States Department of Agriculture undermined the will of Congress by continuing to list the programs of the Department of Agriculture specifically to enable the continuation of this brutal practice.

The number of horses in the US is dwindling. In the 1800s, over two million wild horses roamed the American West. When Congress passed the Wild Free-Roaming Horses and Burros Act (WFRHA), there were 60,000. Today, the combined number of wild horses and burros is approximately 35,000. That represents a nearly 50% reduction of wild horses outside of the West since Congress passed federal legislation to protect them. The entire wild horse and burro populations of six western states have been completely extirpated.
pleased to state this exact same amendment passed the House last year with overwhelming support with a vote of 249-159.

As my colleagues have stated, a measure was snuck into the FY05 Omnibus Appropriations bill to allow wild horses to be slaughtered for human consumption overseas. The provision restored to Congress by the Burns rider was completely underhanded and wrong.

When Congress unanimously passed the Burns rider, the American Horse Slaughter Prevention Act, it established a policy to protect wild horses from commercial slaughter. Unfortunately, there were problems with this provision.

BLM temporarily suspended its sales program, with the intent to resume the sale shortly. Mr. Speaker, this is not enough—it is urgent we pass this amendment and end this practice now.

The slaughter of wild horses is indicative of the larger overall problem of horse slaughter. Last year, 90,000 American horses were slaughtered in this country and served as meals in restaurants in Europe and Asia. That is why I am fighting for the passage of my legislation, the American Horse Slaughter Prevention Act, H.R. 503, which bans the slaughter of ANY horse for human consumption.

In addition to this same amendment last year, I also offered an amendment to the FY06 Agriculture Appropriation’s Bill to temporarily suspend this horrific act. Although our amendment had enormous public support and overwhelmingly passed both chambers, the USDA defied the will of Congress by granting a petition allowing a fee-for-service option submitted by three foreign-owned horse slaughter plants to circumvent the ban.

I am pleased to state that I may finally get my standalone legislation, H.R. 503, addressed in committee so we aren’t forced to do these stop-gap measures each year. I appreciate our leadership and Chairman Bar- ton reviewing the need for this legislation. I look forward to working with you as we address this crucial topic.

Horse Slaughter is not humane euthanasia—it is a malicious, painful end for these animals. Americans don’t eat horses, nor do we raise them for human consumption. This amendment will end a positive step forward in our ultimate goal of ending the slaughter of horses in the United States for human consumption overseas.

Mr. LARSON of Connecticut. Mr. Chairman, I regret that I could not be present today because of a family medical emergency and I would like to submit this statement for the RECORD in support of the amendment offered by Representative RAHALL to protect wild, free-roaming horses and burros from commercial slaughter.

Since 1971 when Congress passed the Wild Free-Roaming Horses and Burros Act, the federal government has ensured the protection of wild mustangs and burros roaming on public lands. Unfortunately, in 2004, a controversial rider rolling back these protections was slipped into the massive omnibus appropriations bill for fiscal year 2005. Congress must act right this wrong. We owe it to the next generation to preserve a piece of American heritage—to protect our wild and free horses.

As cosponsor of H.R. 297—the bill upon which this amendment is based, I urge my colleagues to support the Rahall amendment and reinstate the humane and appropriate protection of wild, free-roaming horses and burros.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from West Virginia (Mr. RAHALL).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GORDON

Mr. GORDON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. GORDON: By the end of the short title, insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available by this Act shall be used in contravention of the federal building performance and reporting requirements of Executive Order 13123, part 3 of title V of the National Energy Conservation Policy Act (42 U.S.C. 6851 et seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby).

The CHAIRMAN. Pursuant of the order of the House of today, the gentleman from Tennessee (Mr. GORDON) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Tennessee.

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

As cosponsor of H.R. 297—the bill upon which this amendment was slipped into the massive omnibus appropriations bill for fiscal year 2005. Congress must act right this wrong. We owe it to the next generation to preserve a piece of American heritage—to protect our wild and free horses.

As cosponsor of H.R. 297—the bill upon which this amendment is based, I urge my colleagues to support the Rahall amendment and reinstate the humane and appropriate protection of wild, free-roaming horses and burros.

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

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee (Mr. GORDON).

The amendment was agreed to.
The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CHABOT:

SEC. ..... None of the funds made available in this Act may be used to plan, design, study, or construct, for the purpose of harvesting timber by private entities or individuals, a forest development road in the Tongass National Forest.

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Ohio (Mr. CHABOT) and the gentleman from North Carolina (Mr. TAYLOR) each will control 10 minutes.

The Chair recognizes the gentleman from Ohio.

Mr. CHABOT. I yield myself such time as I may consume.

Mr. Chairman, since 1982 the Forest Service has lost $850 million subsidizing private timber in the Tongass National Forest. That is a $40 million annual loss. If anyone wonders why our national debt is as large as it is, and it is currently $8.3 trillion, by the way, one needs to look no farther than taxpayer boondoggles like this one. They really add up.

The Tongass National Forest was established in 1907 by President Theodore Roosevelt. It is America’s largest forest, about the size of West Virginia. Located along Alaska’s southeastern coast, it is often referred to as “America’s Rainforest” and is home to abundant wildlife: bald eagles, grizzly bears, wolves, and salmon; as well as old growth trees such as the giant Sitka spruce, western hemlock, and yellow cedar.

There are thousands of miles of roads in the Tongass right now. The Forest Service acknowledges that existing roads are “sufficient to satisfy local demand for roaded recreation, subsistence, community connectivity needs and for the management of the forest and its resources.” Yet, year after year the Forest Service spends millions of tax dollars building roads for private timber companies that by the agency’s own admission are not really necessary. To make matters worse, the Forest Service has a nationwide road maintenance backlog of about $10 billion, tens of millions of which are in the Tongass. Incredibly, the Forest Service is not maintaining existing roads; yet they want to build more, even though they admit there are enough already.

The timber program is not a profitable business in the Tongass the way the Forest Service is currently running it. Nobody argues this. The Forest Service concedes that 90 to 95 percent of all existing timber sale contracts in the Tongass are unprofitable. Nearly half of Tongass timber contracts go unsold. Of those that are sold, the majority have only a single bidder, resulting in a bargain basement, discounted sale.

Mr. Chairman, this is a simple, straightforward amendment. It would simply prohibit the Forest Service from building logging roads for timber companies subsidized by the American taxpayer in the Tongass. It does not prevent the Forest Service from building roads to connect communities, to provide recreation, or to otherwise manage the forest. It does not stop timber companies from building their own roads. I know that there are some who want you to believe differently, but this amendment has nothing to do with the roadless rule. It has everything to do with good government.

Opponents will argue that the massive losses in the Tongass are due to litigation, that taxpayer dollars are ending up in the pockets of trial lawyers. Mr. Chairman, I am not often accused of being a darling of the trial lawyers. As some may know, the Freedom of Information Act request was filed with the Forest Service in 2002. Although the request was to be for the years ranging from 1981 to 2001, the Forest Service only turned over numbers ranging from 1998 to 2001. During that time the Forest Service spent $121 million on its timber program. Litigation costs amounted to $1.6 million. That means only 2 percent of the total cost were for litigation, appeals and litigation. Just 2 percent.

Opponents of this amendment will say that the National Environmental Policy Act requirements also increase costs, and they are right. The NEPA process needs money, and I supported legislation to do this. Many of us have. But whether we like it or not, NEPA is on the books. To gouge taxpayers year after year and justify it by pointing to burdensome environmental requirements is just wrong.

So I urge a “no” vote on the Chabot-Andrews amendment.

Mr. CHABOT. Mr. Chairman, I yield such time as he might consume to the gentleman from New Jersey (Mr. ANDREWS).

Mr. ANDREWS. Mr. Chairman, I thank my friend for yielding. It is my pleasure and honor to offer this amendment with him, and urge our colleagues to vote “yes.”

Mr. Chairman, the question in this amendment is whether or not the public should pay to build more roads in the Tongass National Forest. I think the answer is no. I think the answer is no for three reasons:

First, building more roads would further put at risk what is truly a treasure, a jewel in the National Forest system. Environmentally, I think it simply makes no sense to build more of these roads.

Second, it is a terrible investment for the taxpayers. Since 1982, the taxpayers have expended $850 million more than we have taken in revenues from this investment. In fiscal year 2005 alone, the taxpayer payed the agency $49 million, and the taxpayer revenue was about $500,000. I don’t know any of my constituents who would make an investment of $49 million in a business that is only going to return $500,000 on the investment.

Finally, building more roads in the Tongass National Forest is an unnecessary idea when it comes to the jobs that are incurred because of lawsuits, the litigation, the appeals, and attempts by the agency to bullet-proof their environmental documents, the Tongass forest sales would actually produce a 15 percent profit margin.

In an effort to gain support from fiscal conservatives, some group called the Taxpayers for Common Sense has tried to couch this as a fiscal argument, and again 75 percent of the costs are in fact contributed by the same groups that are supporting this amendment. These outside groups, because they have not been able to achieve their goals legislatively of completely of completely devastating the forest program and eliminating any kind of timber sales, have now tried to do it in this manner, in bringing it before the appropriations bill and trying to limit the ability.

Again, if you look at the actual cost in this entire program, 75 percent of the costs associated with these timber sales are because of the NEPA reviews, the appeals and the litigation. Only 25 percent is the actual cost of preparing the sale.

Yes, I guess if you run up enough lawsuits, if you appeal all of those lawsuits, if you成本 costs costs the Forest Service, you can run up the cost to make this program unprofitable. But this is a long debate we have had in this House; and trying to couch this as a fiscal debate, I believe, is just a try to try to take away jobs in Alaska. It is a terrible investment for the American taxpayers and supporting this amendment will only provide numbers that are brought in by many of the same groups that are supporting this amendment.

So I urge a “no” vote on the Chabot-Andrews amendment.

Mr. CHABOT. Mr. Chairman, I yield such time as he might consume to the gentleman from New Jersey (Mr. ANDREWS).
that are involved. I think that we al-
ways should be involved and concerned
about the jobs of any of our fellow citi-
zens, no matter where they are, in
what region. But the fact of the matter
is, the roads that already exist in the
Tongass National Forest, open up an
area of that forest that would permit
the harvesting of those trees for years
and years and years to come. A sub-
stantial amount of the trees that could
be harvested in that section of the for-
est already open to roads have not yet
been harvested.
So I would urge our colleagues in
both political parties to vote “yes” in
order to preserve an important na-
tional environmental treasure, in order
to continue with the jobs that are pres-
ently going on there, and, most impor-
tantly, to protect the wallets of our
taxpayers. For every $100 that we spend
to run the Federal Government, we only
bring in $75 worth of revenue. We need
to start to reduce what we spend. This
is a great place to do that. I would
urge my colleagues to vote “yes.”

Mr. TAYLOR of North Carolina. Mr.
Chairman, I yield 5 minutes to the gen-
tleman from Alaska.

(Mr. YOUNG of Alaska asked and was
given permission to revise and extend
his remarks.)

Mr. YOUNG of Alaska. Mr. Chair-
man, it is no surprise, of course, that I
am adamantly opposed to this sneaky
amendment offered by two people that
don’t know what they are talking about,
have never known what they are
talking about, deal not with what they
are talking about, and will never know
what they are talking about.

The Alaskan rainforest, as you gen-
tlemen recognize, is as big as Vermont,
Massachusetts, Connecticut and Rhode
Island combined, including New Jersey.
I am sure you will be happy to know
that we have 19 designated sites of wil-
derness in that area, a national monu-
ment that takes up 35 percent of the
forest. Seventy-eight percent of the
Tongass National Forest is a national
monument. It is open. All I am saying is what this is
attempting to do is put the last re-
maining small group of Alaskans out of
work.

Ironically, the two gentlemen that
are offering this amendment are crying
about outsourcing: My God, we are los-
ing jobs. They are going overseas. But
here we are in Congress taking away
the jobs of my Alaskan constituents.
That is the thing that probably dis-
turbs me about this, is we had a forest of 21 million acres, 21 million
acres. And we were told in this body in
1980 that we will only lock up all of it
but 2 million acres and you will have
those acres to actually retain a timber
industry, to actually retain your people work.
And now we are down to 1,000 acres,
and you want to take that away.

And you say we don’t need the roads.
That is not what the Forest Service
says. They say we need those roads if
we are going to harvest the timber.
They will put up the sales. Who is
going to bid it, if they can’t get the
timber?

That is true. Anybody that debates
that, you better understand it, because
what is happening here is you are try-
ing to put the last remaining, the last
remaining few Alaskans that are try-
ing to make a very meager living, 300
people, 300 jobs, take it away from
them for the environmentalists. It has
nothing to do with taxes.

By the way, I hope you understand,
my good friends that are offering this
amendment, I was precluded from of-
fering an amendment to the amend-
tment today, one of the unanimous
consent; but if this amendment is adopted, I will offer the same am-
endment to the forests in Ohio, which
loses money every year, a large sum; to
New Jersey, if you have national for-
esta; and to the areas in New Hamp-
shire. Every area, every person that
votes for this amendment, there will be
an amendment next year on this bill to
do the exact same thing. Because if we
are going to be true to ourselves, if you
are talking about responsibility, then you will step up to the plate and
take your forests and make sure they
are under the same category.

Unless you are saying, All right, it is
just Alaska. He is way away. It is just	his district. But to the gentleman that
you in this body has ever seen me ad-
dress anybody’s one district, because I
believe in the representative form of
government. Representative form of
government. If it is your district and it
is what you want and in your district.
I will support that. If you don’t want
it, I will support that.

But to have two Members of this
House, and, yes, it is bipartisan, and I
shall not forget that, to come and at-
tack a single Member and his total dis-
trict, to take away the jobs of his peo-
ple, I say is wrong. And each one of you
think about this in this room: this
should be representative form of gov-
ernment, and what you are doing is
dead wrong, and I shall not forget it.

Mr. CHABOT. Mr. Chairman, I yield
myself such time as I might consume.
Mr. CHABOT. Mr. Chairman, just a couple of points
I would make. First of all, it certainly
is not an attack on any Member of this
body nor an attack on any State. I
would just note that those jobs that
are being paid for and the $48 million
paid out last year alone, those tax dol-
ars come from New Jersey and they
come from Ohio and they come from
Pennsylvania, Maryland, Virginia, New
Jersey and Pennsylvania and the hun-
dreds of jobs they provide. It is my
hope that we will choose more wisely
this time.

The choice here is really quite sim-
ple. We can choose to follow the law
and respect the regional roadless
forest planning processes, or we can trump the
law and substitute our own political
needs for those of an economically de-
pressed region of the country.

The gentleman’s amendment is the
final piece of a long-standing strategy
to do one thing and one thing only,
to kill what remains of the forest pro-
ducts industry in Alaska. This is not a
decision about protecting pristine for-
esta. My friends, we have already done
that. More than 96 percent of the
Tongass National Forest has not and
will not be managed for timber under
the existing forest plan. This amend-
ment simply says “get lost” to the last
few sawmills in the region and the hun-
dreds of jobs they provide.

The Tongass National Forest has a
newly revised forest management plan,
a carefully considered plan that took
more than 13 years to complete. The
plan provides for careful roadless
area planning processes, following pub-
lished planning processes, including extensive
public participation. The gentleman’s
amendment ignores all of this for no
other reason than to shut down the
Alaska timber industry.

I urge my colleagues to vote “no” on
this amendment.

Mr. CHABOT. Mr. Chairman, I yield
such time as he may consume to the
gentleman from New Jersey (Mr. An-
drews).

Mr. ANDREWS. Mr. Chairman, I
thank my coauthor, and salute him for
his integrity for bringing this amend-
ment under difficult circumstances.
President Kennedy said 40 years ago
of the evening is changed that every
time we make a choice, somebody
doesn’t like it. But when you avoid
choices, that is how you wind up with
an $8 trillion debt. That is how you
wind up borrowing 25 percent of the
money that you spend to run the gov-
ernment.

It is always easier to say yes when
people want to spend the public’s

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money, but it is not always right; and here it isn’t right. Since 1982, the taxpayers have put about $1 billion into building roads into this forest. We have gotten back $150 million. We should stop building these roads. That is what this amendment does. It does it artfully and correctly. I would urge a “yes” vote.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from New Mexico (Mr. Pearce).

Mr. CHABOT. Mr. Chairman, I yield.

Mr. Pearce. Chairman, I rise today in support of the Chabot-Andrews amendment to the FY 2007 Interior Appropriations bill to block taxpayer spending on new commercial logging in Alaska’s Tongass National Forest. Facing massive Federal deficits, every dollar counts, and we must take a stand against the Forest Service’s fiscal mismanagement of the Tongass.

In addition, I would like to state my disapproval with the deep cut proposed in this bill for the State Wildlife Grants Program. This bill includes only $50 million for this program for FY 2007, and nearly $25 million below the President’s request.

The State Wildlife Grants program is not just a “Grants Program” it is the Interior Department’s core program for preventing wildlife from being harmed by working in partnership with State Wildlife Agencies. The deep cut included in this bill will have a dramatic impact on Wildlife conservation efforts in Wisconsin and across the country.

State Wildlife grants have strong bipartisan support from every corner of the country. Earlier this year 170 representatives joined together on a letter of support for $85 million in funding for this program. This program has also been championed by the Congressional Sportsmen’s Caucus, the largest caucus in the House. Across the Capitol, 56 Senators joined together on a similar letter.

Further, this program is championed by the teaming with Wildlife Coalition, which includes hunters and anglers, environmentalists, wildlife agencies and others. In Wisconsin, this coalition includes almost 200 organizations, including the Wisconsin Wildlife Federation, Audubon Chapters, and local businesses. There are similar coalitions in every state.

Again, I urge my colleagues to support the Chabot-Andrews amendment.

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

Mr. Chairman, I would just note there are very diverse groups on all sides of the political spectrum that strongly support this amendment; group likes Citizens Against Government Waste, Taxpayers For Common Sense, the Sierra Club and many others; and I would strongly urge my colleagues to take a vote here which is in the best interests of the taxpayers of this country.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself the balance of my time.

Mr. Chairman, we are talking about roads. The roads are used for many things, recreation, all those sorts of things. Over 90 percent of the Tongass is unroaded, won’t be roaded and so forth.

It ought to be that forests in America, managed the best in the world, should be providing the resources for all over the world. For instance, if we don’t have wood, we will have to rely on steel or plastic. Steel takes lots more energy, about eight times as much, that last year, we used 2 by 4, and plastic, we know what that comes from.

Mr. Chairman, I urge defeat of this amendment.

Mr. KIND. Mr. Chairman, I rise today in support of the Chabot-Andrews amendment to the FY 2007 Interior Appropriations bill to block taxpayer spending on new commercial logging in Alaska’s Tongass National Forest. Facing massive Federal deficits, every dollar counts, and we must take a stand against the Forest Service’s fiscal mismanagement of the Tongass.

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Again, I urge my colleagues to support the Chabot-Andrews amendment.

Mr. LARSON of Connecticut. Mr. Chairman, I regret that I could not be present today because of a family medical emergency and I would like to submit this statement for the RECORD in support of the amendment offered by Representative CHABOT to protect the Tongass National Forest.

The Tongass National Forest spanning 17 million acres in southeastern Alaska is the United States’ largest national forest and home to the world’s largest temperate rain forest. Over the past 24 years, the American taxpayers have provided $850 million in subsidies to the timber industry to harvest areas within the Tongass. The American taxpayers deserve better. The bipartisan amendment offered by Representative CHABOT and Representative ANDREWS would simply prohibit the Forest Service from using any more tax dollars to subsidize the timber industry in the Tongass. I urge my colleagues to support this environmentally smart and fiscally responsible amendment. Additionally, I am submitting for the RECORD an editorial in the Hartford Courant that expresses support for the amendment.

[From the Hartford Courant, May 16, 2006] PROTECT TONGASS NATIONAL FOREST

Later this week, Congress will have a chance to right a wrongheaded public boondoggle that last year gave the timber industry in Alaska $48.5 million in Federal funds to defile the Tongass National Forest in Alaska.

Tongass was established as a national forest by Teddy Roosevelt in 1907 and occupies the extreme southeast corner of the Alaskan coast. The world’s largest intact temperate rain forest, it’s a place of unimaginable lushness and beauty. Studded with Inside Passage like a jade necklace. It is home to ancient Sitka spruce, bald eagles, bears and wolves. It’s also a renowned destination for tourists who fish, hunt, hike or simply want to witness the rugged grandeur of one of the world’s last wild places.

During the past two decades, the Federal Government has spent as much as $1 billion to prop up the timber industry in the Tongass. Putting aside the environmental consequences of clearcutting and road-building in this natural treasure (consequences including the destruction of rare, old-growth trees and woodland habitat, erosion, streams choked with silt and the loss of fish habitat), this practice is also a singularly bad investment.

Last year for example, the forest service spent $48.5 million to help timber interests harvest areas in the Tongass. In return, the government—or, rather, taxpayers—received $500,000 in logging revenues. It’s a situation reminiscent of the oil-industry giveaway underpinning this natural treasure. The New York Times. The investigation found that, while prices for natural gas nearly doubled between 2001 and 2005, the royalties paid by companies to the Forest Service for right to drill on public lands and coastal waters actually declined.

Thursday, the House is scheduled to consider an amendment to the House Appropriations bill that would put an end to the Tongass boondoggle. The amendment is being offered by Representatives STEVE CHABOT, a Republican from Ohio, and Democrat ROB ANDREWS of New Jersey. Congress should support this amendment. Wasting taxpayer money and receiving corporate welfare with little or no public benefit is worse. Publicly subsidizing the destruction of the largest intact temperate rainforest is beyond the pale.

The CHAIRMAN. All time for debate has expired.

The question is on the amendment offered by the gentleman from Ohio (Mr. CHABOT).

The question was taken; and the Chairman announced that the yeses appeared to have it.

Mr. CHABOT. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Ohio will be postponed.

SEQUENTIAL VOTES POSTPONED IN COMMITTEE OF THE WHOLE

The 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 by Mr. WEINER of New York.

Amendments by Mr. POE of Texas.
Amendment by Mr. PALLONE of New Jersey.
Amendment by Mr. BEAUREZ of Colorado.
Amendment by Mr. HINCHey of New York. Amendment by Mr. CHABOT of Ohio.
The Chair will adjourn to 5 minutes to the time for any electronic vote after the first vote in this series.
AMENDMENT OFFERED BY MR. W EINER
The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. WEINER) on which further proceedings were postponed and on which the noes prevailed by voice vote.
The Clerk will redesignate the amendment.
The Clerk redesignates the amendment. A recorded vote has been demanded.
A recorded vote was ordered.
The vote was taken by electronic device, and there were—ayes 266, noes 152, not voting 14, as follows:

**RECORDED VOTE**

The CHAIRMAN. A recorded vote has been demanded. A recorded vote was ordered. The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 141, noes 279, not voting 13, as follows:

**AYES—141**

**NOES—279**

Mr. GILLMOR and Mr. CAMF of California changed their vote from “aye” to “no.”

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MESSERS. MEK of Florida. JONES of North Carolina, CULBERSON, ISSA, HENSARLING, ROHRABACHER, FOLEY, GINGREY, and LATHAM changed their vote from “no” to “aye.” So the amendment was agreed to.

The result of the vote was announced as above recorded.

Stated for:
Mr. HINOJOsA. Mr. Chairman, on rollcall No. 163, had I been present, I would have voted “aye.”

**AMENDMENTS OFFERED BY MR. POR**

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendments offered by the gentleman from Texas (Mr. POE) on which further proceedings were postponed and on which the noes prevailed by voice vote.
The Clerk will redesignate the amendments.

**RECORDED VOTE**

The CHAIRMAN. A recorded vote has been demanded.

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1809
Ms. CORRINE BROWN of Florida changed her vote from "aye" to "no". Mr. EVERETT and Mr. ROGERS of Michigan changed their vote from "no" to "aye." So the amendments were rejected.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PALLONE

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New Jersey (Mr. PALLONE) on which further proceedings were postponed and on which the ayes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignates the amendment.

RECORDED VOTE

The CHAIRMAN. A recorded vote has been demanded. A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—aye 231, no 187, not voting 14, as follows:

[Vote roll not shown in the image.]

NOT VOTING—13

Evans
Flake
Franks (AZ)
Gutierrez
Hayworth
Kearney
Mansinum
Northrop
Payne
Not Voting—Congressional Record—House—May 18, 2006—1817
The result of the vote was announced as above recorded.

**AMENDMENT NO. 5 OFFERED BY MR. BEAUPREZ**

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Colorado (Mr. BEAUPREZ) on which further proceedings were postponed and on which the yes prevailed by voice vote.

The Clerk will redesignate the amendment. The Clerk redesignated the amendment.

**RECORDED VOTE**

The CHAIRMAN. A recorded vote has been ordered. A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote. The vote was taken by electronic device, and there were—ayes 112, noes 306, not voting 14, as follows:

**[Roll No. 166]**

**AYES—112**

Akin  Goodloe  Neugebauer
Bachus  Goodlatte  Ney
Baker  Gravert  Norwood
Barrett (SC)  Green (WI)  Paul
Bartlett (MD)  Gutknecht  Pearce
Beasler  Hashman (WA)  Pence
Blackburn  Hayes  Petri
Brady (TX)  Hensarling  Pitts
Brown-Waite,  Congressman  Poe
Ginny  Burgess  Pombo
Burgett  Burton (IN)  Rivoli
Buser  Halvorson  Rodela
Campbell (CA)  Hanlon  Rodela
Cannon  Harman  Rolen
Cantor  Hayes  Roe
Chabot  Issa  Rohrabacher
Chabot  Issa  Royce
Chocola  Jindal  Ryan (WI)
Cjole (OK)  Johnson, Sam  Salazar
Culkin  Johnson, Sensenehrener
Culherson  Kennedy (MN)  Shuster
Deal (GA)  King (IA)  Shuster
Deal (GA)  King (NY)  Skelton
DeFazio  King (NY)  Solander
DeLauro  Kissinger  Souder
Diaz-Balart, M.  Lewis (KY)  Souder
Doolittle  Larsen, Daniel  Sorensen
Dreier  Larson (CA)  Starnes
Feeney  Larson (RI)  Thall
Forbes  Manzullo  Weldon (FL)
Fox  Marchant  Weiler
Gallo  Gcalles  Weiler
Garrett (NJ)  McHugh  Westmoreland
Gibbons  McKeon  Williams (NM)
Gingrey  Miller, Gary  Wilson (SC)
Gohmert  Myrick (AK)  Young (AK)

**NOES—306**

Abercrombie  Bosman  Cleaver
Ackerman  Boswell  Conaway
Adler  Boehner  Congres
Allen  Boydstun  Cooper
Andrews  Boyd  Costa
Baca  Bradley (NH)  Costello
Baird  Brady (PA)  Cramer
Balduin  Brown (OH)  Crenshaw
Barrow  Brown (SC)  Crowley
Barton (TX)  Brown, Corrine  Cummings
Bas  Butterfield  Cummings
Bean  Carper  Davis (AL)
Becerra  Camp (CA)  Davis (CA)
Berkley  Capito  Davis (FL)
Berns  Cardin  Davis (IL)
Berry  Capito  Davis (KY)
Biggert  Cardin  Davis (TN)
Bilirakis  Carson  Delauro
Bilirakis  Carson  DeLauro
Bisch  Case  Dent
Bonilla  Casey  Diaz-Balart, L.
Bonner  Chandler  Doggett
Bono  Clay  Dinkins

**NOT VOTING—14**

Bishop (UT)  Bishop (UT)  Bishop (UT)
Bratton  Bishop (UT)  Bishop (UT)
Evens  Bishop (UT)  Bishop (UT)
Flake  Bishop (UT)  Bishop (UT)
Franke (AZ)  Bishop (UT)  Bishop (UT)

**[1833 MR. MARCHANT] changed his vote from "no" to "aye." So the amendment was rejected.**

The result of the vote was announced as above recorded.

**FURTHER PROCEEDINGS OFFERED BY MR. HINCHENY**

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from New York (Mr. HINCHENY) on which further proceedings were postponed and on which the yes prevailed by voice vote.

The Clerk redesignated the amendment.

**RECORDED VOTE**

The CHAIRMAN. A recorded vote has been ordered. A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 252, noes 165, not voting 15, as follows:

**[Roll No. 167]**

**AYES—252**

Abercrombie  Riberidge  Meehan
Ackerman  Everett  Meece (FL)
Aderholt  Farr  Menendez
Allen  Fattah  Michaelud
Andrews  Ferguson  Miller (MN)
Baca  Filner  Miller (NC)
Balko  Fitzgerald (PA)  Miller (NY)
Baldwin  Crenshaw  Miller (OH)
Barrow  Colbert  Moore (GA)
Bartlett (MD)  Portenberry  Moore (NC)
Bass  Cannon  Frank (MA)
Beauprez  Carter  Frank (MO)
Becerra  Castle  McGovern
Bilirakis  Castor  McIntyre
Bilirakis  Castor  McKeon
Bilirakis  Castor  McKinney
Bilirakis  Castor  McMorris
Bilirakis  Castor  McOwen
Bilirakis  Castor  McKinney
Bilirakis  Castor  McNulty
Mr. SCHWARZ of Michigan and Mr. WEISS of New York moved to recommit the bill to the Committee on Ways and Means with instructions to report it without further amendment.

The amendment was agreed to.
The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Kansas (Mr. TIAHRT) and a Member opposed each will control 5 minutes.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve a point of order on the amendment.

The CHAIRMAN. A point of order is reserved.

The gentleman from Kansas is recognized for 5 minutes.

Mr. TIAHRT. Mr. Chairman, this is a sad day for the future of American jobs and for our future economy. Tonight we have decided to keep energy prices higher by blocking exploration offshore on the Outer Continental Shelf.

We have also blocked the EPA from reducing the paperwork burden on small businesses and on pop and mom shops, because we have blocked them from reducing the toxic relief information paperwork.

We have even tried to blackmail oil companies tonight that entered into contracts in good faith to produce oil and gas. Now, we have adopted an amendment to force them to breach those contracts or else they are unable to drill offshore in the future.

Mr. Chairman, my amendment is very simple. It says that none of the funds made available in this act may be used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses. It is very simple: it is about American jobs.

“Without consideration” is a very simple term. It is like being polite to people in the future. Being polite often says that we are just going to be considerate of others. In terms of our future economy and in terms of our children’s opportunities, we should be considerate. We should be considerate of the barriers that have been created by this Congress and by Congresses before us over the past generation that are keeping us from creating and keeping American jobs.

We have excessive health care costs, much of which is driven by an archaic system called Medicare which was created in the 1960s and today is heavily laden with paperwork, and it drives up our health care cost.

Mr. Chairman, we have a tax policy that is punitive to success. We have regulation burdens, as I spoke about tonight, up to the curb刑事 release inventory deduction. We also have a trade policy that goes largely unenforced in some areas, allowing other countries to target businesses and run them out so that they can import their products.

We also have excessive litigation costs. The one thing that we do have in excess in this country is lawsuits. We should be exporting our lawsuits through our trade policies, holding other countries accountable when they violate our trade agreements. But litigation costs have driven up the expenses for small businesses and large businesses alike. When expenses go up, we are less competitive and we lose jobs.

Our energy policy has failed to meet the demands of our economy. That is why we have $3 gas. That is why our natural gas costs are the highest in the world because of policies created by this Congress.

And our education policy has failed to meet the needs of our high-tech society these days. Our math scores, our science scores, those students pursuing engineering science degrees are diminishing, and so are their test scores. And our unfocused research and development programs have also created barriers to keeping and creating jobs here in America.

So, Mr. Chairman, that is why I created this very simple amendment that just says that we won’t put a barrier in place when it comes to writing regulations because it costs us American jobs.

Now, I realize that my amendment is subject to a point of order because our rules say that a Member cannot add authorization language to an appropriations bill. And I assume that there is wisdom in the process, and we will abide by that.

So with reservations, I will withdraw this amendment. But I will not withdraw from the fight to remove the barriers that Congress has created that prevent us from keeping and creating jobs here in America.

Mr. Chairman, respectfully, I withdraw my amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

Mr. DICKEY. Mr. Chairman, I move to strike the requisite number of words.

I yield to my friend and colleague from New York (Mr. WEINER).

Mr. WEINER. Mr. Chairman, I rise for the purpose of entering into a colloquy with the chairman of the Interior Appropriations Subcommittee, the ranking member, and the chairman of the National Park Service Subcommittee regarding the National Park Service’s extension of the current contract to provide ferry service to the Statue of Liberty/Ellis Island National Monument, in spite of Congress’s explicit instruction that concessions contracts be put out to bid upon their expiration.

Mr. Chairman, the current concessionaire the Circle Line, has held the contract to provide ferry service from Manhattan to the Statue of Liberty for decades. They provide what is less than enjoyable service for park visitors. The old clunky boats and temporary screening facilities they use when docking at the edge of a city park hardly do Lady Liberty justice.

In 1998, Congress passed, thanks to the leadership of the House Resources Committee, a bill that overhauled the National Park Service Concession Program. The law gave for the first time competition into the contract process. Specifically, the preferential right of renewal for an incumbent that grossed more than a half a million dollars annually was eliminated. In section 403, subsection 2, the National Parks Omnibus Management Act of 1998 says: “Prior to awarding a new concession contract, including renewals or extension of existing contracts for concessions, the Secretary shall publicly solicit proposals for a concessions contract.”

It was clearly the intent of Congress to put an end to the Park Service’s age-old practice of indefinitely renewing existing contracts to the detriment of each park’s service, was it not, Mr. Chairman?

Mr. PEARCE. Will the gentleman from New York yield?

Mr. WEINER. Certainly I will.

Mr. PEARCE. The gentleman from New York is right. It was and continues to be the intent of Congress that the National Park Service open contracts to competition upon their termination.

Mr. WEINER. Reclaiming my time.

Mr. PEARCE. The Service did indeed extend the Circle Line contract from March 31, 2004, to March 2007, in response to a number of factors stemming from the events of September 11, including the fact, as my colleague knows, that the statue was closed to the public from 9/11 through August 2004. During this time, Liberty Island underwent an extensive security and safety assessment that focused on a number of vulnerabilities such as the statue’s 3/32 of an inch thick skin, and local park officials spent much more time focusing on preparing for a new contract prospectus. Obviously, they dropped the ball.

Mr. WEINER. Reclaiming my time.

Mr. PEARCE. Mr. Chairman, now as we approach the expiration of the extended 2004 contract, I have been informed, as have my colleagues on the authorizing and Appropriations committees, that the National Park Service will not have a prospectus on the street to solicit bids and award a new contract by the expiration of the current Circle Line contract in March 2007 when the 3-year renewal is scheduled to expire, meaning that the Circle Line contract will have been extended again.

Mr. TAYLOR of North Carolina. If that gentleman will yield.

Mr. WEINER. I am happy to yield to the chairman.

Mr. TAYLOR of North Carolina. The gentleman from New York is right, the National Park Service has notified the Interior Appropriations Subcommittee that due to its inability to complete an open bid before the expiration of the current extension in April 2007, the Park Service will have to temporarily...
extend Circle Line’s contract once again to prevent the disruption of service to Liberty Island.

Mr. WEINER. Reclaiming my time, I thank the chairman. Mr. Chairman, would Chairman TAYLOR, Ranking Member DICKS and Chairman PEARCE agree to extend the Circle Line contract set to expire March 2007 should not be extended without this working with the gentleman from New York, the chairman of the authorizing committee and the ranking member of this subcommittee to ensure that a new contract is in place as soon as possible and those responsible for the current delay are held accountable?

Mr. TAYLOR of North Carolina. If the gentleman will yield.

Mr. WEINER. I certainly will.

Mr. TAYLOR of North Carolina. I agree with the gentleman from New York that the Circle Line contract set to expire March 2007 should not be extended without this working with the gentleman from New York, the chairman of the authorizing committee and the ranking member of this subcommittee to ensure that a new contract is in place as soon as possible and those responsible for the current delay are held accountable.

Mr. WEINER. Reclaiming my time, I thank the chairman.

Mr. PEARCE. If the gentleman will yield.

Mr. WEINER. Certainly I will yield.

Mr. PEARCE. I agree also with the gentleman from New York that the Circle Line contract set to expire on March 2007 should not be extended. I look forward to working with the gentleman from New York and the chairman and ranking member of the appropriations subcommittee to ensure that a new contract is in place as soon as possible and those responsible for the current delay are held to account for their actions.

I also thank the gentleman for bringing this problem to my attention. With over 800 concession-related contracts in the National Park system, it is difficult for me and the subcommittee staff to always stay on top of these ongoing deadlines.

Mr. WEINER. Mr. Chairman, reclaiming my time, I thank the chairman.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. WEINER. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I want to thank the gentleman from New York for his leadership on this issue. I look forward to working with him, with the chairman, and with the authorizing committee to ensure that a new contract is in place as soon as possible and those responsible for the current delay are held to account.

Mr. WEINER. Mr. Chairman, I want to thank Mr. DICKS, and I also want to extend my gratitude to Mike Stephens of your staff, Deb Weatherly of Mr. Taylor’s staff, and Rob Howarth of Mr. Pearce’s staff for their cooperation.

Mr. Chairman, I submit the following articles for the RECORD.

[From the New York Times, Aug. 4, 2004]

LIBERTY IS OPEN AGAIN TO THE MASSES, BUT JUST TWICE A DAY (By Carolyn Curiel)

For anyone who has ever trekked up the spiral staircase of the Statue of Liberty and perched through the crown’s narrow windows, the statue’saldness for the first time since the 9/11 attacks, is bittersweet. Its surrounding grounds and facilities have been spruced up, and members of the national editorial staff told that the statue, an international icon, is better than ever. But there’s no way to ignore the loss of what was the main attraction: tourists can no longer knock themselves out by climbing those storied 353 steps.

It’s perhaps an unavoidable result of the sense of disrepair, but a sad one nonetheless. The new tour stops short of the hem of Liberty’s robes, at the top of her thick concrete pedestal, in a room that holds 10 people at a time who cross about 3,000 people a day who are quickly shuffled in and out.

While a guide shows a video, tourists are invited to look up at the args that the ceiling panels gave a glimpse of a few feet of the interior. Tourists can also step into the open air on a deck that lines the pedestal. That’s as good as it gets. And that only 30 people at a time allow a glimpse of the statue.

The climb, which visitor is screened twice, by X-ray and metal detectors before boarding a ferry to the monument, and then on to the premises by new scanners looking for explosives and narcotics.

Throughout the statue’s base are monitors showing the routes to the nearest exits in cases of emergency. The bottom scrolls a constant message: “If you see something, say something.” Oddly enough, this antiterrorism mantra, which appears in bilingual postings in city subways and buses, is only in English at this symbol of America’s polyglot immigration.

“Larry Parsons of the New York Police Department’s counterterrorism division said that the statue serves as an example of how access can be expanded while ensuring that the statue is secure.”

[From the Daily News, May 4, 2006]

LIBERATED LADY LIBERTY

The Statue of Liberty, held hostage by the Interior Department and the National Park Service, has a new champion in Senator Robert Menendez, the New Jersey Democrat who, in April, was able to free her from the bureaucratic shackles that have imprisoned her since 9/11. Today, Menendez and the rest of the Energy and Natural Resources Committee held a confirmation hearing for Interior Secretary-nominee Idaho Gov. Dirk Kempthorne, at which time the New Jersey Democrat will demand answers and action to ensure Lady Liberty is open to the public, which she is not, despite lies by the feds and their non-profit funding partner, the Statue of Liberty-Ellis Island Foundation.

All that is open is the pedestal. Visitors can look up her skirts. They cannot, as had been the case before 9/11, climb the spiral stairway to her crown. She has become the Statue of Cowardice, thanks to the people who run Liberty Island and are terrified of terrorism.

“Americans are sick of double-talk. Open the statue. All of it.”

[From the Daily News, May 7, 2006]

CARRYING A TORCH

Sen. Bob Menendez did his best at Interior Secretary nominee Dirk Kempthorne’s confirmation hearing last week. The New Jersey Democrat eloquently explained why the Statue of Liberty must be reopened to the public, and he pressed Kempthorne to explain when that might happen. But the Idaho governor was not impressed. He can answer a question while saying nothing at all.

Menendez is to be thanked for raising the issue of how Lady Liberty is being held hostage by the National Park Service (under Interior Department auspices) and the Statue of Liberty-Ellis Island Foundation. Since Liberty Island was closed 9/11, only the pedes-
tal has reopened, despite much-improved security measures for the island and the federal government’s promise to allow access to the crown and the spiral staircase leading there—a staircase trod by multitudes before the feds began cowing.

Citing those new security measures, Menendez told Kempthorne: “I hope that you will help liberate Lady Liberty. We should all be in line to the top of Lady Liberty. We should let Americans travel to the top of Lady Liberty.”

Then Menendez expressed hope that Secretary Kempthorne “would make a commitment” to do what is necessary to reopen the statue in its entirety. Responded Kempthorne: “I will take your counsel” and “look into” how access can be expanded “while understanding that we want to make sure that it is done safely.” And yada yada yada.

Mr. Chairman, I submit the following articles for the RECORD.

[From the Daily News, May 4, 2006]

AMENDMENT OFFERED BY MR. GARRETT OF NEW JERSEY

Mr. GARRETT of New Jersey. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. Garrett of New Jersey:

At the end of the bill (before the short title), insert the following:

TITLES VI AND ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available in this Act may be used to send or otherwise
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pay for the attendance of more than 50 em-
ployees from a Federal department or agen-
cy at any single conference occurring outside
the United States.

The CHAIRMAN. Pursuant to the
order of the House of today, the gentle-
man from New Jersey (Mr. GARRETT) and
a Member opposed each will con-
"cute 5 minutes.

The Chair recognizes the gentleman
from New Jersey.

Mr. GARRETT of North Carolina. Mr. Chair-
man, will the gentleman yield?

Mr. GARRETT of New Jersey. I yield
the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr.
Chairman, we will accept the amend-
ment.

Mr. GARRETT of New Jersey. I ap-
preciate that, and I will very brief,
just to say that Members on both sides
of the aisle may disagree on exactly
how we got to this point, but I think
most people will agree that our deficit
in this country is too high.

If people watched TV last night and
watched the debates on the floor with
regard to our budget, there was much
disagreement on our spending levels
and the like. But one thing we all came
to agreement on at the end of the
evening is that we are spending too
much and that when we spend too
much it creates a deficit. So when we
are at an appropriate time try to limit
and rein in those spendings, I think
that is an appropriate and common
sense approach to do that. To do that
we have this amendment.

This amendment is basically to say
that when Federal agencies travel
overseas on international conferences
there should be some limit as to how
many members and their staff goes.
The amendment picks out a reasonable
number and that is 50.

No one would disagree with the fact
that we should attend international
conferences and no one would disagree
with the fact that we should allow staff
to go to them. Our amendment simply
says that only essential staff should at-
tend the international conferences, and we there-
fore set a limited number.

I appreciate the fact that the chair-
man has agreed to this amendment in
past legislation, and I certainly appre-
ciate the fact that the amendment once
again is agreed to by the chair-
man at this point in time as well.

Mr. Chairman, I yield back the bal-
ance of my time.

The CHAIRMAN. Does any Member
claim time in opposition to the amend-
ment?

If not, the question is on the amend-
ment offered by the gentleman from
New Jersey (Mr. GARRETT).

The amendment was agreed to.

AMENDMENT OFFERED BY MR. GARY G. MILLER
OF CALIFORNIA

Mr. GARY G. MILLER of California. Mr.
Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will des-
gnate the amendment.

The text of the amendment is as fol-
"ows:

Amendment offered by Mr. GARY G. MIL-
LER of California:

At the end of the bill, before the short
title, insert the following:

TITLE VI—ADDITIONAL GENERAL
PROVISIONS

SEC. 601. No funds made available by this Act may be used to conduct the San Gabriel Watershed and Mountains Special Resource Study (authorized by the San Gabriel River Watershed Study Act (Public Law 108–42) in the cities of Diamond Bar, La Habra, Industry, Chino Hills, and the community of Rowland Heights in Los Ange-
les County, California (as defined by the fol-
lowing boundaries: the City of Industry on the
north, Orange County on the south, the City of Diamond Bar and California State Route 57 on the east, and the City of La Habra Heights and Schabarum Regional Park on the west.).

The CHAIRMAN. Pursuant to the or-
der of the House of today, the gentle-
man from California (Mr. GARY G. MILLER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman
from California.

Mr. GARY G. MILLER of California.
Mr. Chairman, I yield myself such time
as I may consume.

In 2003, I was approached by the chair-
man of the Resources Committee, Rich-
ard Pombo, and he was asked to put
language in a bill that would au-
thorize the National Park Service, San
Gabriel Valley Watershed and Mount-
ain Special Resource Study to survey
the San Gabriel River and its tribu-
taries and the San Gabriel Mountains
north of, and including, the City of Santa Fe Springs.

The results of this study could ultimately be
used to compromise the ability of local govern-
ments to decide what is best for their commu-
unities.

This amendment is simple. It only affects
the communities within my district who do not
wished to be the subject of a Federal National
Park Service study.

My amendment would exclude cities within
my congressional district (and one neighboring
city) from a study being conducted by the Na-
tional Park Service (NPS): “the San Gabriel
River Watershed and Mountains Special
Resource Study.”

NATIONAL PARK SERVICE STUDY HAS GONE BEYOND
CONGRESSIONAL INTENT

In 2003, Congress authorized the National
Park Service San Gabriel Watershed and
Mountains Special Resource Study to survey
the “San Gabriel River and its tributaries and
the San Gabriel Mountains, north of, and in-
cluding the city of Santa Fe Springs” to deter-
mine if any resources are available for Na-
tional Park Service designation.

Let me be clear—my district is not in the
San Gabriel Mountains, nor does it contain a
tributary, and it is not north of Santa Fe
Springs.

It is east of the area that was authorized
to be studied.

I did not oppose the original authorization
of this study because, according to my inter-
pretation of the language, my district would not
be affected.

I strongly believe that the inclusion of cities
in my district in the NPS study went beyond
the scope of the congressional authorization.

MY CITIES DO NOT WANT THEIR LAND TO BE ADDED TO
THE NATIONAL PARK SYSTEM

We have reached out to the NPS on numer-
os occasions asking them to remove these
cities from the study—they have refused.

I rise today to ask that you support my ef-
forts to ensure these cities are not forced to
be included in a study by the National Park
Service.

This amendment does not affect any other
cities in the study than those in my district
(including the City of Industry) that have asked
to be excluded.

If other members want their cities to con-
tinue to be included in the study, then this
amendment will not affect them.

The bottom line is that I represent these cit-
ties and they have told me they do not want to
be included in this study.

AMENDMENT

The cities in the 42nd Congressional Dis-
trict, which I represent, have worked hard
to address the challenges associated with the
rapid pace of growth in our region, including
finding innovative solutions to manage future
development, alleviate traffic congestion, and
preserve open space.

These cities are in the best position to make
decisions regarding land use within their
boundaries and I am opposed to any federal
action that falsely conveys the perception that
this authority might be curtailed in the future.

The results of this study could ultimately be
used to compromise the ability of local govern-
ments to decide what is best for their commu-
unities.
Chairman, I would do nothing to im-
 Absolutely. Reclaiming my time, Mr.
to work this out.
would need to be able
process forward, we will cooperate with
this, but for the sake of moving the

Mr. GARY G. MILLER of California.
Yes. I would ask that my amendment
be adopted, but I would be happy to
work with you.

Mr. TAYLOR of North Carolina. Mr.
I have no objection to the
amendment.

Mr. DICKS. Mr. Chairman, will the
gentleman yield?

Mr. GARY G. MILLER of California.
I yield to the gentleman from Wash-
ington.

Mr. DICKS. Mr. Chairman, I agree
that there is still some confusion over
this, but for the sake of moving the
process forward, we will cooperate with
the gentleman. But we need to be able
to work this out.

Mr. GARY G. MILLER of California.
Absolutely. Reclaiming my time, Mr.
Chairman, I would do nothing to im-
pact anybody else’s district. The cities
delineated within the amendment are
clearly under my purview, and they all
have issued letters requesting to be re-
moved; so I would be happy to work with
the gentleman.

Ms. SOLIS. Mr. Chairman, I rise in opposi-
tion to the amendment sponsored by Con-
gressman MILLER. This amendment is based
on a fundamentally flawed understanding of the
study process incorporated in the legisla-
tion which I authored and which was signed
into law on July 1, 2003 and would result in
a change in the study design.

The San Gabriel River Watershed Study Act
was signed on July 1, 2003 after a
lengthy effort to build consensus, an effort
which included outreach to and coordination
with all the members of the San Gabriel Valley
deployment, including the Representatives of
Diamond Bar, La Habra Industry, Chino Hills,
and the unincorporated area of Los Angeles
County in the community of Rowland Heights.
As a result of this effort, the legislation passed the
U.S. House of Representatives with broad
support.

Congressman RADANOVICH noted in a letter
to the editor on August 4, 2002, that the legis-
lative text, the Secretary of the Interior
was signed into law on July 1, 2003 after a
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As a result of this effort, the legislation passed the
U.S. House of Representatives with broad
support.
Corps have restricted the ability of the authority of local regulators to engineer that empowers regulators to protect water quality.

opposition to the amendment.

of point of order and claim the time in my time.

increased frequency and increased sever-

habitat for waterfowl, loss of habitat

is defeated, streams, ponds, wetlands

the Clean Water Act. If the amendment

waters are subject to protection under

policy.

Our amendment would prevent EPA from implementing that unsound policy. With our amendment EPA and the Corps of Engineers will once again be able to follow their own regulations and procedures in determining what waters are subject to protection under the Clean Water Act. If the amendment is defeated, streams, ponds, wetlands will continue to endure unregulated wastewater and other damaged water discharge. The result will be less of habitat for waterfront, loss of habitat for wildlife, endangered wildlife, increased frequency and increased severity of flooding and increased risk of drinking water and polluted ground-water supplies.

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

Mr. TAYLOR of North Carolina. Mr. Chairman, I withdraw my reservation of time and claim the time in opposition to the amendment.

The Acting CHAIRMAN (Mr. GUTKNECHT). The gentleman from North Carolina will control 15 minutes.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve the balance of my time.

Mr. OBERSTAR. Mr. Chairman, I yield 3 minutes to the gentlewoman from Texas (Ms. EDDIE BERNICE JOHN-

son).

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Chairman, let me thank the leaders of this amendment, Mr. OBER-

STAR, Mr. LEACH, Mr. DINGELL, to protect water quality.

This amendment reverses the harmful policy of EPA and the Corps of Engineers that empowers regulators to allow the pollution of waters and destruction of wetlands but eliminates the authority of local regulators to protect waters from such pollution and destruction.

Since January, 2003, EPA and the Corps have restricted the ability of their own personnel to implement regulations that have been in use since 1986. These regulations are valid, understood in the regulated community, and are the method we use to protect some 20 percent of the Nation’s waters. The Nation’s ponds, streams, rivers, lakes, and wetlands can be healthier than the headwaters and runoff that feed them.

Since EPA guidance was put in place in 2003, regulators have allowed the pollution and destruction of these critical wetlands to impair the health of the entire aquatic system. This amendment is not about stopping the direct pollution of our great rivers such as the Mississippi or the Trinity River, which flows through my home city of Dallas. It is about protecting the waters that feed into these systems and that serve as the origins of these great rivers. When we fail to protect smaller bodies of water, we lose the flood control, water supply, water filtering, and filtration benefits that these waters provide.

Waters that may appear isolated on the surface tend to be interconnected with the ground and surface waters elsewhere. We cannot simply ignore the connections among and the values of all of the Nation’s waters.

I support this bipartisan amendment and urge all of my colleagues to join me in voting ‘yes.’

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

I would like to oppose this amend-

ment strongly. On January 9, 2001, the Supreme Court ruled that there must be a significant and important connection between traditional navigable waterways and the wetlands or waters to be regulated by Federal agencies.

The EPA and the Corps of Engineers issued guidance to their field staff in 2003 clarifying that the Clean Water Act jurisdiction did not extend to isolated waters that are both intrastate and non-navigable. This guidance also clarifies that field staff should continue to assert jurisdiction over traditional navigable waters and adjacent wetlands and their tributaries systems and adjacent wetlands. Field staff was directed to make jurisdictional and permitting decisions on a case-by-case basis.

The plain text of the Clean Water Act emphasizes that Congress constructed the statute in a manner that intended, as the Supreme Court has articulated, to “recognize, preserve, and protect the States’ primary authority and responsibility over local land and water resources.” Misguided efforts to expand the geographical scope of the Clean Water Act will create and exacerbate local land and water resource decisions with burdensome and costly Federal controls.

I will give you an example. Right now the Clean Water Act is being used in farms, with livestock, cattle primarily, to try to clean the streams where cattle are grazing.

If we allow the situation we have here for navigable waters to be trans-

lated to ditches, small tributaries with an ounce of water, the soil conserva-

tion today, and we are providing grants for soil conservation to take those same sort of work in cleaning water. We will actually get dirtier water. We could have up to six agencies get involved in trying to clean up water on a farm. Not only will the cost be prohibitive, but the bureaucracy, because many of those agencies do not agree in this thing.

Eliminating this guidance will create confusion and could lead to the classification of ditches, drains, curbs, roads, and erosion features as ‘‘navigable water of the United States.’’ Clearly, this goes beyond common sense, but it won’t be the first time that the Federal Government has tried to force something like this. Such an expansive regulatory reach would have the Federal Government interfering and frustrating local deci-
sions regarding construction, opera-
tion, maintenance, management, transportation, flood control, and agri-
cultural production.

For instance, soil water conserva-
tion, which would be working with the farmer, has an elected delegation inside the county, as well as the State delegations elected, and they are trying to do the right thing, and we are spending Federal money to help it. This could be stopped by the Corps of Engineers simply for bureaucratic ac-
tion.

Eliminating this guidance would re-

quire Federal oversight of ditches, storm drains and sewers. These are local structures that are constructed and managed and maintained at the local level. We don’t have the Corps of Engineers and all the bureaucracy that would be entailed to get down to a small storm drain or a small ounce of water on a farm. The cost would be prohibitive, and it would go against what the Clean Water Act is trying to do, and that is clean water for a special agriculture problem.

One critical consideration is the Su-

preme Court is expected to rule in two new Clean Water Act cases prior to the expiration of the current term in June. The decisions in these cases will provide important clarification of the geo-

graphic scope of the Clean Water Act jurisdiction. We should not act at this time and consider this being actively deliberated by the Supreme Court.

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

Mr. OBERSTAR. Mr. Chairman, I yield myself to the distinguished gentleman from Michigan (Mr. DINGELL), who, along with my predecessor, John Blotnick, was the original inventor of the clean water program.
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(Mr. DINGELL asked and was given permission to revise and extend his remarks.)

Mr. DINGELL. Mr. Chairman, I thank my dear friend from Minnesota, who has done so much for the natural resources of this country and for the protection of its waters. I salute you, Jim.

When the original Clean Water Act and its amendments were passed, the waters of this country were so filthy that they were unsafe for recreational purposes, for swimming, for drinking and even for industry. Imagine that. And we were ditching, draining, drilling and drying our wetlands at a pace which was unbelievably bad for the country. We also were destroying in that process not only wildlife habitat, but one of the finest natural flood control systems that has ever been devised by the mind and hand of the almighty God.

Now, in the debates on the Clean Water Act, if you read the history, you will find that there the managers of the bill in a colloquy with me said that this law was to cover all navigable waters of the United States and all waters that affected the navigable waters of the United States and that had been the settled interpretation of the law ever since. It has stopped the drainage and the drying up of our wetlands. It has done an enormous amount of good to clean up the waters, so that now they have been set aside for swimming and boating and recreation and industry and irrigation and other things which were not available before.

If you will but take a look, you will find the consequences of this understanding which this amendment would deny funding for. The guidance that we are talking about has wiped out the protections for bodies of water like the Sacramento River in New Mexico, a water supply for a number of communities, being a drinking water source, the Folsom South Canal in California has been determined not to be water under the Clean Water Act. Imagine that, if you please. Forested wetlands in Delaware that connect to the Little River, feeding directly into Delaware Bay were declared isolated and not covered. An 86-acre lake in Wisconsin, popular with fishermen, is no longer covered by the Clean Water Act.

Now, I want to remind my colleagues that not long back, 218 Members of this body joined in sending a letter to the President of the United States asking him not to implement the plans that were in the offing in the administration. That letter was honored by the President withdrawing the regulatory change, but he left in place the guidance.

This is an amendment which will stop wrongdoing. This is an amendment which will protect the water resources of this country at a time when the need is clear. This is a proposal which sees to it that the wishes of 218 Members of this Congress, communicated to the President from Members from both sides of the aisle, Democrats and Republicans, are carried forward and implemented by the conservators and protectors of the natural resources and, above all else, the precious water of the United States.

I urge the adoption of the amendment offered by my good friend Mr. OBERSTAR and by the distinguished gentleman from Iowa, Mr. LEACH.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 3 minutes to the gentlewoman from Utah (Mr. BISHOP).

Mr. BISHOP. Mr. Chairman, I want to introduce you to Gene, who is a third-generation sugar beet farmer. That is a root crop that can't grow in wetlands. Nonetheless, his sugar beet farm was declared government wetland as a wetland. The reason it was a wetland was because the creek was connected to his farm by way of an irrigation ditch with a pipe in it. The water to his wetland went through an irrigation ditch. He was allowed to pool so the higher end of his farm could actually be irrigated the same way. In our district, 8 days of irrigation is one of the criteria for a wetland.

I don't believe that those who actually work the land intended an irrigation pipe to be considered one of the navigable waterways of the United States, but the act is written so loosely and the interpretation by bureaucrats on the administrative side has been so perverse that indeed those kinds of decisions have been made in reality.

The SWANCC decision by the courts simply said enough is enough. We need to bring some logic, write some rules that actually are the intention of this particular act. So Gene, when he took the irrigation pipe away and the water dried up, was still threatened with fines because he had interrupted the navigable waterways of the United States. And when he and his wife for medical needs tried to use the only asset that they had, which was their farm, and they tried to sell it for their needs and their family needs, the value of the farm was shot down because this is now farmlands. They were forced to sell their property for one-quarter of the value of the farm.

Mr. BOEHLERT. Mr. Chairman, I rise in strong support of this amendment. This amendment has a very clear pur- pose, to ensure that the Clean Water Act, one of the most vital and effective laws, to ensure that the Clean Water Act protects as many waters as possible.

The Environmental Protection Agency has issued guidance that, sadly, has the effect of limiting the application of the Clean Water Act. There is no good reason to do that. The guidance goes beyond any limitation that was necessary because of the Supreme Court ruling in what is known as the SWANCC case, and the guidance is not even helpful. The Government Accountability Office has documented that the guidance is actually causing confusion and inconsistent interpretation of the law. Some guidance.

The guidance is so misguided, that 2 years ago, 218 Members of this House, a bipartisan group, wrote to the EPA asking that the guidance not be implemented. Our call was unheeded, so we need to send a stronger message here and now.

We need to block the implementation of this guidance to protect our Nation's waters. This amendment will not prevent EPA from issuing new, more thoughtful guidance; but this amendment will prevent a rollback of the Clean Water Act.

I urge my colleagues to vote for this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield 2 minutes to the gentleman from Pennsylvania (Mr. PETERSON).

Mr. PETERSON of Pennsylvania. Mr. Chairman, I rise to support the chairman's amendment. I have 8 years of local government experience, 30 years of small-town business experience, and 19 years of State government experience before I came here; and I can't tell you the time I have spent bringing reason to wetland designation in my district.

The problem we have had, and what I believe the creep here is, we are going
Mr. OBERSTAR. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, the gentleman ought to go talk to his farmers more, because if this passes the farmer will soon find out. Mr. Chairman, that he no longer can drain even a few drops of water out of his ditch and try to collect it or put it in a way that he can responsibly manage his farm, even if that has been done for years and years.

The Soil and Water Conservation has tried working with the EPA in this Clean Water Act to put common sense into these measures, to try to see that reality happens, that you can farm in a responsible way. In fact, they are doing more to clean up the water, especially in farms, by putting in systems that depend on silviculture, that depends on the fishing community to harvest their striped bass or eels or catfish or whatever, we have understood the compatibility of human activity with nature's design, and we want to ensure that that is still in law and that our waters of the United States can continue to be protected.

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was there once in 50 years and not to have the Corps declare that this is wetlands simply because a migratory bird came over it at one time or another.

The Supreme Court said, no, you cannot do that to the Corps of Engineers. We are putting a greater responsibility and authority to the Clean Water Act so it can be implemented to protect the quality of our waters, the fishability of our waters, the swimmability of our waters and to protect Americans' clean water future.

Mr. TAYLOR of North Carolina. Mr. Chairman, I would only point out that the gentleman's recommendation is entirely contrary to what is happening in a sense. The Soil and Water Conservation is trying to put small tributaries underground, put into a pond, a clean water pond, with fabric around it, and so forth, to cow's activities getting involved in the water.

Now that is what they are trying to do. The Corps is trying to oppose them in my own state, time after time. And we may have to get back and take money away that the Federal Government put forth for the Soil and Water Conservation, because the Corps bureaucratically says that one drop of water in their control and the Corps has no authority.

Now, if you want to pollute streams, enact this bill and you will see on farms more and more activities that will be ignored. No farmer would get involved in this and we will have to have a police state to go by every cow and every animal to see that there is any compliance.

Right now the farmer knows best and is the best steward of his lands. He is working with the Soil and Water Conservation, with elected members from that community, and they are doing a good job. Put more bureaucracy in it, we will bring it to a halt and create more pollution.

Mr. Chairman, Mr. Speaker, I rise today in support of the clean water act amendment offered by my colleagues Mr. LEACH, Mr. OBERSTAR, and Mr. DINGELL.

This is an important amendment for public health and safe drinking water, for hunting, boating, and swimming, for protecting homes and businesses from floods, and for our economy, much of which depends on a clean environment, especially clean water.

That is why the 1972 Clean Water Act is one of the nation's most fundamental and popular laws—a protective law. Clean water is vital to almost every aspect of quality of life in our nation.

The policy adopted by the EPA and Army Corps of Engineers in 2003 undermines the Clean Water Act's promise of clean water for all Americans. It is contrary to the letter and spirit of the law. It threatens to reverse decades of progress in cleaning up the nation's waters.

This policy is leaving many wetlands as well as headwater and seasonal streams without federal limits on water pollution. The policy tells the Corps of Engineers that they must get permission before applying Clean Water Act protections to certain so-called isolated waters, although that term is not used in the Clean Water Act to exclude waters from the law, nor is the term even defined in the policy, leaving it unclear at best what is and is not protected. No permission is needed before the EPA or Corps staff can deny protections for waters, and leave them open to pollution from sewage and industrial wastes, or even destruction.

The total risk to the nation’s streams and wetlands across the country—and consequences for drinking water health and safety—are significant and potentially severe.

Maintaining safe drinking water requires protecting the sources of drinking water—both surface water and groundwater supplies—from pollution. The EPA recently concluded that the majority of the nation's wetlands rely on surface waters get their water from "source water protection" areas that contain headwater streams or seasonal and intermittent streams.

Again, these are the very types of streams both I and my colleagues offering this amendment believe are most at risk of losing federal Clean Water Act protections under the agencies' policy.

According to the EPA's letter:

In total, over 90 percent of surface water protection areas contain start reaches or intermittent/ephemeral streams. Public drinking water systems that serve these areas are estimated to provide drinking water to over 110 million people.

If this policy continues, some or all of these source waters could lose federal Clean Water Act restrictions against water pollution, and the people who rely on these waters will either have to pay the price: either with dirtier water or higher costs for safe drinking water.

I hope all of my colleagues will join me today in voting to reaffirm protections from all of the nation's waters, including streams and wetlands, as the Clean Water Act has always done. Vote for the Oberstar-Leach-Dingell clean water amendment.

Ms. SLAUGHTER. Mr. Chairman, I rise in strong support of the Oberstar/Leach/Dingell amendment to H.R. 5386, the Interior-Environment Appropriations bill for fiscal year 2007. As co-chair of the Congressional Great Lakes Task Force, I believe it is imperative that we take immediate action to protect our natural resources.

In response to these threats, the Great Lakes Regional Collaboration, which was commissioned by President Bush, recommended a joint federal commitment to restore and protect the Great Lakes. The Coalition represents millions of Americans that live, work, and love the Great Lakes region.

As you know, the Great Lakes basin is defined by its rich water resources, its vast sand dunes, biologically rich coastal marshes, lake pine swampland, blue-ribbon trout streams, rocky shorelines, sparkling inland lakes, and diverse wetlands. Yet the wetlands, marshes, and shorelines people in the region remember are being lost. The Great Lakes have lost more than half of their original wetlands, including 90 percent in Ohio and 50 percent in Michigan. Invasive species, non-point source runoff and food web disruptions threaten the health and sustainability of this delicate ecosystem.

In response to the recommendations of the Great Lakes Regional Collaboration, which was commissioned by President Bush, the Oberstar-Leach-Dingell amendment prohibits funds from being used to implement an out-dated policy. Great Lakes waters are vital to almost every aspect of our quality environment, especially clean water.

The Oberstar-Leach-Dingell amendment is the federal government's next step in protecting our Great Lakes from pollution. This legislation will help prevent polluted discharges into streams, ponds, and wetlands in the Great Lakes basin. The Great Lakes have already lost more than half of their original wetlands, and invasive species, non-point source runoff and food web disruptions continue to threaten the health and sustainability of this delicate ecosystem.

The Oberstar-Leach/Dingell amendment would prohibit the Environmental Protection Agency (EPA) from moving forward with a plan that will make it overly difficult to protect instate waters. Should EPA's policy remain intact, our Great Lakes basin will face greater threats of pollution to our drinking water, increased frequency and severity of flooding, and the loss of habitat for waterfowl and endangered wildlife.

Mr. Chairman, the Oberstar/Leach/Dingell amendment has broad support among Great Lakes interests, and I strongly urge my colleagues to support this amendment. The amendment has broad support among Great Lakes interests, and I strongly urge my colleagues to support this amendment.

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

The Acting CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota (Mr. OBERSTAR).
Mr. OBERSTAR. 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 Minnesota will be postponed.

AMENDMENT OFFERED BY MR. CONAWAY

Mr. CONAWAY. Mr. Chairman, I offer an amendment.

The Acting CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. CONAWAY:

At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

Sec. 601. None of the funds made available in this Act may be used to enforce the National Primary Drinking Water Regulations for arsenic and radionuclides promulgated under section 1412(b) of the Safe Drinking Water Act (42 U.S.C. 300g-11(b)(4)(E)) in the case of any public water system serving 10,000 people or less.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve a point of order on the amendment.

The Acting CHAIRMAN. The gentleman from Minnesota will be recognized.

Mr. CONAWAY. Mr. Chairman, I am sure that you agree that sound science, not unproven theories be at the root of our Federal drinking water rules.

Families in rural communities should not be required to pay thousands of additional dollars each year to comply with regulations that are founded in theory rather than in fact.

Mr. TAYLOR of North Carolina. Mr. Chairman, I certainly agree with the gentleman that the Federal regulations should be based on sound science, that rural communities should not be unfairly asked to pay additional, unnecessary costs for their drinking water.

Mr. CONAWAY. Mr. Chairman, reclaiming my time, currently rural communities across America are being forced to comply with extremely costly regulations regarding arsenic and radionuclide standards that have been established by the EPA.

There is no data available to support the assertions made by the EPA that these regulations materially protect public health and safety. I am concerned that the current EPA rules are not supported by public health information that the results from unvalidated mathematical models are used to support these rules, and that the rules are unnecessarily creating a category of radioactive waste for which there is currently no approved method of disposal.

Mr. Chairman, my comments are supported by the EPA’s own statement and the notice of data availability document from April of 2000. “EPA recognizes the inherent uncertainties that exist in estimating health impacts at the low levels of exposure, and the exposure rates expected to be present in the environment.

EPA also recognizes that at these levels, the impact from ingested radionuclides will be difficult if not impossible to distinguish from natural disease incidences, even using very large epidemiological studies employing sophisticated statistical analysis.

Mr. Chairman, I believe the rural communities are not protected, but rather are harmed by water standards that allegedly promote health at the expense of economic well being. I have no constituents who are currently paying 770 percent more for water service than that of urban populations due to the regulatory burdens placed on them by EPA.

Small water suppliers cannot comply with these standards. Current consumer rates will inevitably result in the loss of customers, and poor families will be forced to go back to using unregulated shallow ground water and dirt tanks for human and livestock consumption.

Mr. Chairman, I rise today to offer an amendment in the nature of an objection to the request of the gentleman from Florida (Mr. PUTNAM) and a Member opposed each will control 30 minutes.

Mr. TAYLOR of North Carolina. Mr. Chairman, I commend the gentleman for his efforts as we move this bill through committee. I am concerned that the current regulations that have been established by the EPA.

There is no data available to support the assertions made by the EPA that these regulations materially protect public health and safety. I am concerned that the current EPA rules are not supported by public health information that the results from unvalidated mathematical models are used to support these rules, and that the rules are unnecessarily creating a category of radioactive waste for which there is currently no approved method of disposal.

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Small water suppliers cannot comply with these standards. Current consumer rates will inevitably result in the loss of customers, and poor families will be forced to go back to using unregulated shallow ground water and dirt tanks for human and livestock consumption.  

As more people exit these systems, the costs for the remaining customers will continue to rise.

Currently, the EPA exempts water systems with fewer than 25 users. I believe we should extend that exemption to water systems that service fewer than 10,000 users. This would provide hope for the viability of small rural systems and the areas and communities they serve. The current requirements reach far beyond what is reasonable and are bankrupting local governments.

Mr. TAYLOR of North Carolina. Mr. Chairman, I commend the gentleman for his efforts on the part of his constituents and for all the rural water users who are facing similar problems. I commit to work with the gentleman to see what can be done to address this problem. The Committee will be glad to facilitate a meeting with the EPA to address this important issue and see what can be done as we move this bill through conference with the Senate.

Mr. CONAWAY. Mr. Chairman, I will ask unanimous consent now to withdraw my amendment.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

AMENDMENT OFFERED BY MR. PUTNAM

Mr. PUTNAM. Mr. Chairman, I ask unanimous consent to yield 15 minutes of my time to the gentlewoman from California (Mrs. CAPPS) for her to control and yield.

The Acting CHAIRMAN. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PUTNAM. Mr. Chairman, I yield myself 1½ minutes.

Mr. Chairman, I rise today to offer language to strip from this bill a grievous assault on Florida and on other States that are dramatically impacted by what will be a 3-mile drilling limit. It does not recognize the needs of our military; it jeopardizes world-class one-of-a-kind ecosystems and industries. It doesn’t respect the rights of our States to manage our own resources. It is an ill-conceived plan tied to the back of the wrong legislative vehicle.

We come here this evening to debate a very important component of our national energy policy. This particular piece of our national energy policy needs to be comprehensive in nature; it needs to be dealt with in a forum other than the annual spending bill which controls everything from the National Park Service to wetlands mitigation and the national endowment for the arts and the humanities. It should be a stand-alone bill for this House to consider the merits and challenges of opening up the Outer Continental Shelf to exploration to assure our national energy needs.

We are in the process of negotiating a comprehensive solution to this problem. The sponsor of the legislation that found its way into this spending bill has his own comprehensive solution at 20 miles, and yet this jeopardizes our coasts at 3 miles. It does not leave any room for error; it did not have any input from the affected States, and it is opposed almost across the board by the Governors of those States.

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

Mr. PETERSON of Pennsylvania. Mr. Chairman, I rise to claim the time in opposition.
The CHAIRMAN. The gentleman is recognized for 30 minutes.

Mr. PETERSON of Pennsylvania. I will take 2 minutes to respond to the opening comments, and then I will share time.

We are here tonight on an appropriations bill? Because for 25 years we have had authorizing language placed in the initial draft of an appropriations bill that has nothing to do with appropriating, but has a lot to do with the energy policy of this country.

This country is in an energy crisis, and the crisis in this country is natural gas. But natural gas is readily available in this country onshore and offshore. We are the only country in the world that has locked up its Outer Continental Shelf. That is from 3 miles to 200 miles. We are the only country in the world.

Now, my language that I placed in this bill, because it is all I could do in an appropriations bill; I can move authorizing language. I chose not to remove gas and oil because I think gas is the crisis that we can deal with. I removed the prohibition of natural gas only. I couldn’t put my language in there from the bill I have that protects the 200 miles. I couldn’t do that. But we removed it for natural gas only. Still, we have a Presidential moratorium. Nothing can happen. We have a 5-year plan that anything that is leased, nothing can happen. We have to have authorizing language to allow gas leases only. Nothing can happen.

This is the beginning of a debate, folks, that you have all been avoiding. This debate has been avoided year after year as the gas crisis in this country has continued to skyrocket. We used to have gas for less than $2 about 6 years ago. Last year, the average price was $9.50 a thousand and peaked at $14 and $15 for 4 months. We have the petrochemical business moving away. We have lost half of the fertilizer business in the last 2 years. Polymers and plastics are moving away. Steel, aluminum, bricks, and glass cannot do business in this country with these gas prices.

It is important that we deal with this issue, and we start that debate tonight.

Mrs. CAPPS. Mr. Chairman, I yield myself 3 minutes.

Our amendment restores the longstanding bipartisan ban that currently protects coastal and marine areas from new drilling. We support the current ban not just because the coastlines are beautiful; they are. And not just because we believe our coastlines provide valuable environmental habitat, and they do. We support the ban because we know our coastlines are the economic engines of our communities, and that is threatened by new drilling. The people in these communities whom we represent know the value of their coastline, and that is why they are so against new drilling.

Under this bill, we could literally see the push for new drilling as close as 3 miles to our coasts begin almost immediately. The oil and gas companies, awash in profits from our constituents’ pockets, would have you believe that all offshore resources are off limits today; that we are only talking about drilling for natural gas and not oil; and that today’s high gas prices demand this new drilling. These arguments simply don’t hold up to scrutiny.

First, the industry already has access to the vast majority of natural gas in the Outer Continental Shelf. Indeed, through the Administration, about 80 percent of the known reserves are located in areas where drilling is already allowed.

Furthermore, the oil and gas industry already owns drilling rights already to more than 4,000 untapped leases in the Gulf of Mexico alone.

Second, there really is no such thing as gas-only drilling. Drilling for natural gas means drilling for oil. Even industry honchos have dismissed the so-called gas-only drilling as unworkable. This is the president of the American Petroleum Institute on gas-only drilling:

‘We are somewhat concerned about some gas-only leasing proposals that have been embraced by people who don’t know how the industry works.’

And this is the head of MMS:

‘Natural gas seldom comes totally by itself. Do you want to drill a well offshore that will cost anywhere between $20 million and $30 million? And then, if you find oil with it, what will you do? I do not know how successful it will be.’

Finally, new drilling 3 miles off our coasts will not lower gas prices today or anytime in the near future. It would take an estimated 7 years for natural gas for new leases to come online. Serious energy efficiency and more use of renewables would reduce demand and bring down prices much faster.

Mr. Chairman, the grand energy plan President Bush unveiled 5 years ago is over 95 percent implemented according to his own energy department; yet, with this plan in place, energy prices and industry profits are at record highs, the predictable result of a strategy of increasing supplies and ignoring demand.

The Peterson amendment to drill within 3 miles off Florida, California, and other coastal States is just more of the same. With 3 percent of the world’s resources, 15 percent of the world’s demand, shouldn’t it be obvious that we can’t drill our way out of this problem?

We need to be using energy smarter, develop renewable and alternative energy, and use the one resource which we have in abundance, our creativity. I urge my colleagues to vote to protect our coasts.

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

Mr. PETERSON of Pennsylvania. I yield to the gentleman from Nebraska (Mr. OSBORNE) for 4 minutes.

Mr. OSBORNE. I thank the gentleman. Mr. Chairman, I am sorry to oppose anything with my friend ADAM PUTNAM’s name on it, but in this case I feel that I am required to do so because of my constituency.

As everyone knows, we are currently in a short supply of natural gas, and this of course has led to tremendously increased prices. In Nebraska, which is mostly rural, mostly agricultural, this has increased the cost of center pivot irrigation exponentially. We have even been told that our irrigation wells were powered by natural gas. We have had to shift to diesel which is very expensive and electricity which is very expensive, and as a result farmers who at one time were making reasonable profits are now struggling just to have a profit line at all.

This has increased the cost of fertilizer, anhydrous ammonia, that is made from natural gas, and of course other way to put this is that natural gas is a profoundly important ingredient in fertilizer. So we have seen as much as 400 and 500 percent in the last 5 years, again eating into the bottom line for most people in agriculture. Of course, everyone knows why this has done nothing but triple, and cooling, 400, 500 percent increases, which has hit every American in every corner of the Nation. And so we have a crisis in this area that we need to address.

The United States has large reserves of natural gas. It has been pointed out that we have maybe 3 percent of the world’s petroleum reserves, but we have huge amounts of natural gas reserves, and we are handicapping ourselves in a way that is pretty much unprecedented in this area.

At the present time, only 15 percent of available Outer Continental Shelf acres are not under a moratorium. Another way to put this is that roughly 85 percent of Outer Continental Shelf acres are off limits to exploration. And, of course, this is again handicapping what we are trying to accomplish here in reducing this shortage.

I am sure that these moratoria are due to fear of spills and pollution, and yet we have had numerous hurricanes in the last few years that haven’t caused oil rigs to malfunction or lines to rupture. We have not seen any mass pollution even though we have had huge damage from these hurricanes.

Canada has natural gas wells in the Great Lakes with no pollution. In Lake Erie, they have 2,200 wells on the Canadian side of Lake Erie. Not one well has ever been on the Great Lakes, you realize that this is very much like the ocean; they can get as rough as the ocean. I have been up there fishing many times. And so if Canada has been able to do this without any great environmental threat, why can’t we do this anywhere from 3 miles to 200 miles offshore in the ocean? I would think we can do this very efficiently. China will be drilling for gas off the coast of Cuba within a short period of time. Now, this is very close to Florida.

So we think these are things that we need to consider. And so at the present...
time we are handicapping ourselves because of this not-in-my-backyard mentality. We all want to have something happen somewhere else, but not anywhere close to ourselves. Natural gas is clean burning; it is environmentally friendly. We need to open these supplies both offshore in the U.S. and in Alaska.

It was mentioned earlier that it would take about 7 years for natural gas to come online. But if you don’t start somewhere, it will be 7 years from next year, and then it will be 7 years from 2 years from now. And at some point we have to begin to address this problem.

Mr. PUTNAM. Mr. Chairman, I am pleased to yield 1 minute to the gentlewoman who represents the pristine Florida Keys, Ms. ROS-LEHTINEN.

Ms. ROS-LEHTINEN. Mr. Chairman, I thank our leader, Mr. PUTNAM, for the time. And along with my colleagues from the Florida delegation, I rise in strong support of the Putnam amendment and in passionate opposition to any amendment, any language which would allow offshore drilling a mere 3 miles from our Nation’s coast.

The petrochemical industry is one of the major consumers of the known oil and gas reserves in the Outer Continental Shelf of the United States. It has been known to be a source of toxic chemicals from drilling can cause harm to the working coast. The bitter irony here is off the coast of Florida there is very little oil. It is a State treasure; it is a national treasure. Any offshore drilling near this coast would be located in the middle of a hurricane zone. So I hope that we strongly oppose the Peterson language which has been in place for over 25 years.

The bipartisan Florida delegation position remains firm, remains strong: oil and gas drilling in the Outer Continental Shelf is dangerous for the economy, is dangerous for the environment, runs contrary to national security interests, and is not an immediate nor a long-term answer to the Nation’s growing energy needs.

Drilling 3 miles off a Florida coast, as Mr. PUTNAM pointed out. I am so proud to represent the ecological treasures of the Florida Keys. It is a premier destination for ecotourism. Any offshore drilling near this coast may not be visible but it would result in a spill that soiled the coast and vulnerable marine plant species in harm’s way and could cripple the Florida Keys’ tourism economy.

Drilling structures along the gulf coast would be located in the middle of a hurricane zone. So I hope that we strongly oppose the Peterson language by adopting the Putnam language tonight, and I thank the chairman.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Louisiana (Mr. MELANCON).

Mr. MELANCON. Mr. Chairman, I am here to speak on an issue of paramount importance to my constituents in south Louisiana and I think the entire Nation. Outer Continental Shelf production and coastal impact assistance are very important.

Louisiana is uniquely positioned in the OCS debate. Our State is one of the few that allows production off our coast. We are the major consumers of this production, through chemicals, fertilizers and various other gas-intensive manufacturing.

Some quick facts for you. Among the 50 States, Louisiana ranks first in crude oil production; second in natural gas production; second in total energy production from all sources; second in petroleum refining capacity; second in primary petroleum chemical production; third in industrial energy consumption; third in natural gas consumption; fifth in petroleum consumption; eighth in total energy consumption. We are a State that is a working State with a working coast.

Our State is a vital part of the domestic energy production and consumption, which keeps our entire economy humming. As others refrain from similar production, natural gas supplies tighten and the prices rise, jeopardizing tens of thousands of well-paying jobs that are being shipped overseas, many of these from my own State and district.

The energy support Louisiana and other coastal States provide for our nation is an investment in our future. We are happy to provide what others would rather not. However, this supply also impacts our coastal communities and wetlands conservation, and we bear the costs of onshore infrastructure required to support this production activity.

Every debate on OCS production should also include an equity discussion. Coastal producing States should receive a fair share of revenues off their coast, just as inland States receive from onshore production.

I appreciate the leadership Mr. PETRASON has taken on this issue, and I respectfully oppose Mr. PUTNAM’s intent to strike this language from the bill.

If you look off the coast in the next several years, if not sooner, between Cuba and Key West, you will see the Chinese and the Cubans starting their venture to drill right off the coast of Florida. They may not be visible but they will be there.

Gas and oil production offshore, the technology that is there today, is astounding. I would invite every one of you that have never been on an offshore rig or seen the technology for drilling. I invite you to come to Louisiana to take the trip offshore, to understand what energy production is all about. It is not what it is perceived to be, as it was some 50 years ago.

Mrs. CAPPS. Mr. Chairman, I yield myself 30 seconds to respond to a previous speaker.

According to an Army Corps of Engineers report on the drilling in the Great Lakes, “routine drilling is known to be hazardous to human health. Discharges and accidental spills of toxic chemicals from drilling can also contaminate the water of Lake Erie contaminating a primary drinking water source for millions of people.”

Drilling, either in the Great Lakes or offshore, is not acceptable.

Mr. Chairman, I am pleased to yield 3 minutes to the gentleman from Florida (Mr. DAVIS), my colleague.

Mr. DAVIS of Florida. Mr. Chairman, I thank Representative CAPPS for yielding.

One of the things that everyone agrees on tonight with respect to this amendment is that we need to have an adequate supply of oil to meet the energy needs of this country. Eighty percent of the known oil and gas reserves in the Outer Continental Shelf are already available to the energy companies that need them. There are more than 4,000 leases held by these energy companies that are currently not used at all.

It is important to point out what this amendment does. The amendment says it allows drilling for gas up to 3 miles off the east coast of Florida, 9 miles off the coast of Florida, my home the West Coast, as well as the Outer Continental Shelf of the United States. It has been pointed out, and it has not been objected to, this is not just about gas, it is also about oil because if a company makes an investment to earn a profit for gas and they get oil, they are going to go for oil.

The bitter irony here is off the coast of Florida there is very little oil. It is a State treasure; it is a national treasure. That is why the amendment talks about oil, but it is enough to make a difference to the State of Florida.

There has been a lot of conversation here tonight about other States, about this being about jobs. Let me tell you about a home of one of your constituents. This is about jobs. Last year, we had 88 million tourists visit our State. Those of you who are here tonight represent families who are saving their money to enjoy their family vacation, what State will be the number one destination for beach vacations? Florida. This is not just a State treasure; it is a national treasure. Yes, this is about jobs and Florida’s beaches are a critical part of our economy.

There has been some discussion tonight that there is no risk as far as spills. The truth of the matter is none of us really know exactly what the risk is. One of the few things we do know is last year when Tropical Storm Arlene hit off the coast of Louisiana, there was an oil spill. There was a rig that resulted in a spill that soiled the coast of Louisiana. We cannot have this happen in Florida. It is too devastating. It is too important to our economy.

This is about balance. It is about protecting. It is about respecting the rights of States. Nobody has a monopoly on what the truth is as to where the line is drawn. There is plenty of drilling off the coast of Florida right now in the central and western gulf, but this is the wrong time and the wrong place to have this debate.

The folks we represent in Florida deserve an open and honest discussion in our State, on our beaches, with small business owners whose livelihood depends upon the risk of a spill to our coast, and there we will discuss the balance, the tradeoff in meeting the country’s energy needs, but not tonight.
In a one-hour debate in the evening on the floor of the House of Representatives.

Floridians deserve better. Americans deserve better. I urge adoption of the amendment.

Mr. PETERSON of Pennsylvania, Mr. Chairman, I yield myself such time as I may consume.

This is the beginning of the debate. This is not the end. The gentleman from Florida, no drilling can happen. There is still a presidential moratorium. There is still a 5-year plan. We have to have legislation to allow gas only. Florida is rich in gas. They are not rich in oil. I am not about oil. We need gas in this country. We cannot drill our way out of oil.

We can help ourselves in other places, but natural gas is a richness this country has. It is the clean fuel. It has the least pollutants when you use it. It is the miller's name of everything we make in this country. From women's face creams to every chemical we buy at the hardware store, the grocery store, polymers, plastic, carpet, drapes, all are full of natural gas.

There is about 3 million jobs in those industries I have just mentioned, and every one of them are already moving offshore. They do not want to. They have to. We cannot put the disadvantage of $9.50 gas last year, $14 and $15, when South America is $1.80, Russia is about a buck, China and Taiwan 3-something.

This is about the economy of America. Drill only gas? Canadians have drilled for 200 years successfully, gas only. I grew up around the oil patch. I have never been in the oil business. I have never made a dollar off the oil business. They drill down through and they choose what they are going to produce. They drill through it, and they produce what is there.

Florida is rich in gas. Florida uses 235 times more natural gas than they produce. They could be self-sufficient, gas only. I grew up around the oil patch. I have never been in the oil business. I have asked for examples. I was told the Santa Barbara spill. That was an oil well.

A gas well is a steel pipe in the ground. It is cemented at the bottom, and it is cemented at the top. It is open where the gas vein is, and you let gas out. In Lake Erie it runs underground onto shore. Citizens do not even know it is there.

Natural gas is not something to be afraid of. It is something this country needs. I am not for 3 miles offshore. I have legislation that protects us, but I cannot put that on this bill or I would. I can say to the gentleman that this debate tonight, this debate has been put off. For 3 years I have been talking about this issue. From this day forward, we are going to debate this issue until we do what is right for the future of America.

Mr. MILLER of Florida, Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Florida (Mr. MILLER), who represents the cradle of naval aviation.

Mr. MILLER of Florida, Mr. Chairman, I thank the gentleman for yielding.

You have heard a lot tonight about the potential environmental impacts, but let me just draw to your attention the issue as it affects our national defense.

Looks pretty cluttered, but this is a test range for Eglin Air Force Base where they do weapons testing from the panhandle of Florida all the way to the Florida Keys. I think in here is a military mission line. Basically, the Air Force says, the Secretary of Defense has said, the Navy has said that anything that is east, anything that is east of that military mission line is incompatible with the mission at Eglin Air Force Base. There is live fire testing. We are not just practicing out there. This is Top Gun flying airplanes around. These are new weapons systems, classified new weapons systems that are being tested over the Gulf of Mexico.

Yes, the beaches of Florida are a national treasure, but I can tell you from a national defense standpoint, this entire area of the extreme eastern Gulf of Mexico is a national treasure because there is no other testing area like it in the country or in the world.

Opponents of the Putnam amendment say that the underlying language does nothing to hurt the readiness of our military. Well that is 100 percent wrong!

As you can see from this map, the Joint Gulf Test Range extends from the Panhandle of Florida to Key West.

The Air Force uses this area for Live Fire testing and evaluation of weapons systems. The Navy uses the Gulf Ranges to do predereplacemnt certifications and to fire Tomahawk cruise missiles from submarines.

Let me read you a list of just a sampling of current and future missions that are conducted in the Eastern Gulf of Mexico.

F-35 Joint Strike Fighter Initial Training and live fire F/A-22; initial training including AMRAAM live fire Tomahawk Cruise Missile launch from submerged vessels Testing of Small Diameter Bomb program against man-made targets in the Gulf F-16 weapons systems testing and evaluation, U.S. Navy predereplacemnt certification, testing and development of hypersonic munitions, low-cost miniature cruise missiles, Air-Dominance munitions, unmanned combat air vehicles, Directed Energy weapons, and classified programs.

The Commander of the Air Armament Center, Major General Robert W. Chedister, said last August, "Clearly, structures associated with oil/gas production are totally incompatible with, and would have a significant impact on, the mission activity in the Eastern Gulf of Mexico. Accordingly, it is absolutely 'visceral' that the vast water area encompassed by the Gulf be preserved in order for us to continue to serve the needs of national defense."

Secretary of Defense Donald Rumsfeld recently wrote, "areas east of the 86°41' line in the Gulf of Mexico commonly known as the 'military mission line' are specially critical to DOD. He went on to say, "In those areas east of the military mission line drilling structures and associated development would be incompatible with military activities, such as missile flights, low-flying drone aircraft, weapons testing, and training."

Now let me show you where this mission line is.

The underlying language in this bill would open the door to drilling on the Gulf Range and is completely incompatible with the military mission of our Air Force and Navy.

Mr. PETERSON of Pennsylvania, Mr. Chairman. I yield 2 minutes to the gentleman from Pennsylvania (Mr. MURPHY).

Mr. MURPHY. Mr. Chairman, this is about American jobs, the American family and the American economy. Here are the plain facts.

Natural gas costs less than a $1.50 per Btu in Russia, Iran, Saudi Arabia, but here in the United States this one report had it at $8.85, and it has been as high as $13. This means homeowners pay about $200 more to heat their homes. This means the United States steel, for every dollar the price of natural gas goes up, costs them $80 million.

If you are a company and you ask yourself where are you going to build these facilities where are you going to move to, we have already lost 90,000 jobs in the chemical industry. We have lost 3 million jobs in the manufacturing industry due to energy prices.

We talk about the law of supply and demand of the 1990s. Ninety percent of new electric energy plants use natural gas. World demands have gone up. It is expected about a 90 percent increase in natural gas demands in the next 10 years, but since 1982 this Nation had a self-imposed moratorium on offshore natural gas and oil drilling.

Here is the real law of supply and demand of the real $1.50 we have to pay tonight. We cannot afford to continue to have these high gas prices and send jobs to Saudi Arabia, Qatar, Oman, Iran and Russia or let other countries do with natural gas prices like they did with Ukraine and double the prices on them. We cannot compete and nation for jobs with this.

It is no wonder the building trades have come out with a very strongly worded letter and said, please, let us start lowering the prices for goods and services in America. People get up here time and time again and say China is eating us for lunch. What are we doing here? We are cutting our own legs off and destroying jobs in America.

We have abundant supplies of natural gas. We can protect the coastline. This will not be within 3 miles. It takes entirely different legislation to do that, but please, please, let us save jobs in America for a change and stop talking about it.

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

I respond to my colleague, Mr. PETERSON. I lived in Santa Barbara in 1969. I saw that devastation with my own eyes, beach closures, fish kills, air pollution.

Mr. Chairman, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE).
Mr. PALLONE. Mr. Chairman, let me follow up on what the gentlewoman said. I was in New Jersey in the late 1980s where I live, and we saw the beaches closed. We saw the entire tourism industry destroyed for not only that one summer in 1988 but two or three summers afterwards. I listened to what the previous speaker here on the Republican side said, and he talked about jobs. He talked about the economy. He talked about housing. That is what is at stake here. In my home State of New Jersey, people think of New Jersey as an industrial State, tourism is as big an industry in New Jersey as the petrochemical industry. We depend on that tourism economy, and we cannot have our beaches dirtied by an oil spill that would result from natural gas drilling.

And don’t tell me that you are going to drill for natural gas and you are not going to affect oil. There is no question that you can.

The problem I see here is that the gentleman from Pennsylvania said, well, this is not a real debate because if this happens it won’t matter because the President has an executive order. Well, I can’t depend on the President. The President is an oil man. For all I know he could lift the executive order if this legislation goes through and you can drill for natural gas and we don’t have the moratorium in effect any more.

I want you all to understand that we are not just talking here pie in the sky. We have seen our beaches closed. We have seen the impact. In New Jersey, tourism is 500,000 jobs. $16.6 billion in wages, and $5.5 billion in State tax revenue. You shut that down, the way it was closed in the late 1980s in New Jersey because of a different type of pollution, and you basically shut down a significant portion of our State. We are talking about real things here.

We are talking about the fact that you can drill for natural gas and you are not going to hit oil, every indication is the opposite. The American Petroleum Institute has said the opposite and the Minerals Management Service has said the opposite. And we are talking about 3 miles from shore. You could actually see these rigs. We could actually have oil rigs right up to 3 miles from the shore if this legislation passes and we don’t have this amendment. It’s the problem.

Pass the amendment.

Mr. PETERSON of Pennsylvania. Mr. Chairman, let us not confuse medical waste off New Jersey. That was medical waste dumped in the ocean.

Mr. Chairman, I yield 2 minutes to the gentleman from Texas (Mr. Edwards).

Mr. EDWARDS. Mr. Chairman, I oppose this amendment because it will continue the status quo of high natural gas prices that are harming every day hardworking American families.

The choice is clear: we can either increase the supply of natural gas in this country, or we can continue to pay some of the highest prices in the world for natural gas.

So what is wrong with the status quo? What is wrong with high natural gas prices? First, millions of middle- and low-income working families are suffering from costly increases in their home heating and cooling bills. Those high monthly bills are straining and even breaking family budgets all across America.

Second, farmers and ranchers are already struggling with natural disasters, high diesel costs, and foreign government-subsidized competition. Now, high natural gas costs have driven nitrogen fertilizer costs from $100 a ton to more than $350 a ton. For many farmers, higher fertilizer costs will be the straw that breaks the camel’s back.

And by the way, if you like what OPEC has done for high oil prices, you'll love what OPEC is going to do to natural gas prices. It will drive up the price of food products in American grocery stores.

The third reason I oppose this amendment is that I am sick and tired of seeing good-paying American jobs being shipped overseas. American factories run by high-priced natural gas here at home are being put at a huge disadvantage against foreign factories using lower-cost natural gas.

For American farmers and businesses that compete with foreign factories and businesses, it is kind of like trying to run a race with a 20-pound weight tied around your ankle. It just won't work. And the price for that is we are losing the race for international competition for good-paying jobs.

The final reason I oppose this amendment is that in my district the utility companies in Texas want to build five new coal-fired plants for electric power. Toward me not replacing natural gas with foreign food will do to the price of food products in American grocery stores.

The second, family farmers and ranchers are already struggling with natural disasters, high diesel costs, and foreign government-subsidized competition. Now, high natural gas costs have driven nitrogen fertilizer costs from $100 a ton to more than $350 a ton. For many farmers, higher fertilizer costs will be the straw that breaks the camel’s back.

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support of the Putnam-Capps bipartisan amendment which strikes the Peterson language that would allow for drilling just 3 miles off our shoreline.

Members, let us put this in perspective. Imagine yourself on the west steps of the Capitol, or in the middle of the Potomac River, you see a big old oil rig. It is not quite as appealing any more, is it?

Now, I know that we are not going to be drilling for gas or oil in the Potomac River, but I paint this scenario for a reason. That distance from the Capitol to just beyond the Kennedy Center is the same distance that Mr. Peterson to Florida has faced an energy crisis being very close to our shores, and they will be getting oil and gas. The American people and Floridians will be getting the shaft. We can do this in an environmentally sound fashion. We do not have to play politics.


Mr. PUTNAM. Mr. Chairman, I yield myself 10 seconds.

Mr. Chairman, the sponsor of this, and now one of his supporters, have both said 3 miles is not their ultimate goal. That is what is in the language. If that is not your ultimate goal, let’s withdraw this amendment and have a real debate on a separate basis about a comprehensive solution to this problem.

Mr. Chairman, I am pleased to yield 1 minute to the gentleman from Jacksonville, Florida (Mr. CRENSHAW).

Mr. CRENSHAW. Mr. Chairman, this is really just a question of whether you solve a problem the right way or you solve it the wrong way. Now, we ought to adopt this amendment, we ought to leave the moratorium in place while the Resources Committee, which has been working on this, having hearings, having testimony, comes up with a comprehensive program to solve this problem and to deal with this issue.

This is not the only time or the only place. In fact, it is not the right time, 60 years after the Banana Wars. It is not the right place. It is a complicated issue. You heard that it deals with environmental issues, economic issues, and military issues. It doesn’t lend itself to a quick fix.

Mr. Chairman, I urge Members to vote against the Putnam-Capps amendment.

Eighty percent of our U.S. offshore waters are currently excluded from production: the eastern gulf, the Pacific, the Atlantic coast and some coasts of Alaska. Only Texas, Louisiana, Mississippi, and Alabama have coastal production.

100,000 jobs have been lost because of the high prices of natural gas. And these are high-paying manufacturing jobs that we desperately need to keep in our country.

We have the highest natural gas prices in the industrialized world primarily because of our offshore moratorium. Even Northern Europe has cheaper gas, and I know we have had jobs that move from our district to Northern Europe because the price of natural gas there is so much cheaper. And their environmental laws are so much stronger, Norway. Great Britain produce off their coast. Are we saying that they are not concerned about their beaches? It is ludicrous.

We only have two options to prevent the loss of jobs, either import more LNG or identified gas or drill offshore. We will bring in, or produce offshore. There is no alternatives. We have got to have it.

Mr. Chairman, I urge Members to vote against the Putnam-Capps amendment.

Eighty percent of our U.S. offshore waters are currently excluded from production—the eastern gulf, the Pacific, and the Atlantic coast, and some coastal areas off Alaska. Only the Texas, Louisiana, Mississippi, and Alabama coasts have production.

This contributes to high natural gas prices that have cost the U.S. nearly 100,000 jobs, primarily high paid manufacturing jobs.
May 18, 2006

CONGRESSIONAL RECORD—HOUSE

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We have the highest natural gas prices in the industrialized world, primarily because of our offshore moratoria. Even Northern Europe has cheap, because they produce in the North Sea. Norway, Great Britain, who have drilled off their coasts with strong environmental laws.

We only have two options to prevent the loss of further jobs—we can build more LNG import plants and we can produce more gas offshore. There is no alternative to natural gas in many cases.

Unfortunately, the opponents of both options are often the same people—they oppose LNG and they oppose drilling for gas. Maybe they think energy and plastics are made from thin air.

Natural gas is the cleanest energy source we have besides solar or wind, and it is a critical fuel for industrial facilities and is a feedstock for the petrochemical industry that makes plastic.

If we cannot produce natural gas here, we are going to have to import gas to heat our homes and import more plastic in bulk or in consumer products. That hurts our balance of trade.

Canada has been producing gas-only wells in Lake Erie for decades. Any producer would rather have oil at these prices, but if Congress says “gas-only” then it will be gas-only, and there will be no chance of oil spills.

Mr. Chairman, I urge Members to support U.S. jobs, U.S. energy, and reducing the trade deficit by supporting U.S. natural gas. And oppose the Putnam-Capps amendment.

Mr. CAPPS. Mr. Chairman, I yield myself 30 seconds.

I remind the gentleman that there is production off my district as well. Several coastal State Governors are voicing concerns about the proposed to Lös drilling off my district as well. Several coastal State Governors are voicing concerns about the proposal to Lös drilling off Florida's coastline not just for Floridians, but all Americans and the rest of the world. For years Florida's delegation has worked together to protect our coastline and foster Energy independence. Even our inventory of resources in the Gulf of Mexico will begin to destroy the efforts we have made as a state to preserve our sensitive lands. As long as there are rigs in the area, the potential for devastation to Florida's beaches persists.

Florida's beaches are a treasure not just for Floridians, but all Americans and the rest of the world. The number one tourist destination in the world. We should be paying a competitive price of natural gas that would pay top American wages, jobs we can't afford to lose. We cannot afford to be uncompetitive in the world. This ban must be lifted.

Mr. PUTNAM. Mr. Chairman, I say to my friends again, we agree on the technology having been improved. We agree on the need for a comprehensive solution. But you all agree that 3 miles is too close. If that is the case, let's adopt this amendment and do this the right way.

I yield 1 minute to the gentlewoman from Virginia (Mrs. DRAKE).

(Mrs. DRAKE asked and was given permission to revise and extend her remarks.)

Mr. SHERWOOD. Mr. Chairman, I rise strongly against this amendment. It was said earlier that this is not the right time to make this decision. Well, it is always easy to say it is not the right time to make a tough decision. And the reason we are in this terrible situation is we have made bad decisions in the past.

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There is no reason at all that we should have a North America gas market that is four or five times the rest of the world. We should be paying a competitive price for gas, but we are paying this outrageous price because of the decisions that we have made in the past. And we have made them based on outdated facts.

Let's look at the facts. Let's look at the facts that technology has changed. We can do this safely; we are doing it safely in other places. We want to preserve Florida's coastline. Nobody wants to do anything that would have any harm. But we also need the natural gas.

We are losing jobs every day because of the price of natural gas in North America. Now, when we lose jobs to China because people over there are willing to work real cheap, we are real upset about that, as we should be. We are losing jobs because of the price of natural gas that would pay top American wages, jobs we can't afford to lose. We cannot afford to be uncompetitive in the world. This ban must be lifted. We must figure out how to do it properly so that we are not locking up the resources that we need to be competitive in the world.

This is a very simple subject that just needs a little cold logic put on it, and we can't be worrying about the fears of the past. We have to be taking action of the future. We need to defeat this amendment.

Mr. PUTNAM. Mr. Chairman, I say to my friends again, we agree on the technology having been improved. We agree on the need for a comprehensive solution. But you all agree that 3 miles is too close. If that is the case, let's adopt this amendment and do this the right way.

I yield 1 minute to the gentlewoman from Virginia (Mrs. DRAKE).

(Mrs. DRAKE asked and was given permission to revise and extend her remarks.)

Mr. SHERWOOD. Mr. Chairman, I rise strongly against this amendment. It was said earlier that this is not the right time to make this decision. Well, it is always easy to say it is not the right time to make a tough decision. And the reason we are in this terrible situation is we have made bad decisions in the past.

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Mr. PUTNAM. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Ms. GINNY BROWN-WAITE of Florida. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).

Mr. PETERSON. Mr. Chairman, I yield 1 minute to the gentlewoman from Florida (Ms. GINNY BROWN-WAITE).
I would be doing a disservice to my constituents if I didn’t fight to keep the moratorium on drilling in the Outer Continental Shelf in place.

Many of you on both sides of the aisle have come up to me and said, you know, my mother or my grandmother or my friends, they all live in Florida. If we don’t do something here in Congress, our constituents will make sure that we have a State that will continue to be number one in tourism.

Mrs. CAPPS. Mr. Chairman, I am very pleased to yield 1 minute to my colleague from Florida (Mr. BOYD).

Mr. BOYD. Mr. Chairman, ladies and gentlemen, this provision in this bill, if it goes into law, will have the effect obviously of lifting the prohibition on drilling in the Gulf of Mexico, which is of interest to many of those of us from Florida. And if that provision were to be lifted, I think there is a very significant impact on the military training mission that exists along the gulf coast.

As many of you may know, Tyndall Air Force Base is the home of the training for the F-22 and the F-15. The Joint Strike Fighter is going to be based up in that area, and if that prohibition were to be lifted, obviously, that would seriously impact, according to the military, the official in the Pentagon, the Staff of the Air Force, the Secretary of Defense, all have said that the critical nature of that Gulf of Mexico training range will be seriously impacted and our military as a result will be impacted.

Mr. PUTNAM. Mr. Chairman, I am pleased to yield 1 minute to my friend from Florida (Mr. FOLEY).

Mr. FOLEY. Thank you very much, Mr. Putnam, and all the Members who have spoken on this critical issue tonight. I thank you for your balance of my time.

Most of those supporting the drilling do not live in Florida. It is interesting, we haven’t had many speakers from the Sunshine State who have said, let’s go ahead and drill. And I think there is a reason for it.

Let me give you the statistics. NOAA, a very trusted agency, has said we are entering a 20-year cycle of heavy hurricane activity. Since 2004 there have been nine hurricanes that have hit the Gulf of Mexico. One of the reasons there has been a spike in energy prices is because most of it is located fairly close to where some proponents of drilling would have us build more drills. We simply do not need it. We do have to be more conservative in our approach to fuels and use alternative energy. Sticking pipes in the ground in Hurricane Alley is not a solution.

So I would urge my colleagues to heed the warnings and advice of those who live in Florida and ask you to reject the notion that we should drill there. Support our amendment, support the amendment to strip this provision from the bill, and allow us to continue to talk and negotiate with those parties who are involved.

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

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

Mr. PUTNAM. Mr. Chairman, I yield myself 30 seconds.

We have begun an important debate here that even the author of the language that we are seeking to strip admits is Draconian, and allowing drilling 3 miles offshore, even the sponsor admits that is not his goal. If that is not his goal, adopt the Putnam-Capps amendment and let us move on to the appropriate way to discuss comprehensive energy policy in this Nation and how it impacts the Gulf of Mexico.

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

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

I will make three points. First, the Poe amendment and the Peterson amendment are the same thing. Two hundred and seventy-four Members just voted “no” on the Poe amendment. If you voted “no” on the Poe amendment, you should vote “yes” on our amendment.

Drilling for gas is drilling for oil. The American Petroleum Institute says as much, as does MMS. Second, it is simply untrue to say that we do not have access to the vast majority of resources on the Outer Continental Shelf. The Bush administration itself says that we currently can drill in areas where 80 percent of the natural gas is located.

Finally, this is more of the same failed energy strategy that has gotten us record high energy prices and record high profits for the oil companies. We need a new direction on energy.

Vote for the Putnam-Capps amendment, protect our coasts, and take a step into the future.

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

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).

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

Mr. ABERCROMBIE. Mr. Chairman, I am standing here on what is normally the Republican side to emphasize, and I have said this right from the very beginning when Mr. Peterson and I have tried to deal with this issue in the Resources Committee, that is not a Republican and Democratic issue. And I think you can see from the fact that people have come to both sides here tonight to speak about it that it is not a political issue. This is an issue of trying to come to a sensible conclusion on what American policy should be.

And believe me, I think I am in a good position to say to folks that I can appreciate the fact that tourism is on the minds of our good friends from Florida and California and elsewhere in the country, particularly the coasts. I do not think that anyone here is as close to a beach or is closer. I should say, to tourism in terms of their representation than myself.

So the issue is what should we do and what can be done to advance America’s energy security in a way that is responsible and what at the same time can protect our constituents in a way that we can all be compatible with?

I think what needs to be said and has not been said tonight is what some of the origins of our difficulties are. Right now the Republicans have their particular difficulties with certain segments, factions, as our Founding Fathers and mothers said, factions that come in. You have got your problems. Certain people have religious views.

What we have on the Democratic side are other people with religious views. We have environmental Talibans out there now who have revealed wisdom with regard to drilling, in this instance, for natural gas, and you cannot thwart them. You cannot stand up and say let us have a discussion to see whether that really represents today’s reality. That is all this is about.

Mr. Abercrombie, no one, Mr. Peterson, myself, nor any other advocate, wants to drill 3 miles off of anybody’s coastline. What this gives us the opportunity to do is to have a responsible conversation in the Resources Committee about whether or not we should move forward with natural gas extraction and exploration and, if so, how should we do it in a way that is responsible to everyone?

So what I ask is please allow us to begin that conversation by not supporting the amendment, which, I say let us have a discussion to see whether that really represents today’s reality. That is all this is about.

So what I ask is please allow us to begin that conversation by not supporting the amendment, which will allow us to move to the Resources Committee to have the discussion Mr. Putnam has requested.

We are with you and we would like to be able to do it.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I yield 2 minutes to the gentleman from Hawaii (Mr. ABERCROMBIE).
Eighty percent of known resources are already open to development. This is based on 40-year-old estimates that are hopelessly out of date. New technology, 3-D seismic and the like, could give better estimates, but MMS is prohibited by the appropriations moratorium from conducting physical assessments in those areas.

JOBS AND THE ECONOMY

The Putnam amendment is opposed by the International Brotherhood of Boilearmers; Sheet Metal Workers International Association; Building and Construction Trades Department, AFL-CIO; and the Forest Products Industry National Labor Management Committee.

Since 2000, U.S. natural gas prices have been the highest in the world. U.S. companies and U.S. workers are at an unfair competitive disadvantage in the global market. The Department of Commerce estimates that during 2000–04, natural gas price increases reduced civilian employment by an average of 489,000 jobs/year. Losses in the manufacturing sector accounted for 16 percent of that loss, 79,000 jobs per year.

Mr. DICKS. Mr. Chairman, will the gentleman yield?

Mr. YOUNG of Florida. I yield to the gentleman from Washington.

Mr. DICKS. Mr. Chairman, I just want to reiterate an important fact that was made in the full committee. Federal offshore lands already open to exploration is 80 percent of potential gas reserves offshore. Of the most current mean estimate of undiscovered, technically recoverable gas: offshore non-moratoria reserves, 328 trillion cubic feet; offshore moratoria reserves, 77 trillion cubic feet.

There is a lot of offshore drilling that can be done that is legal, as the gentlewoman said, from the Minerals Management Service’s most recent report. So let us go drill there and protect our beaches. That is the best way to move forward and let the authorizers go forward and try to do something with a responsible end to this. But to precipitously move out tonight on this Peterson amendment would be a mistake, and I support strongly the Putnam-Capps amendment.

Mr. YOUNG of Florida. Mr. Chairman, reclaiming my time, I appreciate the gentleman’s comments and I appreciate his support, and it is more than just beaches. It is fisheries, ecosystems that are critical to the food chain in the Gulf of Mexico. This is more than just beaches, and beaches are important. And I represent a lot of beaches and they are beautiful, and we welcome all of you to come.

Mr. DICKS, if the gentleman will yield, we do, Mr. Chairman.

Mr. YOUNG of Florida. Actually, yes, and we appreciate that very much.

But, anyway, let us pass the Putnam amendment. This is the right thing to do, and let us let the House work its will through the established process, through the committee process, a committee that has appropriate jurisdiction.

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

I want to thank everybody tonight. There has been a good tone of this debate. There has been no personalities. It has been friendly, but I think it has been very informational.

Mr. YOUNG. I want to share this letter with you. Mr. ABERCROMBIE was supposed to. “Supporters of the Putnam-Capps amendment are turning a blind eye to the problem, and they are jeopardizing millions of good-paying union jobs by prohibiting access to new sources of natural gas supply.

For the Building Trades, offshore natural gas production is first and foremost a jobs issue. If you support keeping good-paying union jobs in the USA, you will vote against the Putnam-Capps Amendment.

Sincerely,

EDWARD C. SULLIVAN.

President.

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

I thank my friend from Hawaii. That conversation was well underway. I appreciate the leadership of our friend from California, the chairman of the Resources Committee, Mr. Pombo, who has led that discussion and has led to a very bipartisan, thoughtful, and candid approach to the proper way to deal with this crisis, the proper way to deal with exploration in the Gulf of Mexico, the proper way to make sure that we are not impeding the military mission that would affect our Nation’s defense.

The language that the amendment I have sponsored with Mrs. CAPPS and a number of others is an overreach. The amendment fixes what even the authors of that language admit is an overreach. Three miles is not supported by even the person who wrote the language. So if that is the case, let us pass the Putnam-Capps amendment and begin to move further down that road of the exploration question to solve our Nation’s energy problems.

Mr. Chairman, I am pleased now to yield the balance of my time to a champion for Florida, a stalwart in this debate, the chairman of the Defense Subcommittee of the Appropriations Committee, my good friend, Mr. YOUNG.

Mr. YOUNG of Florida. Mr. Chairman, my friends who are opposing the Putnam-Capps amendment would like us to believe that in the Gulf of Mexico there is an unlimited supply of nice, cheap natural gas just waiting for someone to punch a hole and it will come flowing out. That is really interesting because Mr. PETERSON’s effort last year was to create an inventory to see if there was any natural gas in the Gulf of Mexico. There is something wrong here. That is not really consistent. Last year we did not know if there was or not. This year we are prepared to violate environmental concerns. Is there gas there or is there not gas there?

And what about the high cost? I learned something interesting at the Appropriations Committee the other day, that no matter what it costs to produce a barrel of oil domestically in the United States we still pay the same price that OPEC charges. Why? I do not know.

One Member told me that his State produces oil for $30 a barrel and they sell it back to us at 70 some dollars a barrel. There is something wrong with that.

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Mr. Chairman, I am pleased now to yield the balance of my time to a champion for Florida, a stalwart in this debate, the chairman of the Defense Subcommittee of the Appropriations Committee, my good friend, Mr. YOUNG.
I was voting to prohibit offshore production of natural gas. I would have been protesting a long time ago.

Folks, this is about our future. America’s richest energy source is natural gas. It is the cleanest, it is the mother’s milk of all our industries. American industry in the North should not have to keep their thermostats at 55 degrees, and they have in my district. Churches in rural areas should not have to meet in the basement in January and February because they cannot afford the gas bill, and they have in my district.

Folks, natural gas prices are changing how people live in this country, and they are changing to where companies decide on whether they want to live here. When we lose the industries we have talked about, folks, it is happening. We cannot delay.

They talk about the years it is going to take to get the supply. That is why we need to do it tomorrow. We need to do as much as we can. We need to have the President look at this issue with a bright eye. We have a lot of work to do, folks. But energy is the mother’s milk of our country. We will never balance the budget without a growing economy, and our economy will stop growing if we do not have affordable, clean natural gas to fuel it.

Ms. ESHOO. Mr. Chairman, I rise in support of this bipartisan amendment to retain the moratorium on drilling in protected offshore areas of the United States.

If we do not approve this amendment, we will undo a 25-year legacy of protecting the coast of my State of California and other States from the damage that can be done by drilling.

Three Presidents... George Bush, Bill Clinton, and George W. Bush, have supported the drilling moratoria in sensitive coastal areas of the United States.

The Governor of the State of California has written to Members of the California delegation to express his support of the moratorium and he opposes lifting the ban in this bill. He wrote: ‘‘The bill’s provisions would allow drilling to begin just three miles from our coast. Rather than watching the sun set on the western horizon each day, millions of Californians and visitors will now see grotesque oil platforms in plain sight. I urge the Delegation to oppose these provisions and work to defeat them during the House debate. California’s beautiful coastline is an integral part of our culture, our heritage, and our economy. Putting it at risk would be an absolute travesty.’’

The repeat we’re hearing is that we need to develop domestic natural gas supplies to bring down prices and avoid dependence on foreign sources of energy.

This argument is a masquerade.

It’s well known that there cannot be selective drilling for natural gas. Drilling is drilling, and where gas is found, oil is also found. Last fall, the Director of the Mineral Management Service, Johnnie Butter, said so. He said:

Natural gas seldom comes totally by itself. It has some liquids with it. Sometimes it is very refined oil... It has some liquids with it. Sometimes it is

So lifting the moratorium on gas drilling will also effectively lift the ban on oil drilling.

Mr. Chairman, if we’re concerned about prices and security, we need to begin requiring the use of renewable fuels and improving the fuel economy of our automobiles. We should tear our oceans apart and ruin our coastlines.

Mr. LARSON of Connecticut. Mr. Chairman, I regret that I could not be present today because of a family medical emergency and I would like to submit this statement for the record in support of the Capps amendment to H.R. 5386, the FY2007 Interior-Environment Appropriations Bill.

The bill before the House today includes a provision lifting a longstanding Congressional prohibition on natural gas drilling and production in the lowermost of the Outer Continental Shelf (OCS). More important than what it does, however, is what it fails to do. For instance, rather than giving States a ‘‘buffer zone’’ which allows them to block the construction of natural gas platforms within 20 miles of their shores, the provision in this bill opens the OCS to drilling as close as three miles. Since this provision is being tacked onto an appropriations bill, it does not include the critical authorizing language that will provide the Department of the Interior with guidance on how and where to provide for drilling and production, or even grant them the authority to issue leases. In addition, it lifts only the Congressional prohibition on OCS natural gas drilling and leaves intact the Executive ban in effect until 2012, making this provision meaningless without more extensive authorizing legislation.

Many of our colleagues have deep concerns about the impact that opening our OCS to natural gas drilling and production will have on their States. This is therefore not an issue we can rush into with only cursory debate in an appropriations bill. Rather, it is one that should be carefully considered, with input reflecting all sides of this issue, through hearings held by the House Resources Committee. I urge my colleagues to support the Capps amendment.

Mr. BILIRAKIS. Mr. Chairman, I rise in support of the Putnam-Capps amendment to restore the congressional spending moratorium against natural gas leases off the coastline of the national Outer Continental Shelf (OCS).

The repeal of the congressional spending moratorium severely jeopardizes Florida’s coastal areas. Dismantling this 25-year congressional moratorium in an attempt to begin solving what is the most critical issue of our time is an abdication of responsibility.

The current language in H.R. 5386 could open the entire eastern Gulf of Mexico, including areas east of the military mission line, to natural gas exploration and activities. This is in direct conflict with the statement from Secretary of Defense Rumsfeld and a direct threat to the readiness of the United States military.

I urge my colleagues to support the Putnam-Capps amendment.

Mr. STEARNs. Mr. Chairman, I rise today in strong support of the Putnam-Capps amendment to H.R. 5386. This amendment, which has broad bi-partisan support, would remove the provisions in the underlying bill that lifts three long-standing moratoriums on offshore natural gas leasing.

This provision will not provide the relief its supporters claim it will. It will merely hinder our efforts to get a real and permanent solution to this problem.

The repeal of the congressional moratorium will limit States’ ability to safeguard their natural resources and would set current OCS policy badly adrift. The prohibition of OCS drilling has been a national priority for over 20 years. Congress led the way by passing the first moratorium on OCS leasing in 1982, which was soon extended to waters throughout much of our nation’s coastal areas.

Opposition to OCS drilling is particularly strong in Florida due to the potentially devastating consequences it could have for our economy, natural resources, and quality of life. Our pristine beaches and waterways represent our best and most distinctive qualities and attract millions of visitors from across the country and world every year. Repealing the moratorium severely jeopardizes Florida’s $57 billion tourism industry.

Our natural habitats, particularly our marine life, represent some of the richest and most diverse ecosystems in the world. The quality of life enjoyed by Floridians is due in large part to these natural endowments, which has made my state one of the most desirable places in the country to work and live.

I am also concerned about the impact the repeal of the moratorium could have on our military readiness. The language incorporated into H.R. 5386 poses a serious threat to the critical missions of our Air Force and Navy which are conducted in the Gulf of Mexico. Since the closing of the ranges in Vieques, Puerto Rico, the Gulf of Mexico is home to a number of training missions for our military, particularly the Air Force and Navy.

The Navy uses the Eastern Gulf of Mexico to conduct pre-deployment training certifications. Additionally, submerged U.S. Navy submarines launch Tomahawk cruise missiles from the Eastern Gulf of Mexico. If natural gas companies were allowed to begin to explore the area, serious encroachments on these pre-deployment training exercises would be created.

The Air Force also uses the Gulf of Mexico water ranges to do live fire tests and evaluations of many of its new weapons systems. For example, the F-35 Joint Strike Fighter Initial Training is being located at Eglin Air Force Base. The projected Air-to-Surface live fire weapons training requirements of the F-35 will, according to the Air Armament Center, ‘‘significantly increase the amount of airspace needed over the Eastern Gulf.”

In a letter to the Chairman of the Senate Armed Services Committee, Defense Secretary Rumsfeld wrote that ‘‘Prior analysis and existing agreements recognize that areas east of the 86° 41’’ line in the Gulf of Mexico comprising the ‘‘military mission line’’ are especially critical to DoD due to the number and diversity of military testing and training activities conducted there now, and those planned for the future. In those areas east of the military mission line drilling structures and associated development would be incompatible with military activities such as missile flights, low-flying drone aircraft, weapons testing, and training.’’

The current language in H.R. 5386 could open the entire eastern Gulf of Mexico, including areas east of the military mission line, to natural gas exploration and activities. This is in direct conflict with the statement from Secretary of Defense Rumsfeld and a direct threat to the readiness of the United States military.

I urge my colleagues to support the Putnam-Capps amendment.
issue, not a patchwork of legislative initiatives. We have worked with Chairman Pombo on legislation that would give the states the final authority to decide whether or not to allow drilling or leasing off its shores.

It is imperative to empower all coastal states to determine for themselves their policy positions regarding offshore development in the hands of our state elected officials instead of the federal government. The bill would have put a 125-mile buffer permanently under state control for purposes of oil and gas leasing.

Ms. LEE. Mr. Chairman, I rise in strong opposition to the interior appropriations bill and in support of the Putnam/Capps amendment.

For 25 years we have maintained a bipartisan agreement to ban any new drilling off our shores because we believed it was more important to safeguard the health and beauty of our coastal environment for future generations to enjoy.

But now the interior appropriations bill threatens to upset this agreement and open our coastal areas to drilling despite overwhelming opposition from the American people.

We should not be trading away our pristine coastal habitats to fatten the coffers of the administration’s cronies in the oil and gas industry.

The fact of the matter is that new offshore drilling will do nothing in the short term to reduce the high gas prices that consumers are facing at the pump, and will do nothing in the long term to wean us away from our addiction to oil.

The best way to fight high gas prices now is to hold oil companies accountable for gouging consumers by instituting a windfall profits tax.

At the same time, we need to make immediate investments to expand energy efficiency by raising vehicle fuel economy standards, increasing the use of renewable fuels, and by adopting a foreign policy that does not hold our constituents hostage to the latest political crisis from the Middle East.

Today our constituents are paying the price for this administration’s deliberately decided to prioritize the profit margins of the oil and gas industry over a comprehensive and sustainable long term energy policy.

Vote against another giveaway to the energy industry. Support the Putnam/Capps amendment and save our coastal environments.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. PUTNAM).

The question was taken; and the Chairman announced that the ayes appeared to have it.

Mr. PETERSON of Pennsylvania. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Florida will be postponed.

AMENDMENT OFFERED BY MS. JACKSON-LEE OF TEXAS

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:

At the end of the bill (before the short title), insert the following:

TITLE V— ADDITIONAL GENERAL PROVISIONS

SEC. 501. None of the funds made available in this Act may be used to eliminate or restrict programs that are for the reforestation of urban areas.

The CHAIRMAN. Pursuant to the previous order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and a Member opposed each called as much as time permitted.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I thank the chairman and ranking member of the subcommittee for their kindness and understanding of the importance of this amendment and allowing me to present this amendment.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I would be delighted to yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, would you be willing to accept it, if the gentlewoman would explain it briefly?

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I thank the chairman. You are very kind.

Mr. Chairman, I live in an area that is urban, but yet rural, and I ask in this amendment that no funds be used to eliminate or restrict programs that are for reforestation of urban areas.

If I might, Mr. Chairman, just indicate to you, the surveys indicate that some urban forests are in serious danger. In the past 30 years alone, we have lost 30 percent of our urban trees, a loss of 600 million trees. Eighty percent of the American population live in dense quarters of a city.

This amendment simply emphasizes the importance of urban reforestation, and allows us to save the City of Houston Parks Department, the Pleasantonville community that invested in the reforestation of their neighborhood, and it also provides the umbrella of trees that cleans the air, clears the air of toxic entities, and provides the quality of living, of which we would like.

So I appreciate the opportunity to present this amendment to reemphasize the importance in the Interior Department to as well affirm the value of reforestation.

I ask my colleagues to support the amendment.

Mr. Chairman, I rise today to offer an amendment that emphasizes the importance of urban forests, and preserves our ability to return urban areas to healthy and safe living environments for the future.

Surveys indicate that some urban forests are in serious danger. In the past 3 years alone, we have lost 30 percent of all our urban trees—a loss of over 600 million trees.

Eight percent of the American population lives in the dense quarters of a city. Reforestation programs return a tool of nature to a concrete area that can help to remove air pollution, filter out chemicals and agricultural waste in water, and save communities millions in increased water management costs. I have certainly seen neighborhoods in Houston benefit from urban reforestation.

In addition, havens of green in the middle of a city can have beneficial effects on a community’s health, both physical and psychological, and increases property value of surrounding real estate.

Reforestation of cities is an innovative way of combating urban sprawl and/or deterioration. Commitment to enhancing our environment involves both the protection of existing natural resources and actively support for reforestation and improvement projects.

In 1999, American Forests, a conservation group, estimated that the tree cover lost in the greater Washington metropolitan area from 1973 to 1997 resulted in an additional 540 million cubic feet of storm water runoff annually, which would have taken more than $1 billion in storm water control facilities to manage.

Trees breathe in carbon dioxide, and produce oxygen. People breathe in oxygen and exhale carbon dioxide. A typical person consumes about 38 lbs of oxygen per year. A healthy tree, say a 32 ft tall ash tree, can produce about 260 lb of oxygen annually. Trees help cool the oxygen needs of a person for a year.

Trees help reduce pollution by capturing particulates like dust and pollen with their leaves. A mature tree absorbs from 120 to 240 lbs of the small particles and gases of air pollution. They help combat the effects of “greenhouse” gases, the increased carbon dioxide produced from the combustion of fossil fuels that is causing our atmosphere to “heat up.”

Trees help cool down the overall city environment by shading asphalt, concrete and metal surfaces. Buildings and paving in city centers create a heat-island effect. A mature canopy reduces air temperatures by about 5–10 degrees Fahrenheit. A 25-foot tree reduces annual heating and cooling cost of a typical residence by 8 to 12 percent, producing an average $10 savings per American household. Proper tree plantings around buildings can slow winter winds and reduce energy use for home heating by 4–22 percent.

Trees play a vital role in making our cities more sustainable and liveable, and this amendment simply provides for continued support to programs that reforest our urban areas.

I urge my colleagues to join me in supporting these efforts.

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

The CHAIRMAN. Does anyone claim the time in opposition of a previous amendment? I call on Ms. JACKSON-LEE of Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Ms. JACKSON-LEE of Texas:
At the end of the bill (before the short title), insert the following:

TITLE V—ADDITIONAL GENERAL PROVISIONS

Sec. 501. None of the funds made available in this Act may be used to limit outreach programs administered by the Smithsonian Institution.

The CHAIRMAN. Pursuant to the order of the House of today, the gentlewoman from Texas (Ms. JACKSON-LEE) and Mr. TAYLOR of North Carolina, who so ably opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Texas.

Ms. JACKSON-LEE of Texas. Mr. Chairman, I yield myself such time as I may consume.

Mr. TAYLOR of North Carolina. Mr. Chairman, will the gentlewoman yield?

Ms. JACKSON-LEE of Texas. I yield to the gentleman from North Carolina.

Mr. TAYLOR of North Carolina. Mr. Chairman, we will be happy to accept this amendment also.

Ms. JACKSON-LEE of Texas. Mr. Chairman, reclaiming my time, I thank the gentleman from North Carolina.

Mr. Chairman, I want to thank the ranking member of the subcommittee, the ranking member of the full committee, and the chairman of the full committee.

Very briefly, Mr. Chairman, this re-emphasizes the importance of the Smithsonian, but what it says is that no funds shall be used to eliminate the outreach programs of the Smithsonian.

The reason why I offer this is simply a quote from my dear friend Baldwin that says ‘the great force of history comes from the fact that we carry it within us, and that history is literally present in all that we do.’

The outreach programs for the Smithsonian will help cities beyond the Beltway to establish culturally grounded museums that present the history of America. The City of Houston is attempting to do an African American history of America. The City of Houston. It will be through reaffirming the value of the outreach programs of the Smithsonian, and we ask that no funds be utilized to stop that outreach program.

Mr. Chairman. I ask my colleagues to support the amendment.

Mr. Chairman, I rise today to offer my amendment that encourages support of the Smithsonian Institution’s outreach programs.

It is of the utmost importance that none of the funds made available in this Act be used to limit outreach programs administered by the Smithsonian Institution.

The Smithsonian’s outreach programs bring Smithsonian scholars in art, history and science out of “the nation’s attic” and into their own backyard. Each year, millions of Americans visit the Smithsonian in Washington, D.C. But in order to fulfill the Smithsonian’s mission, “the increase and diffusion of knowledge”, the Smithsonian seeks to serve an even greater audience by bringing the Smithsonian to the people. Millions who otherwise would be deprived of the vast amount of cultural history offered by the Smithsonian.

The Smithsonian’s outreach programs serve millions of Americans, thousands of communities, and millions in all 50 states, through loans of objects, traveling exhibitions, and sharing of educational resources via publications, lectures and presentations, training programs, and websites. Smithsonian outreach programs work in close cooperation with Smithsonian museums and research centers, as well as with 144 affiliate institutions and others across the nation.

The Smithsonian’s outreach activities support community-based cultural and educational organizations around the country, ensure a vibrant public presence of the Smithsonian’s presence in all 50 states through the provision of traveling exhibitions and a network of affiliations; increase connections between the Institution and targeted audiences (African American, Asian American, Latino, Native American, and New American); provide kindergarten through college-age museum education and outreach opportunities; enhance K–12 science education programs; facilitate the Smithsonian’s scholarly interactions with students and scholars at universities, museums, and other research institutions; and publish and disseminate results related to the research and collections strengths of the Institution.

One example of a large and successful outreach program is the Smithsonian Institution Traveling Exhibition Service (SITES). SITES will be the public exhibitions’ face of the Smithsonian’s National Museum of African American History and Culture, as the planning for that new museum gets underway. Providing national access to projects that will introduce the American public to the Museum’s mission, SITES hundreds of institutions on such stirring exhibitions as “381 Days: The Montgomery Bus Boycott Story”.

The mission of Smithsonian Affiliates is to build a strong national network of museums and educational organizations in order to establish active and engaging relationships with communities throughout the country. There are currently 138 affiliates located in the United States, Puerto Rico, and Panama. By working with museums of diverse subject areas and scholarly disciplines, both emerging and well-established, Smithsonian Affiliations is building partnerships through which audiences and visitors everywhere will be able to share in the great wealth of the Smithsonian while building capacity and expertise in local communities.

The Smithsonian also offers access to its resources to underserved audiences in urban locales and to individuals with disabilities.

I urge my colleagues to support this amendment, and support the Smithsonian’s high quality education and its ability to share our wealth of knowledge to every American.

Recently I was asked 11 museums that explore the African American experience are still valuable as they once were in this di-verse and more integrated America. While I responded quickly, I realized later that the question deserved more thought.

The notion that African American history has limited meaning seems to be a concern for all Americans. We would be better served if we remember the words that James Baldwin wrote in his powerful novel, The Fire Next Time. “History does not belong or even principally to the past. On the contrary, the great force of history comes from the fact that we carry it within us, are consciously controlled by it in many ways, and that history is literally present in all that we do.”

I would like to cite four reasons why the interpretation and preservation of African American history and culture are so important and relevant for an America still struggling with the legacy and impact of slavery.

(1) The Danger of Forgetting: You can tell a great deal about a country or a people by what they deem important enough to remember, what they build monuments to celebrate; and what graces the walls of their museums. Throughout Scandinavia there are monuments and museums that cherish the Vikings as a proud symbol of Nordic curiosity, exploration, and freedom. In Scotland, much is made of the heroic struggles of William Wallace (whom we know as Mel Gibson) to free off the yoke of domination. Until recently, South Africa was dominated by monuments and memories of the Voortrekkers, while the United States traditionally revels in Civil War founding fathers, with an occasional president thrown into the mix.

Yes I would argue that we learn even more about a country by what it chooses to forget. This desire to omit—to forget disappointments, moments of evil, and great mistakes—is both natural and instructive. It is often more of African American history that is forgotten or downplayed. And yet, it is also the African American experience that is a clarion call to remember.

A good example of this nexus of race and memory is one of the last great unmentionables of public discourse about American history—the story of slavery. For nearly 250 years, slavery not only existed but it was one of the most dominate forces in American life. Political clout and economic fortune depended upon the labor of slaves. Almost every aspect of American life—from business to religion, from culture to commerce, from foreign policy to western expansion was influenced and shaped by slavery. American slavery was so dominant globally that 90 percent of the world’s cotton was produced in the American South. By 1860 the monetary value of slaves outweighed all the money invested in this country’s railroads, banking, and industry combined. And the most devastating war in American history was fought over the issue of slavery.

And yet few institutions address this history for a non-scholarly audience. And there are even fewer opportunities to discuss—can openly—the legacy, the tragedy, and the contemporary meaning of slavery.

I remember a small survey from the early 1990s that assessed the public’s knowledge about slavery. The results were fascinating: 81 percent of white respondents felt that slavery was a history that had little to do with them; 73 percent felt that slavery was an important story but that its real relevance was only to African Americans. Even more troubling was the fact that the major-ity of African Americans expressed either little interest or some level of embarrassment about slavery.

There is a great need to help Americans understand that the history of slavery matters because so much of our cultural and troubling struggle to find racial equality has
been shaped by slavery. And until we use the past to better understand the contemporary resonance of slavery, we will never get to the heart of one of the central dilemmas in American relations. But it is important for those who preserve and interpret African American life to help combat the notion of embarrassment. I am not ashamed of my ancestors. I am proud of their ability—in spite of the cruelties of slavery—to maintain their culture, their sense of family, their humor and their humanity. People knew the works of William Prescott, a former slave who when asked about slavery by a WPA interviewer said they were not that we were strong; they will remember that we were bought but not that we were brave.

(2) Inspiration. There is a great need and opportunity to draw inspiration, sustenance, and guidance for African American culture. And from this inspiration, people can find tools and paths to help them live their lives. The importance of inspiration was brought home to me on a trip a few years ago. In 1997, I was lecturing in South Africa. One day I found myself in the small city of Pietermaritzburg, which is located in Durban in the Midlands. This city has a significant Indian population and it was the site of Mahatma Gandhi’s first brush with the racism of South Africa in 1903. While I was there, I came to this city that was the ancestral homeland of his political and tribal rivals, the Zulus. He was to receive “the freedom of the city.” I was privileged to sit on the podium as Mandela gave his speech. As is his custom, he spoke in several languages—from Xhosa to Zulu to N’débele—about his struggles against apartheid. He said he spoke about his 27 years in the prison on Robben Island. He said one of the things that gave him strength and substance was the history of the struggle for racial equality in America. He spoke passionately and eloquently of how American abolitionists such as Sojourner Truth, Harriet Tubman, William Lloyd Garrison and Frederick Douglass inspired him and helped him to believe that freedom and racial transformation were possible in South Africa.

Mandel’s words helped me to remember the power of American culture. We should cherish such important moments within our collective institutions. Who could not be moved by the oratory, the commitment to racial justice and the sacrifice of Douglass? Who is not moved by the beauty of the work of Betty Saar, the richness of the words of Langston Hughes or the quiet bravery of Rosa Parks and John Lewis? Or who is not moved by the family who came north during the Great Migration or the person who struggled and risked death to keep his name on the voter registration list during the 1960s? They will remember that we were sold but not that we were bought.

(4) The struggle to create a national monument to black life goes back to the late 19th and early 20th centuries. It was a desire for recognition, acceptance, and cultural acknowledgment that was thwarted until the recent legislative success engineered by Congressman John Lewis and Senator Sam Brownback.

Legislation was passed by Congress in 2003 and signed by the President. Now at last the National Museum of African American History and Culture exists. It is not yet what it will be one day—a site has yet to be chosen from the four now under consideration—but that begs the question, What is NMAAHC?

It is a museum that will celebrate and honor African American history and culture by revealing in and revealing the richness, the lessons, the ambiguities, the challenges and the beauty of African American culture. And through that exploration, the many publics will find meaning, relevance, and understanding.

When I imagine the museum I see interactive exhibitions on the history and legacy of slavery, on the Cultural Renaissance of the 1920s, the Civil Rights movement. But I also see the opportunity to explore cultural expressions like dance, performance, and of course, art. But while the museum must explore the large stories, it must also provide glimpses into more intimate moments of the African American story.

The museum must also use this culture as a lens for all to better understand what it means to be an American, so that all who visit, interact with its online activities, and experience its educational programming will see how America was and will always be shaped by this culture.

The museum must be a place of collaboration—especially with the African American museum field. I see this museum as a collaborator, not a competitor. And I see that collaboration beginning immediately. I believe that this museum must begin strategic program and collaborations right away. I want to work with many of our African American museums to develop lectures, workshops and other educational activities. I would also like to work together to craft a national campaign to “save our treasures” so that sister institutions can share the privilege of the parlor that is quickly vanishing. And I would like to find ways that this national museum in Washington can also highlight the work and increase the visibility of museums in communities across the country. It may be as simple as suggesting that as visitors move through the gallery, they stop by the Smithsonian, or the African American museum in Los Angeles to get a better appreciation of migration here and then get related exhibits at museums of every kind—art, history, science, living collections, children’s museums—in communities everywhere.

There are many possibilities to explore from collaborating to help train future generations of African American museum professionals to working with the Institute of Museum and Library Services to help ensure the sustainability of the African American institutions.

If we do the job right, the National Museum of African American History and Culture will be a place of meaning, of reflection, of laughter, of learning, and of hope. A beacon that reminds us of what we were, what challenges still remain, and points us toward what we can become.

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

Mr. HEPLEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment No. 1 offered by Mr. HEPLEY:

The amendment was agreed to.

Mr. HEPLEY. Mr. Chairman, I yield back the balance of my time.
excess of $350 billion. This amendment would trim a penny on a dollar across the agencies funded by this bill.

Last night there was a lot of pontificating about how we need to balance the budget and we need to get our spending under control. Well, this is a way I believe that you are really serious about that, not that this is going to balance the budget, of course. It is not. But it would at least symbolically say we care about this issue.

So, Mr. Chairman, I would move the amendment, and ask for support of the committee.

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

The CHAIRMAN. The gentleman from North Carolina (Mr. HEFLEY) is recognized for 5 minutes in opposition.

Mr. TAYLOR of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I love the gentleman from Colorado like a brother, but I am going to have to oppose his amendment. First of all, the bill has already been reduced $145 million below the President's budget. This bill assumes that several hundred millions of dollars more in costs will have to be absorbed.

The committee has done a responsible job, and one might say we gave at the office. We have already cut this bill about as much as we can. I have to oppose the gentleman's amendment.

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

Mr. HEPLEY. I would encourage its passage, and yield back the balance of my time.

Mr. TAYLOR of North Carolina. I yield back the balance of my time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Colorado (Mr. HEPLEY).

The point of order was taken; and the Chairman announced that the noes appeared to have it.

Mr. HEPLEY. Mr. Chairman, I demand a recorded vote.

The CHAIRMAN. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Colorado will be postponed.

AMENDMENT OFFERED BY MR. OBEY

Mr. OBEY. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

(1) $300,000,000 for clean air and water programs administered by the Environmental Protection Agency as follows:
(A) $250,000,000 for the Clean Water State Revolving Fund, as authorized by title VI of the Federal Water Pollution Control Act.
(B) $50,000,000 for clean diesel and homeland security programs, as requested in the President's budget.
(C) $200,000,000 for protection of Federal lands administered by the Department of the Interior and the United States Forest Service as follows:
(A) $100,000,000 to address maintenance backlogs within the national parks, refuges, forests, and other lands of the United States.
(B) $50,000,000 for the State and Tribal Wildlife Grants program administered by the United States Fish and Wildlife Service.
(C) $50,000,000 for “Payments in Lieu of Taxes” as administered by the Secretary of the Interior and as authorized by sections 601 through 607 of title 31, United States Code.
(D) $50,000,000 for “Indian Health Services” for support of expanded clinical health services to Native Americans.
(E) $50,000,000 for “Bureau of Indian Affairs—Operation of Indian Programs” for support of educational services to Native Americans.

SEC. 602. In the case of taxpayers with income in excess of $1,000,000, for calendar year 2007 the amount of tax reduction resulting from the enactment of Public Laws 107–16, 107–21, and 107–311 shall be reduced by 1.94 percent.

Mr. TAYLOR of North Carolina. Mr. Chairman, I reserve a point of order on the amendment.

Mr. OBEY. Mr. Chairman, I reluctantly must concede the point of order.

I would have preferred that the gentleman had not made the point of order, but given the fact he has done it, the rule under which this bill is being debated precludes the inclusion of this amendment. I very much regret that.

The CHAIRMAN. The point of order is conceded and sustained. The amendment is not in order.

AMENDMENT OFFERED BY MR. DENT

Mr. DENT. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The Clerk will designate the amendment.

The text of the amendment is as follows:

Amendment offered by Mr. DENT:
At the end of the bill (before the short title), insert the following:

TITLE VI—ENHANCED APPROPRIATIONS FOR CONSERVATION, RECREATION, THE ENVIRONMENT, AND NATIVE AMERICANS

SEC. 601. None of the funds made available in this Act may be used to implement, administer, or enforce section 20(b)(1) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)).

The CHAIRMAN. Pursuant to the order of the House of today, the gentleman from Pennsylvania (Mr. DENT) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Wisconsin.
Mr. OBEY. Mr. Chairman, I won't take much time. The Republican bill before us is based on the assumption that the Senate has passed the House Republican budget resolution. It hasn't. This amendment is based on a more responsible assumption.

It is in conformance with the Spratt budget amendment. It adds roughly $800 million for restoring the Clean Water State Revolving Fund. We add $50 million to the EPA budget to protect local water supplies from terrorist attacks. We add $300 million for our national parks, refuges, and forests. We provide $150 million to provide some key land acquisitions at Valley Forge, Acadia, Grand Teton, Mount Rainier and a number of other purposes.

We pay for it with a modest 2 percent reduction in the tax cuts expected for millionaires. It would reduce the size of their tax cuts by about $2,200.

I would hope that no one lodges a point of order on this amendment so we could have a more constructive approach to these programs.

POINT OF ORDER

The CHAIRMAN. Does the gentleman from North Carolina insist on his point of order?

Mr. TAYLOR of North Carolina. Mr. Chairman, I do insist on my point of order.

The CHAIRMAN. The gentleman will state his point of order.

Mr. TAYLOR of North Carolina. Mr. Chairman, I raise a point of order against the amendment because it proposes to change existing law and constitutes legislation in an appropriations bill. Therefore, it violates clause 2 of rule XIX.

The CHAIRMAN. Does any Member wish to be heard on the point of order?

Mr. OBEY. Mr. Chairman, I reluctantly must concede the point of order.

I would have preferred that the gentleman had not made the point of order, but given the fact he has done it, the rule under which this bill is being debated precludes the inclusion of this amendment. I very much regret that.

The CHAIRMAN. The point of order is conceded and sustained. The amendment is not in order.
Mr. Wu. Mr. Chairman, I thank Mr. DENT, and I rise in support of his amendment because of a proposed Indian gambling casino for the Columbia River Gorge National Scenic Area. The Columbia River Gorge National Scenic Area is the crown jewel of Oregon’s natural heritage. The Columbia River cuts the only sea level passage through the Cascade Mountains. It is, to many, another Yosemite, with many waterfalls and the second tallest waterfall in North America.

There is a proposed 700,000 square foot casino for this national scenic area. It would draw 3 million people per year and 1 million extra cars with the attendant pollution and urbanization.

I support Mr. DENT’s amendment and would ask the committee chairman to address the issues, because the amendment as originally structured would put a pause and encourage the Department to consider on reservation sites this for the tribe with the largest reservation in the State of Oregon.

Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

Mr. Pombo, Mr. Chairman, I would like to take a moment to engage in a colloquy with my friend and colleague from California (Mr. POMBO).

Mr. Pombo, my specific question to you, I know you plan to advance legislation out of your committee that will deal with the issue of reservation gambling.

Mr. POMBO. Mr. Chairman, if the gentleman would yield, I appreciate your agreeing to offer this amendment and withdraw it. This is a major issue and you have talked to me several times in the past about this issue and the impact that it has on your district. I fully understand that. It is something that we’ve been focused on over a couple years of litigation and attorneys’ fees has the third circuit found in their favor.

This suit, which has nothing whatsoever to do with the preservation of Indian Territory, something that establishing a casino, represents just how out of control the pursuit of reservation gambling rights has become.

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May 18, 2006
CONGRESSIONAL RECORD—HOUSE

H2871

Mr. SCHWARZ of Michigan changed his vote from “aye” to “no.” So the amendment was agreed to.

The result of the vote was announced as above recorded.

AMENDMENT OFFERED BY MR. PUTNAM

The CHAIRMAN. The pending business is the demand for a recorded vote on the amendment offered by the gentleman from Florida (Mr. Putnam) 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 CHAIRMAN. A recorded vote has been demanded.

A recorded vote was ordered.

The CHAIRMAN. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 217, noes 203, not voting 12, as follows:

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[Roll No. 171]
Mr. FARR. Mr. Speaker, on rollcall No. 171, I inadvertently voted "aye" when I meant to vote "no" and I would like the RECORD to so state that had I voted correctly, I would have opposed the Federal Abramson Amendment.

The amendment was rejected.

The vote was taken by electronic device, and there were—yeas 293, nays 11, as follows:

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### PERSONAL EXPLANATION

Mr. TAYLOR of North Carolina. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill, as amended, do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. BASS) having assumed the chair, Mr. LA TOURETTE, 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. 3386) making appropriations for the Department of the Interior, environment, and related agencies Appropriations Act, 2007.

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The amendments were ordered to the Speaker pro tempore. The question is on the engrossment and third reading of the bill. The bill was ordered to be engrossed and read a third time, and was read the third time.
Ms. WATSON changed her vote from “yea” to “nay.”

The bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mr. LARSON of Connecticut. Mr. Speaker, I would like to make this statement for the RECORD and regret that I could not be present today. Thursday, May 18, 2006 to vote on roll-call vote Nos. 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, and 172 due to a family medical emergency.

Had I been present, I would have voted:

“No” on roll-call vote No. 160 on calling the previous question on H. Res. 818—the rule providing for consideration of H.R. 5386—Department of the Interior, Environment, and Related Agencies Appropriations Act for Fiscal Year 2007;

“No” on roll-call vote No. 161 on passage of H. Res. 819—the rule providing for consideration of H.R. 5386—Department of the Interior, Environment, and Related Agencies Appropriations Acts for Fiscal Year 2007;

“No” on roll-call vote No. 162 on suspending the rules and agreeing to H. Res. 795—Condemning in the strongest terms the terrorist attacks in Damascus, Dier el-Zor, and Homs, Syria, in the past week, and expressing concern about conditions in the region that may lead to additional terrorist attacks; and;

No on roll-call vote No. 164 on an amendment to H.R. 5386 to strike all remaining moratoria in the bill on oil and gas drilling on the Outer Continental Shelf;

“No” on roll-call vote No. 165 on an amendment to H.R. 5386 to prohibit the EPA from raising the threshold which requires reports to be issued on toxic chemicals and substances in the Toxics Release Inventory;

“No” on roll-call vote No. 166 on an amendment to H.R. 5386 to cut $30 million from the National Institutes of Health in order to provide an increase in funds for the Forest Service’s wildfire management account;

“No” on roll-call vote No. 167 on an amendment to H.R. 5386 to prohibit the awarding of new leases to oil companies in taxpayer-owned waters—unless those companies agree to pay royalties for the oil and natural gas they are extracting from such areas;

“No” on roll-call vote No. 168 on an amendment to H.R. 5386 to prohibit funds in the bill to plan, design, study, or construct roads in Tongass National Forest in Alaska for the purpose of harvesting timber;

“No” on roll-call vote No. 169 on an amendment to H.R. 5386 to prohibit funds in the Act from being used by the administrator of the EPA to implement or enforce the Joint Memorandum published in the Federal Register on January 15, 2003 (68 Fed. Reg. 1995);

“No” on roll-call vote No. 170 on an amendment to H.R. 5386 to prohibit use of funds in the bill to conduct activities in violation of the moratorium on drilling in the Outer Continental Shelf;

“No” on roll-call vote No. 171 on an amendment to H.R. 5386 to cut all funds in the bill by one percent across-the-board, and;


The SPEAKER pro tempore laid before the House the following message from the President of the United States:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides for the automatic termination of a national emergency unless, prior to the anniversary date of its declaration, the President publishes in the Federal Register and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversaries of the declaration. I have sent the enclosed notice to the Federal Register for publication, which states that the Burma emergency is to continue beyond May 20, 2006, for publication. The most recent notice continuing this emergency was published in the Federal Register on May 18, 2005 (70 FR 29871).

The crisis between the United States and Burma arising from the actions and policies of the Government of Burma, including its policies of committing large-scale repression of the democratic opposition in Burma, that led to the declaration of a national emergency on May 20, 1997, has not been resolved. These actions and policies are hostile to U.S. interests and pose a continuing unusual and extraordinary threat to the national security and foreign policy of the United States. For this reason, I have determined that it is necessary to continue the national emergency with respect to Burma and maintain in force the sanctions against Burma to respond to this threat.

GEORGE W. BUSH,

The threats of attachment or other judicial process against (i) the Development Fund for Iraq, (ii) Iraqi petroleum and petroleum products, and interests therein, and proceeds, obligations, or any financial instruments of any type arising from or related to the sale or marketing thereof, or (iii) any accounts, assets, investments, or any other property of any kind owned by, belonging to, or held by, on behalf of, or otherwise for the Central Bank of Iraq create obstacles to the orderly reconstruction of Iraq, the restoration and maintenance of peace and security in the country, and the development of political, administrative, and economic institutions in Iraq. Accordingly, these obstacles continue to pose an unusual and extraordinary threat to the national security and foreign policy of the United States. For these reasons, I have determined that it is necessary to continue the national emergency protecting the Development Fund for Iraq, certain other property in which Iraq has an interest, and the Central Bank of Iraq, and to maintain in force the sanctions to respond to this threat.

GEORGE W. BUSH.


COMMUNICATION FROM THE HON. STEVEN C. LATOURETTE, MEMBER OF CONGRESS

The SPEAKER pro tempore laid before the House the following communication from the Honorable STEVEN C. LATOURETTE, Member of Congress:


Hon. J. Dennis Hastert, Speaker, House of Representatives, Washington, DC.

Dear Mr. Speaker: This is to formally notify you, pursuant to Rule VIII of the Rules of the House of Representatives, that I have been served with a civil subpoena for documentary evidence by the Cuyahoga County, Ohio Court of Common Pleas. After consulting with the Office of General Counsel, I will make the determinations required by Rule VIII of the Rules of the House.

Sincerely,

STEVEN C. LATOURETTE.

GULF COAST RENEWAL CAMPAIGN

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

Ms. WATSON. Mr. Speaker, in the months following Hurricanes Katrina and Rita, FEMA sent notices to survivors indicating that they would receive up to one year of assistance. Some reports indicate, however, that the rate of rejection has been as high as 80 percent or 4 out of 5 household applicants. Households who are rejected but are still in distress must rely on the good will of local and state governments, even though they may not be actual constituents in those jurisdictions.

Section 408 individualized rental assistance requires re-application every 3 months. How many landlords offer 3-month leases? According to FEMA numbers, the reapplication rate is only 30 percent. These facts raise very serious concerns regarding low income, elderly, disabled and other vulnerable persons and the displaced will find themselves with inadequate assistance, and there are reports of widespread despair, anxiety and lack of faith in the government.

And the displaced will find themselves with inadequate assistance, and there are reports of widespread despair, anxiety and lack of faith in the government.

Under FEMA regulations, only one head of household may apply for assistance. But this rule discriminates against low income African-American families from New Orleans, among whom multiple families living in one dwelling unit is common. Additionally, FEMA is telling many survivors that their homes have been refused that the basis for refusal is because their home has been deemed habitable, even when their homes are located in neighborhoods where no public services are available and where widespread destruction and environmental contamination. These inaccurate assessments of eligibility should be investigated and re-evaluated.

Section 408 Individualized assistance does not cover utilities. However, section 2501 of the Supplemental Bill now in Conference Committee grants FEMA the authority to provide funds to a state or local entity to pay for utility costs associated with the thousands of leases currently in place. It is essential that the Conference Committee leave this language in place, because without it many Katrina survivor households will be in further jeopardy of being unable to retain current housing leases.

FEMA has failed to submit its plan for permanent and transitional housing to Congress, which was due in January of 2006. Thus FEMA continues to operate without an overall plan, instituting more rolling deadlines and bureaucratic bungling which has brought additional hardship to families.

FEMA has wasted hundreds of millions of dollars on mobile homes that have never been relocated to a place where survivors can use them, and on trailers that cost as much as $120,000 per unit after transport costs are paid, sometimes exceeding the cost of producing the unit. With FEMA set to receive $9 billion or more from the Supplemental Bill now in Conference Committee, FEMA could use this money to purchase apartment buildings at a unit cost that would be less than trailers. This would allow for permanent, not temporary housing and would avert the jeopardy of returning residents being caught in trailers during hurricane season, which is only weeks away.

The President has the authority to institute alternative, comprehensive provisions for all Katrina survivors under the Stafford Act, and thus to ensure that no survivor is left homeless as a result of the disaster and subsequent evacuation.

SPECIAL ORDERS

The SPEAKER pro tempore (Mr. FITZPATRICK of Pennsylvania). 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.

THE TRUTH ABOUT OIL PRICES

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

Mr. DeFAZIO. Mr. Speaker, well, we heard some interesting debate on the floor today. There are those who allege, well, if only, if only we opened up our most sensitive coastal areas, areas that are critical, for instance, for our fisheries, that we could drill our way out of this crisis. We could drill our way out of high prices for oil and gas.

But as one gentleman from the Republican side pointed out, actually, that is far from the truth, because even if additional significant finds are made, they would be sold into a market which does not reflect the costs of the production of the oil or its origins. It is essentially a market controlled by OPEC, the cartel mostly based in the Middle East, that is violating international trade laws by colluding to restrict supply and drive up the price of crude oil. And the Bush administration, who are great fans of free trade, the World Trade Organization, and rules-based trade, refuses to file a complaint against OPEC. I guess they are scared of OPEC and their clout.

But the point is, even if these finds were made, for instance, today it costs about $70 a barrel of Texas crude. But guess what? It sells for $42 a barrel.

Now, where does that other $28 go, one wonders. Well, it goes, in good part, to speculators. It turns out that the trade in crude oil in the United States, the trillion dollar market that is regulated and controlled by the government under the rules for commodities, Commodities
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May 18, 2006

CONGRESSIONAL RECORD—HOUSE

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Futures Trading Commission. The rest of it is traded off the books. There is a lot of self-dealing going on, trades that would be illegal. One dealer sits next to another dealer and says trade, $5. Trade you back, $5. Trade you back, $5; trade you back $5, and suddenly we have sold bonds to a bank for $700 million.

Experts say that if we merely took the step, totally within the authority of this administration and the Congress to bring crude oil under the regulation of the Commodity Futures Trading Commission, we would see an immediate 20 to 25 percent drop. That is not free-market oil. And then, if we took on OPEC and filed trade complaints against OPEC, we could further drive down the price.

Yes, there is a long-term problem with the availability of oil. Yes, we need to wear ourselves and become more energy efficient. But in the short-term, we don’t need to allow the American consumers to be price gouged by the likes of ExxonMobil. Oh, they are not price gouging. They only made $100 million a day last year. And they handed their retiring CEO a $400 million pension. That is 4 days of gouging at the pump for ExxonMobil. That was no big asset出售backs. $400 million extracted from American consumers unfairly. Price gouging.

So if we were to regulate the markets and, secondarily, tax the windfall profits. Nor should we say, oh, we tried that in the Carter administration. It won’t work. No, we say, okay, we are going to tax your windfall profits unless you invest in that money in new refinery capacity, unless you invest that in new production. Unless you invest it in alternate fuels, we will tax the heck out of it. We are not going to allow you to give 400 million bucks to your retiring CEO or the next retiring CEO. We are not going to allow you to price gouge consumers and buy back your stock to drive down the price of the stock options of all the people sitting on the board of directors. But if you put it to productive uses, then it won’t be taxed away from you. So we could take those two steps and provide some immediate price relief to the American people. And then we need to begin investing in alternate fuels. You know, it would be nice if instead of buying our oil from the Mid East and that incredibly volatile region, supporting many countries who are working with the terrorists against the United States of America with our dollars, if we became energy efficient like Brazil did. They had a vision 30 years ago. They decided they would not be going to import oil anymore. It took them 30 years. Tell me we can’t do that in the United States of America; that we can’t move it toward biofuels and alternative fuels and more efficient and alternative technology.

Now the President has talked about it, which is nice. It is a change. It is a big change. He is talking about it. But his budget doesn’t contain any money to get us there. If you invested the same amount of money into energy independence and efficiency that the President has proposed, if JFK had invested the same amount in getting us to the Moon, we wouldn’t have gotten to the Moon yet. So he isn’t following up on his rhetoric; might have something to do with his history with the oil industry and Dick Cheney’s history with the oil industry and every other member of the administration’s history with the oil industry.

We can become energy independent and efficient and have greater future for the American people.

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

FISCAL DISCIPLINE

Mr. McHENRY. Mr. Speaker, I ask unanimous consent to take Mr. Jones’ time.

The SPEAKER pro tempore. Without objection, the gentleman from North Carolina is recognized for 5 minutes.

There was no objection.

Mr. McHENRY. Mr. Speaker, tonight I rise to talk about fiscal discipline. This House proudly passed a conservative budget last night with not a single vote from the opposition party. We passed a good budget last night that brings our Nation in the right direction.

Ronald Reagan correctly stated it, that we don’t have deficits because people are taxed too little; we have deficits because big government spends too much. And our House budget that we passed last night, in essence, freezes non-defense discretionary spending, which is a strong thing to do, especially when we have government that is so out of control.

We have stopped the excesses that have been put in place over previous generations. Beyond that, we have put in place $6.8 billion worth of entitlement reforms that are going to move our budget in the right direction.

It also prevents tax increases which the opposition party wants to put in place. Tax increases on capital gains, on dividends, on income, all the income tax cuts President Bush put in place over the last 5 years. Beyond that, it reforms AMT for another year, which is a good thing.

But beyond that it extends the tax reforms we put in place in 2001, 2003, and President Bush is responsible for, again with no votes from the Democrats.

Let us talk about what this version of tax simplification has done that this President has put in place. It has benefited every American who pays taxes.

Now, Mr. Speaker, there are some on the other side of the aisle, some Democrats, who say that President Bush gave a sop to the wealthy. Well, Mr. Speaker, I am happy to say that if you pay taxes in this country, you received a tax cut because of President Bush and the Republican Congress. However, if you do not pay taxes, if you do not pay taxes, you did not receive a tax cut.

Now, Mr. Speaker, I know there may be people in America who hear that and say that is ridiculous. If you do not pay taxes, you cannot receive a tax cut. But, indeed, that is what the Democrats and the liberals in this body are fighting for is giving a tax cut to those people who do not even pay taxes. I know it is nutty sounding. That is liberal lunacy for you. But these tax cuts put in place over the last 5 years have created 5.2 million new jobs and 336,000 new jobs were created in April alone moving in the right direction. And the budget we passed actually reduces the deficit, cuts it in half by 2011. That is a very good thing over the next 5 years, cutting it in half.

Beyond that, Mr. Speaker, I am proud to say that I voted for the Republican Study Committee, the conservatives in the House version of budget reform. It was called the Contract with America Renewed. And a dear friend of mine, a good friend of mine, Mike Pence of Indiana, helped craft this budget along with Jim Hensarling of Texas, and I am very proud and honored to have voted with them and to be a cosponsor of this conservative budget alternative.

And do you know what that budget did? Unfortunately, it had zero votes from the opposition on the other side of this body, but what it did was eliminate our budget deficit over the next 5 years and to bring you that is what we need to have a debate on. How do we bring our budget back to balance? We on this side of the aisle want to cut excessive government spending, put some bureaucrats out of work, and let the American people keep more of what they earn. The Democrats’ alternative is to raise your taxes. And I say that to every taxpaying American, Mr. Speaker.

But let me tell you this Republican Congress is getting aholt of the fiscal excesses of the past here in Washington, DC. For 40 years, Mr. Speaker, for 40 years, Washington, DC was governed with the mindset of more government is good, and we as the Republican Congress have to get aholt of this out-of-control bureaucracy, out of this out-of-control government excesses and bring us back to balance. And that is what this Republican Congress is doing, and I am proud to be fighting alongside my conservative brethren, the men and women in this House that want fiscal sanity.
This is not voodoo economics; this is black magic. The President and the Republican majority have made the surplus disappear. They have replaced a Nation enjoying strong financial security with a country insecurely surviving on a growing addiction to massive foreign debt. They are transferring the wealth of our Nation to the very rich and leaving the bill for the reckless plundering of the Treasury to the middle class, and they made sure the pain will not begin until the President leaves office.

Two generations ago when income tax rates exceeded 70 percent, economists could argue that a tax cut could fuel economic growth. But that logic is as scarce today as gasoline at $1 a gallon.

To independently confirm this point, I turn to none other than the very conservative Cato Institute. Here is what they said in the Los Angeles Times story on May 14, which I will put into the RECORD. The Cato Institute shows that since 1981 for every dollar in tax cuts, the government spending increased by 15 cents. So they kept going. They gave away $1 and they spent $1.15. The President and his surrogates worried otherwise. The bills are piling up and so is the debt on the American middle class, until we stop.

But the Republicans did the opposite. They rammed through a reckless budget bill yesterday. This much we know: The Republican budget is all gain and no pain for big oil. The Republican budget is all riches for the rich and rags for the rest. The President and the Republicans are hurting the poor, the disadvantaged, the vulnerable kids, the seniors, and the middle class. And the Republicans are passing on a legacy of debt, not to their children but to their grandchildren.

When the President signed the latest tax giveaway, he gave the nation earning $1 million a year, earning $1 million a year, an extra $41,000. That is the average salary of the middle class in this country. For doing nothing. He just simply gave it to them. They will not work a single day for it. Meanwhile, the House Republican budget will add another $254 billion to the deficit to pay for that. They are going to borrow from the Chinese to give it to the rich. So the debt ceiling had to be raised again yesterday. Buried in the bill for the fifth time under Mr. Bush, we have raised the debt ceiling. Their spending is so out of control, they do not know how to stop. But that is not the half of it. In 2007 the rich will receive even more. The President is making sure they do just that.

And, median family income in America is down.

Under this President, the tallest mountain in the world is no longer Mt. Everest; it’s Mount U.S. Deficit. The rich are sitting on top with Republicans. Rock slides are crashing down on the rest of us. And the landslide is coming.

This mountain of debt will collapse on the American people. That’s why this record of a Republican majority who have defined themselves as the party of one percent, representing only those with a seven figure income or above.

[From the Los Angeles Times, May 14, 2006]

BANKRUPTED BY VOOODOO ECONOMICS

(By Jonathan Chait)

If you remember the 2000 election, you probably remember President Bush’s warning about why we needed to cut taxes: if we did not return the surplus to the taxpayers, Washington would spend it. Well, we all know what happened next. Bush returned the surplus to taxpayers—and Washington spent the money anyway.

Conservatives have a number of analogies to explain why tax cuts will lead to spending restraint: Cut your child’s allowance. Starve the beast. But the analogies are all wrong. The child has a credit card. The beast has a private meat locker. Government will spend whatever it wants, regardless of how much it taxes.

The myth has been congenitally unable or unwilling to grasp this lesson. Last week, though, there was a faint glimmer of recognition. William Niskanen, chairman of the fervently anti-government Cato Institute, did a calculation showing that since 1981, every $1 in tax cuts tends to produce 15 cents of extra spending. Likewise, every $1 of tax hikes tends to reduce spending by 15 cents. The non-tax cuts cause spending to dry up, or that tax hikes encourage more spending, is not just wrong, it’s completely backward.

Now, Niskanen is not the first policy wonk to discover this correlation. Four years ago, Richard Kogan of the liberal Center on Budget and Policy Priorities discovered the same thing. I wrote about it in the New Republic—and nobody paid any attention.

But Niskanen’s finding is getting some attention. Moderate Democrat Jonathan Rauch wrote about it in the Atlantic, and a Washington Post columnist picked it up from there.

You’d think conservatives would pay some attention to a study that empirically demolishes one of the central underpinnings of their domestic policy. Indeed, my fellow columnist, Jonah Goldberg, wrote on National Review’s blog last Monday that “conservatives are going to have to respond to Jonathan Rauch’s argument in the new Atlantic.”

Of course, no response ensued. Indeed, the next day, National Review was on its merry way, editorializing for more tax cuts, as if Niskanen’s study didn’t exist.

The curious thing is why conservatives persist in supporting a strategy that is demonstrably counterproductive to their stated goal of shrinking government. The answer can be found in the same entry by Goldberg. He proceeded to write: “There are others better qualified to deal with the economic issues, but if tax cuts can be demonstrated to shrink government in some significant way, I’m certainly open to them.”

Indeed, there is plentiful evidence that tax hikes can slow spending, and the sizable chunk of the Democratic Party that is willing to inflict pain on their constituents in the form of spending cuts as long as the rich bear some of the burden, is willing to produce higher taxes. In 1982, 1983, 1990 and 1995, Democrats in large numbers voted for budgets
that ratcheted back spending and raised taxes.

In 1995, many Democrats offered to cut spending and balance the budget. But Newt Gingrich, the House Republican majority leader, could not move that by insisting on huge tax cuts too.

The insistence on tax cuts tends to weaken fiscal discipline. Having tended to the rich with tax cuts, Bush had to buy off enough voters with spending hikes to win reelection.

Most conservatives are like Goldberg—they want to shrink spending. But most conservatives, also like Goldberg, tend to think that ‘others are better qualified’ to make those decisions. The conservative option outliers tend to subcontract out their economic thinking to a handful of polemists, and virtually all of them are committee advocates of supply-side economics. They’re theoretically committed to tax cuts and don’t really care about spending cuts. They studiously ignore any evidence that weakens their case—which is to say, most of the evidence.

So, basically, you have a handful of supply-siders leading the rest of the conservatives around by the nose. The conservatives could cut a deal with the Democrats to tighten spending and taxes, but the anti-tax nuts are the ones who set policy for the movement.

It’s all the conservatives, including Goldberg, are furious at Bush for raising spending. But it hasn’t occurred to them to suggestion the drugga of the voodoo economists who led them into this mess in the first place.

[From the International Herald Tribune, May 16, 2006]

**AMERICANS ABROAD OUTRAGED OVER TAX CHANGES**

By Dan Bilefsky

BRUSSELS—Americans living abroad have reacted angrily to a decision by U.S. lawmakers to approve $70 billion in election-year cuts that will benefit wealthy taxpayers in the United States but impose what some experts have called the biggest tax increase on American expatriates in 30 years.

President George W. Bush is scheduled to sign the tax cut bill this week.

Under the bill, which the Senate approved last week, Americans working abroad will be exempted from paying U.S. taxes on the first $2,500 of their earned income up from $80,000. But the tax exemption on foreign housing expenses will be significantly reduced, and investment income will be taxed at a higher rate.

In addition, the amount of foreign earned income that surpasses the level of exemptions will be taxed as though the income had been earned in the United States, at a much higher rate, and income from foreign retirement accounts, which previously did not reach taxable levels, can now be taxed.

“This is the worst hit to Americans living abroad for three decades,” said Eric Way, a senior engineer in Paris who earns $20,000 in investment income could expect to pay about $1,500 more in taxes than almost all of them are committee advocates of supply-side economics. They’re theoretically committed to tax cuts and don’t really care about spending cuts. They studiously ignore any evidence that weakens their case—which is to say, most of the evidence.

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“This is the worst hit to Americans living abroad for three decades,” said Eric Way, a senior engineer in Paris who earns $20,000 in investment income could expect to pay about $1,500 more in taxes than...
store to multimillionaires. "House Minority Whip Steny Hoyer (Md.) said Bush’s comments on fiscal rectitude ‘read like a passage from Alice in Wonderland.’

This bodes ill for future cooperation on tax and spending questions, Penner said. ‘Unless there is some reduction in the vicious partisanship that has come to dominate our politics, it’s very hard to imagine people coming together on anything,’ he said.

REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 5385, MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2007

Mr. GINGREY, from the Committee on Rules, submitted a privileged report (Rept. No. 109-421) providing for consideration of the bill (H.R. 5385) making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes, which was referred to the House Calendar and ordered to be printed.

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

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

HONORING THE LIFE OF SPECIALIST DAVID N. TIMMONS, JR.

Ms. FOXX. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Texas (Mr. POE).

The SPEAKER pro tempore. Without objection, the gentleman from Texas (Mr. POE) is recognized for 5 minutes.

There was no objection.

Ms. FOXX. Mr. Speaker, it is with a heavy heart that I rise today to express the heartfelt condolences of a grateful Nation and to honor the life of Army Specialist David N. Timmons, Jr., of Lewisville, North Carolina. Specialist Timmons passed away on May 5, 2006, while serving in Afghanistan.

Specialist Timmons served our country as a cavalry scout assigned to the 3rd Squadron, 71st Cavalry Regiment, 10th Mountain Division at Fort Drum, New York. His strong patriotism and desire to make a difference led him to join the army after attending Forsythe Technical Community College.

Specialist Timmons was a loving son and brother. He leaves behind his father, David Timmons, Sr.; his stepmother, Cynthia Timmons; and his sister, Shalante Timmons. May God bless them and comfort them during this very difficult time.

We must remember this brave soldier and his family a tremendous debt of gratitude for his selfless service and sacrifice. Our country could not maintain its freedom and security without heroes like Specialist Timmons who make the ultimate sacrifice. Americans, as well as Afghans, owe their liberty to Specialist Timmons and his fallen comrades who came before him.

Mr. Speaker, please join me in honoring the life of Army Specialist David N. Timmons, Jr.

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

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

HONORING FORMER CONGRESSMAN SONNY MONTGOMERY

Ms. KAPTUR. Mr. Speaker, I ask unanimous consent to claim the time of the gentleman from Ohio (Mr. BROWN).

The SPEAKER pro tempore. Without objection, the gentlewoman from Ohio is recognized for 5 minutes.

There was no objection.

Ms. KAPTUR. Mr. Speaker, I rise this evening to pay tribute to a former Member of this body, Congressman Sonny G.V. Montgomery of Meridian, Mississippi. Our Nation laid him to rest this week in his home State.

As a Congresswoman who arrived here in the early 1980s, it was my great honor to serve on the committee which he chaired, the Veterans’ Committee, which was his life here in the Congress of the United States. I can recall so many times, as a Member of that committee, what a gracious, gracious Chair he was. Even to the new young members who had much to learn. I remember so much of what he did and the camaraderie that he established. He preferred not just to the committee or to the Congress but to the Nation. And we could use more of that spirit here today.

I remember in 1984 when the Montgomery G.I. Bill passed in a Democratic Congress with his leadership, how generation after generation a young veteran would come to be able to afford an education and to obtain decent health care and what he did to strengthen our Armed Forces, including our Guard and Reserve, and given us the understanding that the Department of Veterans Affairs is in our blood.

We could hardly ever claim credit for that publicly, and yet he worked on it for years.

I can remember many State of the Union addresses where in what I called the Montgomery chair back there in the back row he would sit and he would welcome the Presidents from each party as they would come into this Chamber, and I cannot ever remember Sonny Montgomery losing his temper. If he did, I certainly never saw it.

I watched many times as he struggled with the issue of Agent Orange. When some of the scientists who testified before the committee said, ‘We really cannot show causality, we cannot show that, in fact, this veteran has cancer because he was mixing Agent Orange in big vats with paddles in Vietnam back in the 1960s and early 1970s. And there came a point in the committee when Sonny said, ‘You know, there is a time when you have to stand up right even though it may not be scientifically provable. And for the first time in the Nation’s history since Vietnam we were able to treat veterans who contracted serious illnesses as a result of their service’.

We set up such as in New York, in order that we could assess and learn about these terrible, terrible illnesses that resulted from exposure to Agent Orange.

Sonny Montgomery traveled to the districts of the Members of his committee. I was so impressed, because many times we would go to a veteran who, unfortunately, because of illness would be out of control in the audience, and Sonny had a way of moving his hand and talking to the veteran, kind of calming him down. He was an amazing, amazing man.

He loved veterans. He loved Americans, but he had a special gift to be able to reach those who sometimes were distant. Half of the homeless in America are veterans. The work that he did as Chair of that committee helped us to recognize for the first time the problem of homeless veterans.

He got great assistance from a young Congressman then who had joined the committee, LANE EVANS of Illinois, who currently due to Parkinson’s illness is in Illinois right now trying to heal himself. These men did so much for our Nation and for the improvement of the conditions under which our veterans serve.

I can remember when Sonny came to my district in Ohio. It didn’t matter where you took him, to a Veterans Post, to a Legion Post, a public meeting, people would stand and cheer. He was ‘Mr. Veteran’ from coast to coast.

And he left a legacy of improved education, of improved health care, of a veterans system that increased the number of health care clinics, both in urban and rural areas, to care for our veterans, and he took very seriously the slogan from Lincoln that is on the front of the Department of Veterans Affairs, ‘To care for them who shall have borne the battle, their widows and widowers, and his or her orphan.’ He lived it.

He traveled the world. We improved cemeteries around the world for our veterans. We worked on housing programs to go beyond the GI single-family home mortgage to multiple family home construction.

He did so much so quietly and so effectively. Personally, he worked with me many years ago that committee trying to build the World War II memorial here in Washington in three different committees of jurisdiction, and yet was
that steady force that was always at our side as we worked for 17 years to move that piece of legislation from dropping it here in the hopper all the way to dedication just a few years ago here on the Nation’s Mall.

His family, the Flaming, Gloria Royce, and many people who served on that committee, knew that they had worked with a very great man, a man who always carried himself with great humility and great humor.

He was one of the founders of the Prayers Breakfast here that meets every Thursday morning, and he offered the “sick and wounded report.” He took an interest in every Member here, and he would know about their families and he would report to us on what was happening, and he built such a bond between people on both sides of the aisle.

I look at a certain Member whose voting record is different than mine, and I will say, how did I meet that person? My gosh, I met that person at the Prayers Breakfast with Sonny Montgomery.

He would go to the national meetings of the VFW or when the young winners would be selected from the Voice of Democracy awards at the VFW or through the American Legion and would receive standing ovations by thousands and thousands and thousands of people.

He was a two star general himself, having served in World War II, in Korea and of course, in the Guard, and he became a champion of the Guard and Reserve at a time when so many Americans were not really paying attention. He improved the facilities, he improved their opportunities.

So today, Mr. Speaker, in ending my remarks, I just want to say it was truly a deep, deep privilege to serve with Congressman and General Sonny G.V. Montgomery.

While I approve of this amendment to allow for a 2-year trial expansion of the Visa Waiver Program, I disagree with the requirements that are placed upon countries that would want to participate. This program enables nationals of certain countries to travel to the United States for tourism or business for stays of 90 days or less without obtaining a visa.

According to the language of Senate Amendment 4000, a country must provide “material support,” which means that current provision of the equivalent but not less than of a battalion, which consists of between 300 to 1,000 military personnel, to Operation Iraqi Freedom or Operation Enduring Freedom to provide training, logistical or tactical support or presence.

I feel that it is ineffective to place a number requirement on these smaller countries in the region. All the Baltic countries have been steadfast in support of allies of the United States since they gained independence following the fall of the Soviet Union and have continued to be supportive in the ongoing war on terror.

While these countries are short of this amendment’s required troop number, it seems to me that the best way to evaluate a country’s eligibility for the Visa Waiver Program is to determine whether the country is a good ally and friend of the United States, not put a number on their commitment.

All these former Soviet satellite countries are continuing to actively work to implement the highest of technology with their border security, including biometric passports far ahead of some of their western European neighbors.

Currently, several of the 27 countries already in the Visa Waiver Program have committed zero troops to either Operation Iraqi Freedom or Operation Enduring Freedom by not allowing them into the Visa Waiver program. This amendment is made to shield them from explosives that our children do become adults.

As parents, we do everything we can to protect them. We keep them in car seats protected by seat belts and air bags. We watch what they eat and look cabinets and plug outlets. We put safety knobs on exterior doors and put gates up at the top of the stairs and around swimming pools. We give them cell phones and cell phones we know where they are and when they’ll be home. We teach them right from wrong and we impart our values.

And when they are older, we have no other choice but to hope for the best. We hope that all of the caressing and caring, crying and cradling, helped them become the best grownups, parents, citizens, professionals, but most of all, we want to help our children to be the best people that they can become.
some parents raise their children with this hatred embedded inside their heart?
How, if we want to raise our children as tolerant, understanding, open-minded individuals, do we teach them to look at other people who may want to do them harm, without painting an entire people with the same broad brush? Naturally, we teach them that they should be cautious about strangers in general, wary of people who act in a certain way.

Mr. Speaker, I ask this question today because the other day, Tuesday afternoon, I attended the funeral of a young boy, just 16 years old. He was a constituent of mine who lived in the same town where my family and I live. When I got home, I explained to my two older children where I had been. As inquisitive little ones, they asked how the boy died. And I can still taste the bile in my mouth, Mr. Speaker, when I had to explain that this young boy in our hometown was killed by a bomb that blew up near where he was sitting in a cafe in Israel. I had to explain to my twin 7-year-olds that there are some people in the world who have so much hate in their hearts and who don’t believe that the Jewish people should have our homeland, Israel, that they will do anything, including bombing innocent people to try to destroy us.

Mr. Speaker, I could not bring myself to explain that the bombs were strapped to the bomber’s body as they were detonated. Thankfully, that was beyond their comprehension, because it was beyond my ability to explain to their young, innocent minds.

Daniel Wultz was sitting at an outdoor cafe with his father in Tel Aviv during Passover. A suicide bomber detonated a bomb strapped to his body, which injured Daniel’s father and critically injured Daniel. Daniel lost his leg in that blast, despite several injuries, emerged from a coma state and went through several surgeries with many more in front of him. He lived for a month, but succumbed to his injuries on May 14th.

Daniel Wultz was eulogized by his family and friends on Tuesday. He was described as a beautiful young man with a big heart, someone who always did the right thing, who stood up for others, and had a big, beautiful smile. I listened to his Rabbi, Rabbi Yisroel Spalter, talk about officiating at Daniel’s Bar Mitzvah. I listened to how his Rabbi, Rabbi Yisroel Spalter, talk about officiating at Daniel’s Bar Mitzvah and how his Judaism had become so much more important to him recently.

I listened to Daniel’s best friend and aunts talk about what a righteous person Daniel was, describing how he was always there for his friends and how he taught younger kids basketball and waited with them when their parents were little for certain events.

I listened to Daniel’s sister talk about how painful it was to lose her beloved brother and how badly they all wanted him to remain with the family and the struggle they were going through with God, who obviously needed him more.

But the most difficult was listening to Daniel’s father’s angst-ridden voice, wishing that he could have protected his son and describing how he knew his son’s beautiful body ultimately protected him.

Mr. Speaker, as a Jew, as a Member of Congress, as an American, but, more than anything, as a mother, I rise this evening to honor the memory of Daniel Wultz and to ask my colleagues to join me incondemning in the strongest possible way the ongoing cowardly terror attacks perpetrated against innocent victims in Israel and throughout the world.

As Golda Meir once said, “Peace will come when the Arabs love their children more than they hate us.” Hate is a weapon from which there is no safe haven.

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

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

2300

PROGRESS IN IRAQ

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

Mr. SHAAYS. Mr. Speaker, before the gentile lady leaves, I want to thank her for I think just a very moving and important message about what Israelis are faced with. I just thank her for that message.

Mr. Speaker, I would like specifically to talk about Iraq and to say that in the 12 visits I have had to Iraq, when I ask Iraqis what their biggest fear is, it almost always is this: ‘‘That you will leave us.” Then they might say, “That you will leave us before we can grab hold of democracy.”

Well, I have to say, frankly, that is one of my biggest fears. I am not afraid that we will see the war in Iraq lost in Iraq. I am most fearful that we will see the war in Iraq lost here at home.

It would seem a little surprising to say that I have seen significant progress in Iraq, because people see the way we were in April 2003 and they think it was so exciting, and they compare it to April 2003. But, unfortunately, after April 2003 there was a significant decline in what took place in Iraq.

First we allowed the looting. And to Iraqis, they would ask me when I would go there, why did you allow people to trash our country? These were not all Iraqis who were looting. These were people who were looting. And Americans were just standing by and allowed this to happen. And they believed, frankly, that we wanted it to happen, because they believed that we could have prevented it had we wanted to.

And then we proceed to disband their army, their border patrol and their police and leave 24 million Iraqis totally and completely defenseless in a country the size of California with 24 million people.

And then what did we do? We said to 150,000 coalition forces, primarily Americans, some Brits, that you had to be the police, the border patrol and the army in a country the size of California with 24 million people.

That was basically an impossible task. And so what I saw happen in April 2003 is that things just kept getting worse. They were worse in December 2003. And even worse by April 2004. But then, at that point, we had started to reverse the slide. We reversed it by beginning to train their police, their border patrol and their army.

And we began to see a change when we transferred power in June of 2004. A change started to take ownership.

And so when I kept going back every 3 to 4 months, I kept seeing progress. And then by 2005, I was there for the elections when they took place in January of 2005. It is just historic and moving every time I think about it. 90,000 came out and voted. The Sunnis did not, but the Shiias and the Kurds did.

They formed a government, and they created a constitutional convention and invited Sunnis in. They did not participate in the voting, so they were not represented, but they were invited in. And they created a constitution. They voted on that constitution by October.

And I was told by the UN that it would be one of the fairest elections with the best participation, put our elections to shame, and frankly it did. Mubarak of Egypt, the president, said they would not accept their constitution. 79 percent ratified it. It was extraordinary.

And now they had this constitution and a third election in just 11 months. And 76 percent of 100 percent of the eligible voters voted. Now if you get 65 percent voting in our country, that is 65 percent of the two-thirds that bother to register. So it was an amazing event.

They chose a government. But Jafari, the prime minister who was selected by the Shiias was not liked by the Sunnis or the Kurds, and they said no to the majority, and the majority said we rule. And the minority side minority rights. And they went back and forth, and for 3 months we had this standoff.

The minority was able to demonstrate minority rights, and the majority was able to say we accept your minority rights. That is maturity taking place.

Now you have a new prime minister, and this new prime minister is reaching out to Sunnis, Shiias and Kurds. When I ask a Kurd if they are a Kurd or a Shia, or Shia if they are Shia or Sunni, they will say, I am a Sunni, but
I am married to a Shila, or I am a Shila and my son is married to a Sunni.

And if I ask a Kurd, they will say I am Kurd, but you do not seem to understand. Kurds are Sunnis. We tend to divide them up more than they do. My biggest problem is the separation of the province that is being made, huge progress, in spite of the fact that Sunni radicals tried to ignite the country in sectarian violence, you only saw that sectarian violence in two places, Baghdad and Ramadi, and actually Basra.

They held off. This is an amazing thing that we are seeing take place. The Iraqis deserve our staying the course with them. They did not attack us, we attacked them. We disbanded their army, their police and their border patrol. It is absolutely imperative, absolutely imperative that we not leave before they have their police, their border patrol, and their army to protect themselves.

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

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

CHICAGO JAIL’S AREA 2

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

Ms. MCKINNEY. Mr. Speaker, mock executions by putting the barrel of a shotgun into the mouth of a prisoner and pulling the trigger. Using alligator clips on ears, noses and genitals. Racial attacks and use of racial slurs, burns all over the body, electric shock to the genitals. Suffocation with bags.

In other words torture which is now almost synonymous with U.S. run prisons and detention centers. Immediately the U.S. facility at Guantánamo Bay, Cuba and Abu Ghraib in Iraq come to mind when even the word torture, even the word Area 2, *(squeal)*... I mean electric shock, I mean torture, I mean electric shock, suffocation with bags, torture victims have psychological issues that have never been clinically resolved. Thank goodness former Illinois Governor Ryan commuted all of the death row cases, and gave full innocent pardons to four death row inmates who should never have been in prison.

Incredibly, even after Governor Ryan’s actions, the City of Chicago is paying more than $3 million to lawyers who represent the accused police officers. How do we say this? Due to the hard work and the thankless hours put in by activists, lawyers, and journalists who refused to let this issue go or be swept under the rug.

And thank goodness we have dedicated journalists for what is referred to as the alternative media, who are willing to write those stories and get the message out.

I learned about this story from Amy Goodman’s Democracy Now broadcast. This week or next, the judge will rule whether or not to release the report to the public. But in the interim, one thing is clear, and that is, that Areas 2 and 3 of the Chicago city jail must be added to the annals of U.S. prisoner abuse, from Attica to Abu Ghraib and beyond, Chicago now wins an unfortunate chapter.

CHICAGO’S ABU GHRAIB: UN COMMITTEE AGAINST TORTURE HEARS REPORT ON HOW POLICE TORTURED OVER 135 AFRICAN-AMERICAN MINOR BOYS

Extraordinary rendition. Overseas prisons. Abu Ghraib, Guantánamo Bay. Practices and places that have become synonymous with the abuse of human beings. Extraordinary rendition, extrajudicial execution. I mean electric shock, I mean torture, I mean electric shock, suffocation with bags, torture victims have psychological issues that have never been clinically resolved.

Mr. Speaker, it’s Area 2. And for nearly two decades beginning in 1971, it was the epicenter for what has been described as the systematic torture of dozens of African-American males by Chicago police officers. In total, more than 135 people say they were subjected to abuse including having guns forced into their mouths, bags placed over their heads, electric shocks inflicted to their genitals. Four men have been released from death row after government investigators concluded that torture led to their wrongful convictions.

Yet the case around Area 2 is nowhere near a resolution—to date, not one Chicago police officer has been charged. The most prominent officer, former police commander Jon Burge, was dismissed in the early 1990s. He retired to Florida where he continues to collect a pension. Today, a special prosecutor is now in the fourth year of an investigation. Just last week, a group of Chicago police officers were arrested for trying to delay the release of the prosecutor’s preliminary report.

David Bates, one of dozens of men to come forward with allegations of abuse at the hands of the Chicago police.

Flint Taylor, an attorney with the People’s Law Office in Chicago, which he helped found in the late 1960s. He has represented many of the torture victims and was directly involved in spearheading the special prosecutor’s investigation.

John Conroy a journalist and author who has covered the case for over a decade. He has written several articles for the Chicago Reader, and is the author of the book “Unspeakable Acts, Ordinary People: The Dynamics of Torture.”

AMY GOWAN. We go now to Chicago, where we’re joined by three guests: David Bates, Flint Taylor and John Conroy. David Bates is one of dozens of men to come forward with allegations of abuse at the hands of the Chicago police. Flint Taylor is an attorney with the People’s Law Office in Chicago, which he helped found in the late 1960s. He has represented torture victims and was directly involved in spearheading the special prosecutor’s investigation. John Conroy is a journalist and author who has covered the case for over a decade. He has written several articles for the Chicago Reader and is the author of the book “Unspeakable Acts, Ordinary People: The Dynamics of Torture.”

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May 18, 2006
to be investigated. So for 20, 25, 30 years, no one in the prosecutor's office, the current mayor or the current state's attorney, no one else did any investigation.

Finally, community outrage was so strong with regard to all of that that a special prosecutor was appointed. That was four years ago, as you said. Four years of investigation publicly said that he now has 192 cases of torture and abuse at Area 2 and later at the Area 3 station, where Burge was transferred to later on. He now is talking about releasing a report. He still is not talking about indicting anybody. The rumor has it that, because it is so long, that we're going to have a catch-22 situation, and we're going to get statute of limitations invocation by the special prosecutor, who's going to release a report but say it's too late to do anything about it.

Of course, we all say that that's ridiculous, that there are ongoing conspiracy allegations and evidence that there's an obstruction of justice going on in the various courts. There's perjury going on. So, no one's going to be satisfied if, in fact, all that happens is a report, no matter how damning the report may be. There are still here in Chicago and continues and will continue, as long as people are still in jail because of the confessions that were tortured from them, and as long as Burge is walking around and collecting money, places and collect hundreds of thousands and even millions of dollars in police pensions, rather than to face criminal charges, whether he's in the prosecutor's office, the mayor or the current state's attorney, or the governor. Governor Ryan looked at all of these cases, and as you know, he not only commented about the public outrage that has grown over the years from this torture, but he did something about it. There were at least ten to twelve people on death row here in Illinois who alleged and had evidence to show that Burge and his men had tortured them, one of whom was Aaron Patterson, whom you just mentioned, who during a break in one of his torture sessions etched in a bench that he had been suffocated with a bag and was being tortured. That later came out.

Ultimately, due to the combination of the factors, and articles that John wrote, and speaking out in the media, and the work of various lawyers, Governor Ryan looked at all of these cases, and as you know, he not only commented about the public outrage that has grown over the years from this torture, but he did something about it. There were at least ten to twelve people on death row here in Illinois who alleged and had evidence to show that Burge and his men had tortured them, one of whom was Aaron Patterson, whom you just mentioned, who during a break in one of his torture sessions etched in a bench that he had been suffocated with a bag and was being tortured. That later came out.

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The SPEAKER pro tempore. Under the Speaker’s announced policy of January 4, 2006, the gentleman from California (Mr. SCHIFF) is recognized for 5 minutes. (Ms. SCHWARTZ of Pennsylvania addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

AMERICAN HOMELAND SECURITY

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 4, 2006, the gentleman from California (Mr. SCHIFF) is recognized for half the time until midnight as the designee of the minority leader.

Mr. SCHIFF. Mr. Speaker, for much of our history the United States has not feared a direct attack. The vast expanses of the Atlantic and Pacific Oceans allowed our young Nation to survive and thrive safe from the predation of the great powers of the 19th Century, and the growth of our military power in the 20th Century reinforced the belief that no hostile power could strike us here at home.

Only the British, nearly two centuries ago during the War of 1812 have mounted a sustained military campaign on American soil. Japan attacked both Hawaii and the mainland during World War II, but was unable to carry out a major ground offensive against the United States.
Our relative physical isolation fostered a sense of the invulnerability of the American people. Our borders with Canada and Mexico were relatively open, and we traditionally welcomed foreigners to our shores both as visitors and immigrants.

Throughout the 1970s and 1980s, American policymakers viewed terrorism as primarily a Middle Eastern and European problem. Even when the targets were Americans the acts themselves took place abroad. The hijacking of TWA flight 847 and the 1985 airport massacres, the La Belle discotheque bombing, the seizure of the Achille Lauro and the bombing of Pan Am 103 resulted in hundreds of American casualties, but they all took place overseas.

This reinforced the deeply held belief that terrorists would not strike in this country. As a result, our Government at all levels was not configured to deal with terrorism, nor was the phrase “homeland security” part of our national lexicon.

During the 1990s terrorism came to America. The 1993 truck bombing of the World Trade Center began to rouse us from our complacency, and the Oklahoma City bombing 2 years later shocked Americans into the realization that mass casualty terrorism could happen here.

The fact that the Oklahoma City bombing was an act of home-grown terrorists, however, mitigated the sense of urgency that should have spurred Congress and the executive branch to take serious action to prepare for an act of international terrorism on our shores.

So, Mr. Speaker, our Nation did not see the gathering clouds for what they were, and America remained complacent. The September 11, 2001 attacks shattered that sense of security. Through the tears and their anger the American people demanded action. And the President and Congress promised swift and comprehensive measures to safeguard our Nation.

In the 4½ years since 9/11, the Federal Government has undergone a massive reorganization centered on the creation of the Department of Homeland Security, and a reorganization of the American intelligence community. Government buildings and other high-value targets are now ringed by concrete barriers. Aviation security has been improved, foreign visitors are routinely fingerprinted and photographed upon entry into the United States. Law enforcement has been granted greater authority to monitor the activities of people it considers potential terrorists.

But is it enough? Are these measures and hundreds of others making us safer? The answer, Mr. Speaker, is that in some ways we are safer now than we were on September 11. In other ways we are not safer. And we are not nearly as safe as we should be and as we could be.

Numerous commissions and investigations at the Federal, State and local level, as well as a multitude of private studies have pointed to broad systemic and other flaws in our homeland security program.

Tonight I have a message for the American people. The Democrats have a plan to better secure our homeland. Our plan is tough and smart and it is comprehensive. This plan is part of an overall effort to reconfigure America’s security for the 21st Century, a plan that we call Real Security. Several weeks ago Members of our party from both the House and the Senate, Minority Leader Pelosi, Senate Majority Leader Reid, and others unveiled a comprehensive blueprint to better protect America and to restore our Nation’s position of international leadership.

Our plan, Real Security, was devised with the assistance of a broad range of experts, former military officers, retired diplomats, law enforcement personnel, homeland security experts and others to identify key areas where current policies have failed and where new ones were needed.

In a series of six Special Orders, my colleagues and I have been sharing with the American people our vision for a more secure America. The plan has five pillars, and each of our Special Order hours has been addressing them in turn.

The first, building a military for the 21st century. The second, the steps to winning the war on terror. Third, protecting our homeland. Fourth, a way forward in Iraq. And, fifth, energy independence for America.

Three weeks ago, we discussed the first pillar of our plan, building a military for the 21st century. We discussed the need to rebuild our state-of-the-art military, to provide the best equipment and training to our troops, to assure accurate intelligence and a strategy for success, to build a GI bill of rights for the 21st century, and to strengthen the National Guard.

Last week, we discussed a comprehensive plan to win the war on terror which focused on a wide range of strategies to destroy the threat posed by Islamic radicalism. We outlined steps to destroy al Qaeda and finish the job in Afghanistan, to double our special forces and improve intelligence. We talked about how we will eliminate terrorist breeding grounds, the preventative diplomacy and new international leadership that must be brought to the cause in the war on terror; our goal of securing loose nuclear materials by 2010, probably the most urgent national security threat we face and stopping the nuclear weapons development in Iran and North Korea.

In the coming weeks we will be discussing a new course in Iraq to make sure that 2006 is a year of significant progress and the Iraqi Ministry of Defense and Interior, with the Iraqis assuming primary responsibility for securing and governing their country with the responsible deployment of U.S. forces. Democrats will insist that Iraqis make the political compromises necessary to unite their country, defeat the insurgency, promote regional diplomacy, and strongly encourage our allies and other nations to play a constructive role. Our mission will remain the same as we remain dependent on Middle Eastern oil.

The fifth pillar and the one with the far-reaching ramifications for our country and the world is to achieve energy independence for America by 2020.

The real pillar of security that I will be addressing tonight with my colleague DAVID SCOTT, the gentleman from Georgia, is the one that most directly touches on the lives of ordinary Americans. Since 9/11, the lives of Americans have been changed by the new reality of the need to secure the United States and the American people here at home. As I have just said, most experts have concluded that there are more terrorist plots in our country than at any point that we need a new strategy to secure America. Tonight, we will introduce you to our plan.

When Democrats are in charge, we will immediately implement recommendations of the bipartisan 9/11 Commission, including securing national borders, ports, airports, and mass transit systems. We will screen 100 percent of our cargo bound for the U.S. in ships and aircraft. We will turn around the turn-around of our ports, and mass transit systems. We will provide our firefighters, emergency medical workers, police officers, and other workers on the front lines with the training, the staffing, the equipment and the cutting-edge technology that they need.

And we will protect America from the biological terrorism and pandemics including the avian flu by investing in public health infrastructure and training public health workers.

Providing real homeland security requires taking a pragmatic and comprehensive approach that uses resources to effectively maximize security and balances our offensive and defensive efforts. At any given time, we must know how to spend our national security dollars. The Democratic plan directs resources to those areas that minimize the risk of a terrorist attack. We rejected the reactive mentality that too often plagues the Federal bureaucracy of planning against the last attack. Under real security, we will integrate our foreign and domestic security efforts, balancing the projection of power abroad with securing the country at home.

Central to this will be the implementation of the recommendations of the 9/11 Commission.

This commission was one of the most effective bipartisan commissions in our
Nation’s history. It had access to some of the most experienced professionals and influential experts on homeland security. The commissioners weighed a wide range of issues, including emergency preparedness, transportation, critical infrastructure, and first responders, before making sweeping recommendations to the administration and to Congress.

Unfortunately, the administration’s performance on implementing these recommendations has been unimpressive. In December of last year, the 9/11 Commission Public Discourse Project, made up of the members of the commission, issued a report card on its progress. The report card was filled with Cs, Ds, and Fs for the administration’s implementation of the 9/11 recommendations.

In a statement accompanying the report card, Chairman Thomas Kean, a Republican, and Vice Chair Lee Hamilton, a Democrat, said, “Many obvious steps that the American people assumed have been completed have not been. Some of these failures are shocking.”

What we have seen over the last 4 years, Mr. Speaker, has been a failure of leadership and a failure of initiative. I would like to yield time to my colleague, a leader on national security issues, the gentleman from Georgia (Mr. SCOTT).

Mr. SCOTT of Georgia. Mr. Speaker, I thank the gentleman. As always, it is indeed an honor to join you on the floor of our very distinguished Congress of the United States to address what is without a doubt the most pressing issue facing the American people, and that is our security, our Nation, national security, homeland security.

I think it is very important for us to make the first step, to show that we as Democrats are indeed not only strong on security, but we are the stronger party on security.

Our legacy, our history is rich. We have built this military all the way through Democratic Presidents, from World War II with Franklin Delano Roosevelt, through the Korean War with Harry Truman, through all of the crises that we have had with Lyndon Johnson, with John Fitzgerald Kennedy; and with Bill Clinton leaving this Nation with a tremendous surplus and built a military that was capable of moving and being able to handle any threat in the world.

But then 9/11 came and then President Bush’s response. And I am here to say tonight that the American people deserve much better than what we have gotten in that response from President Bush and this Republican-led Congress.

Let us review for a moment 5 years on the floor of our very distinguished Congress of the United States to address what is without a doubt the most pressing issue facing the American people, and that is our security, our Nation, national security, homeland security.

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the result of a failure of initiative. The report of the bipartisan congressional committee that investigated the response to Katrina, in fact, was entitled “A Failure of Initiative.” The report cataloged a series of errors in judgment and in planning, including a failure to prepare sufficiently for a catastrophic event, a failure to execute the National Response Plan, a failure to evacuate New Orleans and other vulnerable areas, and a lack of information sharing and coordination. We were not prepared for a natural disaster that gave us several days of advance notice. We are even less likely to be prepared for a disaster, natural or man-made, that strikes us suddenly.

Under our Real Security plan, the Department of Homeland Security would develop a comprehensive national emergency preparedness and response plan that spells out the responsibility for government and private agencies at every level. While the Department of Homeland Security had a response plan before Katrina, it lacked the details about coordinating various agencies and jurisdictions, and it was not treated seriously even within the bureaucracy.

For example, a review by the Joint Chiefs of Staff found that the National Response Plan did not even specify the role of the Pentagon and other Federal agencies in assisting local leaders during disasters. In addition, a GAO report found that the National Guard units that responded to Katrina had only 34 percent of their authorized equipment, which also slowed their response.

I think, some of the failures my colleague from Georgia alluded to, and these are also I think incumbent on the party in power in Congress to do its oversight, to make sure that we are prepared, to hold the executive accountable.

We have not done that oversight. We did not do it before Katrina. We have not done it adequately since, and under Real Security, it not only requires organizational changes within the executive, but also requires Congress to step up to its responsibilities, would you say?

Mr. SCOTT of Georgia. Absolutely, and I will tell you another example of the lack of response as well.

When we look at our military and the overall condition of our military, all of our generals are saying that, and we have got to listen to them. They are the ones that we have in place to be able to run the military and be able to execute our programs, to maintain and keep us safe.

Now, we in this Congress, for example, have just allocated the money and the space for 17,000 additional National Guardsmen, and what did this administration do? Cut it, at a time when we have our National Guard so overextended.

As you have been, I have been to Iraq and as I have been to Afghanistan, and I might say at the outset here that our soldiers are doing an extraordinary job. My hat’s off to them, and it is just a pleasure to just get on a plane and fly over there into Kuwait and into Baghdad as we have done and into Afghanistan and Kabul and to see them do their job under most extraordinary circumstances and the sacrifices that their families are making.

But this administration and this Republican-led Congress, to not fund them at the levels that the military leadership is asking us to and to have them go on two and three tours of duty and then come back here and to short-change them in their training operations, that they took 2 weeks periods of times in rotation, to go and provide and do paperwork on the border security, quite honestly sometimes feels insulting to me, and our military deserves better. We have got to strengthen our military.

Mr. SCHIFF. Mr. Speaker, I thank the gentlelady and these issues and the others we will continue to explore in the coming weeks as we further amplify Real Security.

Let me just end on this note. I had lunch with some of the Guardsmen from my district who served in the war in Iraq. He described to me how they had to put sheets of plywood and sandbags in to fill the doorways in their humvees because they did not have up-armored vehicles for their runs. The fact that our Guard have to go to those lengths, part of the Real Security plan that I outlined earlier was making sure our troops have the best equipment possible. We have not lived up to that standard. That is going to change under Real Security.

Mr. SCOTT of Georgia. Or you go into junk yards, they are scrapping metal just to give them some body armor. That is despicable. That is never going to happen again. We are going to make sure of that.

Mr. SCHIFF. Mr. Speaker, I thank the gentleman.

BORDER FENCING

The SPEAKER pro tempore. Under the Speaker’s announced policy of January 4, 2005, the gentleman from Iowa (Mr. KING) is recognized for the remaining time until midnight as the designee of the majority leader.

Mr. KING of Iowa. Mr. Speaker, I appreciate the privilege to address you and the House of Representatives.

As you all know, I have been to Iraq a number of times, and our troops over there in the early stages of this theater and in the overall global war on terror, and it is also known, that we did not send over there humvees that were armored, because that is not something that was anticipated was the IEDs. As they began to materialize and manifest themselves, this Nation and our military and all branches of the services that were exposed, they aggressively moved down the path of arming our equipment.

As I was there, I saw the retrofitting of humvees, the retrofitting of trucks, the retrofitting of the equipment that was going out on to the streets and the roads of Iraq. Given the nature of the logistics of the difficulty, I saw people that mobilized, put their equipment in shape, and it was not very long before nothing that went outside the wire was left unarmored.

So the argument that we did not have enough bulletproof vests or we did not have enough armor, that is true early in the war. It is not true today, and we have provided resources after resource to our people in the Middle East and our people in this global war on terror.

It needs to be noted, Mr. Speaker, that Secretary of Defense Rumsfeld has been in the front of this. They have done everything they can to accelerate the development, the manufacturing, the delivery and I will say the installation of the armor on our humvees, on our mobile vehicles and the bulletproof vests and the equipment for our military. There has never been a military in history that was so well-armored as our military, Mr. Speaker, and I do think it does a disservice to the efforts of all to bring up the issue and make the allegation that that is not enough over there.

Those would be isolated cases, if they are anything, but isolated. I would hope that that information comes to me so I can look into it with my colleagues who just left the floor. I wish I were here to respond to that, Mr. Speaker.

But I came here to talk about the issue that the President has raised today when he made his trip down to the southwest border, the Arizona-Mexico border, Mr. Speaker. Air Force One left Andrews Air Force Base early this morning, headed out along that way, landed and they did some stops along the southwest border of Arizona and Mexico and then turn around, came back here into Washington, D.C.

I have got a clip here from ABC News that says, Bush says border fencing makes sense, Mr. Speaker, and I have made that statement for a long time, I will contend that it does make sense. It makes a lot of sense, and I am here, Mr. Speaker, to endorse that statement and that philosophy. I may want a little bit more fence and I may want it a little more solid than the President wants, but philosophically, we are in key with this border fence.

A week ago, last weekend, so about 10, 11 days ago, I spent 4 days on the ground on the border between Arizona and Mexico. I did not go on a formal CODEL, I did not go on a formal, appointed trip. I went down there on an unannounced trip because even though I appreciate the hospitality that comes from the border patrol and the National Guard and the other entities down there that are defending our border and the work that they do and the people that they have welcomed me and given me the guided tour in the past times I have been down on the border, this time I chose to go down on the
border in a less announced fashion, less formal fashion, to be able to go in and simply show up at our ports of entry, show up at our border patrol operations and be there to see simultaneously, and I will say spontaneously, what was finding.

This last trip I learned more down there than I have any previous trip, and the reasons are because it was essentially a surprise trip, a spontaneous trip down to the border. I have spoken about this on the floor in the past, Mr. Speaker, but I just quickly reiterate that in my time there I went to a place down on the border at Naco, Arizona. There have been illegal traffic where vehicles just drove across the border because there was no barrier. Sometimes they would be hauling illegals, sometimes they would be hauling illegal drugs, and sometimes they would be hauling illegal drugs and illegals into the United States.

The violence down there was getting to be intolerable, and the traffic was essentially relentless. They finally built a fence, Mr. Speaker, and I will call it a wall. It is a steel one, with corrugated, heavy duty steel with horizontal corrugations in it. Once that fence went in place, it cut down on a fair amount of illegal traffic. From the links of the fence that was built high enough that people cannot climb over it, with a screen to extend it above and solid enough down into the ground that I will say I did not see any signs that anyone underneath it extended from there on were vehicle carriers that would keep vehicles from driving across the border but would not keep a human being from walking underneath the vehicle carrier and coming into the United States. After a mile or two of that, it simply went off into a fence, and then some places there was not even a fence and not even a marker that one could tell exactly where the border was.

But it was an improvement, Mr. Speaker, and I saw where people had crossed the border there, and it is a consistent process. There are tracks that sometimes are visible. You do not need to be, I will say, a guide or a hunter to be able to see that, and I am a hunter, but it is easy enough to go along that border and pick the places where they are coming through the fence, crossing the border without much impediment and doing so with impunity, Mr. Speaker, at that location at Naco, Arizona.

And then I moved along and went down to the Tohono O’odham Reservation, and while I was there, there was a drug smuggler that had been stopped by them. Underneath a box in the false bed of a pick-up truck, there was 18 bails of marijuana, roughly in pounds or a little more per bail, at least 180 pounds of marijuana hidden underneath the bed of that pick-up truck. It was pretty good body work that was done on the south side of the border for the marijuana that was hidden underneath the north side of the border. So I was there to see apprehension and the confiscation of those drugs, which I hope end up in a prosecution and conviction of the person, whom I believe is guilty.

That individual had tattos from his waist up to his neck. He had a 13 tattooed inside his arm. I am pretty sure he was MS-13, Mara Salvatrucha 13, the most violent and dangerous gang that has been known in the Western hemisphere.

This individual was hauling marijuana into the United States, and they told me that, even though they had caught him, perhaps he was a decy with 180 to 200 pounds of marijuana that they had sacrificed in order to run a larger load through when everyone converged on him.

There are mountains down there that have lookoutouts on the mountains and two men per lookout with infrared optics and for the daytime, high quality, clear, daytime optics and automatic weapons, AK-47s, well-supplied, solar panels to recharge their radios, their radios that send out encrypted audio so they can talk to each other and we can listen to them, but they have scanners so they can listen to us, Mr. Speaker. That is going on where they observe all of the travel routes along the entire border. Anyplace they want to smuggle drugs know where the border patrol is, where the law enforcement officers are, and they are able to talk from hilltop to hilltop, mountain-top to mountain-top, line of sight to line of sight, and be able to communicate the entire network and operation. There are at least 45 mountaintops covering that whole area.

That is the kind of position that would be taken if there were a military invasion, Mr. Speaker. They are taking it in order to control transportation routes so that they can run their drugs up into the United States.

And the drugs that come into the United States from the southern border, according to the General Government’s announcement, 90 percent of the illegal drugs in America come across our southern border with Mexico. Ninety percent, Mr. Speaker, at a value of $60 billion a year. That is $60 billion worth of illegal drugs coming across into the United States from our southern border. Those are illegal drugs bought in here by illegal entries and drug smugglers.

But just the illegals seeking entry into the United States, in 2004, the Border Patrol stopped 1,159,000. Turned them back, to use the President’s phrase. For 2005, that calculates out to be 1,188,000 turned back, crossing the southern border into Mexico. Something like 155,000 other than Mexicans came into the United States, many of those, in the past, have been caught and released. We are working to change that policy. We haven’t succeeded totally in changing that policy, but I do believe we have a real commitment to eliminating the catch and release policy with the OTMs, the “other than Mexicans.”

Many of the Mexicans that are caught, and 80 to 85 percent of the illegal entries into the United States across our southern border are Mexicans, those 80 to 85 percent, when they are caught, they are, I will say, presumably and likely, and I hope 100 percent of them are, at least fingerprinted, photographed, identified and then they are put on a bus, taken to a port of entry where they are let off the bus and then turned back through the turnstile, so to speak, back into Mexico. Sometimes we transport them further down south, closer to where their home territory is, in hopes that they won’t be back quite so quickly.

I have asked the Border Patrol to produce the numbers for me so we can crunch the database and find out of that 1,188,000 how many of them had crossed the border before. How many times are we catching them, sending them back, releasing them into their own country and then catching them again, at least 30 percent of that, according to the Border Patrol, are people that have been caught before. So that is 30 percent of the 1,188,000 were caught at least twice in the same year. So we really haven’t turned back 1,188,000. We have turned back 70 percent of them, but the other 30 percent we have done so twice, and perhaps some of them more than that.

More details to come as the days and weeks unfold, Mr. Speaker, and as I seek to pry into this information and bring a better perspective to the American people.

President Bush says border fencing makes sense, I say border fencing makes sense. In the time we have between now and the end of this period, I want to demonstrate how much sense one can make with a border fence; but I first want to allude to a study that was done by a Robert Rector at the Heritage Foundation who, for weeks, has been poring through statistics in an effort to try to understand what the bills before the United States Senate really say and what they mean and how many people that might be that could be granted amnesty according to the Hagel-Martinez bill that was being debated before the United States Senate today.

That study came out, on Monday it was released, and it had a low of not 11 million, not 12 million, but the low was 103 million people legalized into the United States under Hagel-Martinez. That was the low. The high, if you presume the 20 percent growth and guest worker that was essentially uncapped, that would take it to 193 million. Well, there is a Bingaman and Feingold amendment that capped the guest workers, took the 325,000 annual cap down to 200,000. Then, when I apply that math to this spreadsheet, I come up with a number, Mr. Speaker, of 66,100,000 that would be legalized to bring into the United States, even after the Bingaman-Feingold amendment. That is 66,100,000.
That is if you assume that those that come into the United States would, by the chain migration rule, where they can bring in their spouse and their children, and when they access citizenship they can bring in their parents, their spouse’s children, and their siblings. So my number is 1.2 million or less, but only bring in 1.2 people. So I don’t know anyone that would only have 1.2 or that small a number they would want to bring into the United States. I presume that number would be significantly higher than that.

So we checked with the USCIS, the United States Citizenship Immigration Services, and these are the people that speak for the President. Their number was not 1.2 for every legalized amnesty alien that would be given a path to citizenship here in the United States. Their number was four people for every one. So I plugged that into the spreadsheet, Mr. Speaker, and this 66,100,000 became 88 million and a little more quickly. And the number comes up 100 million. My number is 66.1 million; and how many do you think, Mr. President?

We are debating this subject as if it were 11 million or 12 million people that would be given amnesty and legalized, somewhere between 66 million and 88 million, and perhaps more. Now, I submit this question, the question that is seldom asked and not very often answered by those who are for a guest worker plan: American people, is there such a thing as too immigration? Is there such a thing as too much?

And the follow-up question is: If there is, then how much is too much? Is 11 million too much, or 5 million, or 12 million, or 15 million, or 20 million, or 66 million, or 88 million, or 103 million? How many are too many?

How many of them will fundamentally forever alter the United States and our systems in our immigration services that we can never recover from? What is that number? How many does it take before they can no longer be assimilated, Mr. Speaker?

Those are legitimate questions that need to be asked and answered, and I would submit those questions to the President of the United States. He is leading this debate, and he has an obligation to stand up before the American people and answer some questions.

Mr. Speaker, how much is too much? Is there such a thing as too much? And if the answer is yes, then how much is too much? How many are too many? Please give us a number. And, Mr. President, how many do you think are granted a path to citizenship and permanent residency in the United States under Hagel-Martinez? How many do you think, Mr. President?

I believe that number is at least 66 million. My number is 66.1 million; and I would submit that if one would go back to 1789, the original framework of the Constitution, the earliest records we have, and actually the earliest solid records we have are in 1820, and add up every single person that has been brought into the United States legally, through Ellis Island and through shipping manifests and every way we can add those up, the records and the data that are available today, totaling from 1820, when the first records begin, up until 2000, when my last records are available, that number, Mr. Speaker, in all the history of America, is 66,100,000 total allowed into the United States under an immigration policy. Hagel-Martinez, for the history of America almost exactly, a minimum of 66,100,000.

Now, Mr. Speaker, how do we stop this? How do we seal up our border? And I have submitted many times that we need to seal the border, end birthright citizenship, shut off the jobs magnet, and apply attrition. So that when people can no longer get jobs in the United States because employers will have to check them, they will decide they will go back home. When they do that, many of them will go back home with an American education and a new free enterprise ideal, and they will be able to help their home country needs it.

It is a crying shame what is going on down there. The levels of corruption and the inability of a government to provide a functioning society in the midst of all those resources they have is a crying shame. But we can’t fix it by taking on the poverty of the world. We cannot export American values, and we will not be able to maintain them unless we can seal our border.

And, Mr. Speaker, I will submit that it is not that hard to do. The President asked for another $1.9 billion for our southern border. Now, no one is saying what we are already spending on that southern border. Now, no one is saying it is not that hard to do. The President asked for another $1.9 billion. That will take us to more than $8 billion. That is $8 billion for less than 2,000 miles, which is easily $4 million a mile.

Now, how many Americans could take on a mile of that border and guarantee nobody is going to get across it if we just paid them $4 million? I will submit what I would do. I would take this desert that I have here, this cardboard box is essentially a desert, and I would build a wall, a concrete wall. I would go in here and, Mr. Speaker, this gap in here represents a trench that I would build along about 100 feet north of our border so that we had some room to work on both sides of it, and we could put a fence right on the border.

This would represent the desert. I would dig the trench, and then I would slip form and pour a concrete footing. And this example would be this, about 4 feet, or we could go 6 feet deep easily, and about 2 feet on either side of the wall a notch that can receive precast concrete panels, I would slip form that, and I would dig the trench, and I would pour this concrete right in here, right behind my machine.

And here would stand, then, the foundation for a precast concrete wall. A very simple project to go through. Once this is established in this location, then we bring in the precast concrete panels. And these precast concrete panels look like this. They are 12 feet long, and they weigh 9,000 pounds each. You pick them up with a crane and set them here in this foundation.

Just this simple, Mr. Speaker. Install it like an erector set. These panels together. I have spent my life in the construction business, and I can tell you that it is not that hard to do. Except I have to have the rings on top so I can put the wire up there. They go together this simply, Mr. Speaker: Not quite this fast, but pretty quickly. And I can tell you that the small crews we have had in my construction business could build a mile of this a day easily. You can add a lot more manpower and a lot more machines to move this a lot more quickly.

But as you can see, I would build a wall that is 12 feet high, and these are 10 foot wide panels. It has a footing underneath it that is 4 feet deep. We can go 6 feet deep cheaply and easily. And if you were on top of this little, it might be too hard to do here, but we can put our wire on top of this wall. I have a little bit of wire, but it is a little too hard to put together here. Maybe another time I will string this and set it up to demonstrate what that looks like.

We can also, with a wall like this, we can put on infrared cameras, we can put on vibration sensors, we can put on motion sensors; but what it does is it makes it very difficult to cross this wall. It makes it difficult to dig underneath, it is difficult to climb over the top, and it slows people down. It is a barrier that causes them to go somewhere else, Mr. Speaker.

This might be like it is pretty expensive, but the administration has submitted a request that will take us up to $4 million a mile, $3 billion for 2,000 miles of wall, and I can build this for less than $500,000 a mile. The administration proposes to spend enough money that we could pave an interstate, four lanes down through there at least every year, maybe even twice a year, the full length of the border for the cost that we are spending to have people driving around in Humvees, sitting on ridge tops and trying to chase people down that are pouring across a border that is 2,000 miles long.

And it gets dark down there in the night, like it does anywhere, and that is when the activity begins. That is when the illegal smugglers start to move. That is when the illegals come in and the illegal drugs come in. They don’t come through a barrier like this very easily, Mr. Speaker. With $500,000 a mile, which would be $1 billion for the entire span from San Diego to Brownsville.

That is one out of every $8 we would spend on our southern border to build
Mr. Brown of Ohio, for 5 minutes, today.
Ms. Woolsey, for 5 minutes, today.
Mr. George Miller of California, for 5 minutes, today.

Mr. Kaptur, for 5 minutes, today.
Ms. Wasserman Schultz, for 5 minutes, today.
Ms. McKinney, for 5 minutes, today.
Ms. Schwartz of Pennsylvania, for 5 minutes, today.

The following Members (at the request of Mr. Shays) to revise and extend their remarks and include extraneous material:
Mr. Shikmus, for 5 minutes, today.
Mr. Shays, for 5 minutes, today.

ADJOURNMENT

Mr. King of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at midnight), the House adjourned until today, Friday, May 19, 2006, at 9 a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:
7576. A communication from the President of the United States, transmitting requests for FY 2006 supplemental appropriations for the Departments of Defense, Justice, and Homeland Security; (H. Doc. No. 119-111); to the Committee Appropriations and ordered to be printed.
7577. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Competition Requirements for Federal Supply Schedules and Multiple Award Contracts [DFARS Case 2004-D008] received March 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.
7579. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Public Comment on Proposed DFARS Case 2005-D106 received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.
7580. A letter from the Deputy Assistant Secretary for Export Administration, Department of Commerce, transmitting the Department's final rule — Chemical Weapons Convention Regulations [Docket No. 99061158-5327-06] (RIN: 0694-A066) received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Armed Services.
7581. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Defense Federal Acquisition Regulation Supplement; Labor Laws [DFARS Case 2003-D019] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.
7582. A letter from the Acting Director, Defense Procurement and Acquisition Policy, Department of Defense, transmitting the Department's final rule — Foreign Military Sales Program [DFARS Case 1990-G037] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.
7583. A letter from the Chief Counsel, Office of Foreign Assets Control, Department of Treasury, transmitting the Department's final rule — Global Terrorism Sanctions Regulations; Terrorism Sanctions Regulations; Foreign Terrorist Organizations Sanctions Regulations [DFARS Case 1990-G038] received April 25, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on International Relations.
7584. A letter from the General Counsel, PTA, Department of Transportation, transmitting the Department's final rule — Buy America Requirements; Amendment to Definitions of Public, Highway Trust Funds, PTA, and Intermodal Investment Act of 2002 [DFARS Case 2005-A000] received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.
7585. A letter from the Attorney, PHMSA, Department of Transportation, transmitting the Department's final rule — Hazardous Materials: Revisions to the Agency’s Permit Program [Docket No. PHMSA-05-22641] (RIN: 2137-AE01) received March 24, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.
7586. A letter from the Chief, Europe Division, Office of International Aviation, OST, Department of Transportation, transmitting the Department’s final rule — Certain Business Aviation Activities Using U.S.-Registered Foreign Civil Aircraft [Docket No. OAA-2006-1851] (RIN: 2137-AE17) received April 21, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.
7587. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department’s final rule — Standards and Requirements for Rotorcraft Operations in the National Airspace System, Projected Weather Takeoff Minimums; Miscellaneous Amendments [Docket No. 23489; Amdt. No. 3162] received April 27, 2006, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:
Mr. Lewis of California: Committee on Appropriations. Report on the consideration of the House Resolution 821. Resolution providing for consideration of the bill (H.R. 3385) making appropriations for the military quality of life functions of the Department of Defense, Military Construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007, and for other purposes (Rept. 109-471). Referred to the House Committee on Appropriations.
By Mr. THOMAS:
H.R. 5416. A bill to provide for grants to conduct research toward the development of a vaccine against Valley Fever; to the Committee on Energy and Commerce.

By Mr. SENSENBRENNER (for himself, Mr. CONYERS, Mr. BOUCHER, and Ms. ZOE LOFUREN of California):
H.R. 5417. A bill to amend the Clayton Act with respect to competitive and nondiscriminatory access to the Internet; to the Committee on the Judiciary.

By Mr. BUCHanan (for himself and Mr. SCHIFF):
H.R. 5418. A bill to establish a pilot program to encourage enhancement of expertise in patent cases among district judges; to the Committee on the Judiciary.

By Mr. LEE (for himself and Mr. SCHIFF):
H.R. 5419. A bill to direct the Architect of the Capitol to fly the flag of a State over the Capitol each year on the anniversary of the date of the State’s admission to the Union; to the Committee on House Administration.

By Mr. CARNAHAN (for himself, Mr. BOEHLERT, Mr. HAYWOOD, Mrs. JOYCE NICHOLS of Ohio, Ms. CARSON, Mr. CLAY, Mr. W Aer, Mr. GORDON, Ms. HARRIS, Mr. HOLT, Mr. JENKINS, Mr. LEWIS of Colorado, Mrs. MALONEY, Mr. MICHAUD, Mr. MOORE of Kansas, Mr. NADLER, Mr. PAYNE, Mr. ROTHMAN, and Mr. SHELTON):
H.R. 5420. A bill to amend the Internal Revenue Code of 1986 to expand the incentives for the rehabilitation of older buildings, including owner-occupied residences; to the Committee on Ways and Means.

By Mr. PETRERSON of Minnesota (for himself, Mr. LATHAM, and Mr. MARCHANT):
H.R. 5421. A bill to amend the Internal Revenue Code of 1986 to restore the estate tax and repeal the carryover basis rule, to increase the estate and gift tax unified credit to an exclusion equivalent of $5,000,000, and to reduce the rate of the estate and gift taxes to the generally applicable capital gains income tax rate; to the Committee on Ways and Means.

By Mr. SENSENBRENNER (for himself, Mr. GREEN of Wisconsin, Mr. CANNON, Mr. CHABOT, and Mr. GOODLATTE):
H.R. 5422. A bill to amend the Internet Tax Freedom Act to make permanent the moratorium on Internet access and multiple and discriminatory taxes on electronic commerce; to the Committee on the Judiciary.

By Mr. SERRANO (for himself, Mr. CROWLEY, Mr. HINCHY, Mr. ISRAEL, Mrs. MALONEY, and Mr. OWENS):
H.R. 5423. A bill to authorize the Secretary of the Interior to study the suitability and feasibility of designating Oak Point and North Brother Island in the Bronx in the State of New York as a unit of the National Park System; to the Committee on Resources.

By Mr. SOUDER (for himself and Mr. PITTS):
H.R. 5424. A bill to allow certain existing retirement plans maintained by churches to continue to provide annuities directly to participants rather than through an insurance company; to the Committee on Ways and Means.

By Mr. TERRY (for himself, Mr. FORETENBERRY, and Mr. OSBORNE):
H.R. 5425. A bill to amend the International Air Transportation Competition Act of 1979 relating to air transportation to and from Love Field, Texas; to the Committee on Transportation and Infrastructure.

By Mr. SHERMAN:
H.R. Res. 820. A resolution expressing support for the celebration of “Human Rights Day” and “Human Rights Week”; to the Committee on International Relations, 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 Ms. MCCOLLUM of Minnesota (for herself, Mr. OBERSTAR, Mr. SABO, Mr. McGovern, Mr. PAYNE, Mr. MORAN of Virginia, Ms. LEK, Ms. JACKSON-LEE of Texas, Ms. MCKINNEY, and Mr. ABHORCHBIM):
H.R. Res. 822. A resolution promoting local peace building efforts in Colombia and recognizing the courageous efforts of Colombian civil society and churches to establish peace communities, advance non-violent conflict resolution, and advocate for human dignity; to the Committee on International Relations.

ADITIONAL SPONSORS

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

H.R. 6: Mr. Bishop of New York.
H.R. 11: Mr. Coburn of Idaho.
H.R. 303: Mr. Shimkus of Illinois.
H.R. 475: Ms Velázquez of Puerto Rico.
H.R. 515: Mr. Clay of Ohio.
H.R. 692: Mr. Capuano of Massachusetts.
H.R. 663: Ms. McKinney of Georgia.
H.R. 699: Mr. Whitfield of Georgia.
H.R. 733: Mr. Jones of North Carolina and Mr. Platts of New York.
H.R. 824: Ms. McKinney of Georgia.
H.R. 838: Mr. Holt of Louisiana.
H.R. 865: Mr. Price of North Carolina and Mr. Jefferson of Alabama.
H.R. 877: Mr. Gary G. Miller of California.
H.R. 881: Mr. Calvert of California.
H.R. 1018: Mrs. Maloney of Florida.
H.R. 1131: Mr. Barrow of Georgia.
H.R. 1227: Mr. Feeney of Florida, Mr. Marchant of Texas, Mr. Fattah of Pennsylvania, Mr. Cole of Oklahoma, and Mr. Markey of New York.
H.R. 1264: Mr. Stupak of Michigan, Mr. Cummings of Georgia, and Mr. Moran of Kansas.
H.R. 1298: Mr. Boozman of Arkansas.
H.R. 1345: Mr. Case of Hawaii.
H.R. 1351: Mr. Daschner of Michigan.
H.R. 1370: Mr. Shadegg of Arizona.
H.R. 1384: Mr. Soder of New York.
H.R. 1432: Ms. McKinney of Texas.
H.R. 1433: Ms. McKinney of California.
H.R. 1434: Ms. McKinney of California.
H.R. 1494: Mr. Jindal of Louisiana and Mr. Miller of Michigan.
H.R. 1545: Mr. Clyburn of South Carolina.
H.R. 1634: Mrs. Jo Ann Davis of Virginia, Mr. Kirk of North Carolina, Mr. Gohmert of Texas, Mr. McCaul of Texas, and Mr. Langevin of Massachusetts.
H.R. 1773: Mr. Boswell of Virginia.
H.R. 1792: Mr. Jackson-Lee of Texas.
H.R. 1806: Mrs. McCarthy of Wisconsin.
H.R. 1816: Mr. Goodlatte of Georgia.
H.R. 2014: Mrs. Jo Ann Davis of Virginia and Mr. Kuhl of New York.
H.R. 2037: Mr. Pastore.
H.R. 2047: Mr. Green of Wisconsin.
H.R. 2089: Mrs. CAPITO and Mrs. MYRICK.
H.R. 2177: Mr. GOODE of Alabama.
H.R. 2178: Mr. Solis and Mr. Pomeroy.
H.R. 2231: Mr. Hayworth of New Mexico, Ms. HART, Mr. George Miller of California, and Mr. Wolf of Ohio.
H.R. 2239: Mr. Hayworth of New Mexico.
H.R. 2305: Mrs. McCarthy of Ohio.
Owens, Mrs. Christensen, Ms. Corrine Brown of Florida, Mr. Davis of Florida, Mr. Hastings of Florida, Ms. Waters, Mr. Kucinich, Mr. Foyle, and Ms. Zoe Lofgren of California.

H. R. 5113: Mr. Cummings and Mr. Olver.

H. R. 5126: Mrs. Cubin.

H. R. 5141: Mr. Moore of Kansas.

H. R. 5150: Ms. Pelosi, Mr. Honda, Mrs. Maloney, Mr. Meeke of Florida, Mr. Cleaver, Mr. Hinojosa, and Ms. DeLauro.

H. R. 5159: Ms. Baldwin, Ms. Zoe Lofgren of California, and Mr. Porter.

H. R. 5162: Mr. Whitfield, Mr. Filner, Mr. Leach, Mr. Schiff, and Mrs. Jo Ann Davis of Virginia.

H. R. 5185: Mr. Abercrombie, Ms. Watson, and Ms. Zoe Lofgren of California.

H. R. 5198: Mr. Gene Green of Texas and Ms. Hart.

H. R. 5200: Mr. Ruppersberger, Mr. Bass, Mr. Gerlach, and Mr. Calvert.

H. R. 5201: Mr. Crowley, Mr. Saxton, Mr. George Miller of California, Mr. Filner, Mr. Kuhl of New York, Mr. Blumenauer, Mr. Evans, and Mr. Udall of New Mexico.

H. R. 5202: Mr. Boswell.

H. R. 5209: Mr. Wexler.

H. R. 5212: Mr. Baird, Ms. McCollum of Minnesota, and Mr. Baca.

H. R. 5223: Mr. Doggett.

H. R. 5225: Mr. Wexler and Mr. Kucinich.

H. R. 5249: Mr. Schwarz of Michigan.

H. R. 5255: Mr. Carter.

H. R. 5362: Mr. Miller of Florida and Mr. English of Pennsylvania.

H. R. 5273: Mr. Capfs and Mr. Stark.

H. R. 5280: Mr. Waxman.

H. R. 5291: Mr. Pearce.

H. R. 5314: Mr. Fossella, Mr. Weld of Pennsylvania, Mr. Sessions, Mr. Paul, Ms. Ginny Brown-Waite of Florida, Mr. Jindal, Mr. McCotter, Mr. Pearce, and Mr. Miller of Florida.

H. R. 5316: Mr. Keller, Mr. Moran of Kansas, Mr. Michaud, and Mr. Gerlach.

H. R. 5319: Mr. Foil.

H. R. 5333: Mr. Terry.

H. R. 5362: Ms. Solis.

H. R. 5387: Mr. Davis of Alabama and Mr. McGovern.

H. R. 5371: Mr. Towns, Mr. Sereno, Mr. Cash, Mr. Brady of Pennsylvania, Mr. Lantos, Mr. Brown of Ohio, Ms. McCollum of Minnesota, Mr. Garamon Miller of California, Mrs. Maloney, Mr. Ackerman, Mr. Waxman, Mr. Kucinich, Mr. Abercrombie, Mr. McDermott, Mr. Owens, Mr. Neal of Massachusetts, and Mr. Farr.

H. R. 5382: Mr. McNulty.

H. R. 5388: Mr. Rienzi and Mr. Ruppersberger.

H. R. 5399: Mr. Saxton.

H. R. 5403: Mr. Sam Johnson of Texas.

H. Con. Res. 346: Mr. Ortiz.


H. Con. Res. 393: Ms. Kilpatrick of Michigan, Mr. Owens, Mr. Meeks of New York, Mr. Davis of Illinois, and Mr. Bishop of Georgia.

H. Con. Res. 400: Mr. Boozman and Mr. Kennedy of Minnesota.

H. Con. Res. 401: Mr. Meek of Florida, Mrs. Jones of Ohio, Mr. Crowley, Mr. Boucha, Mr. Salazar, Ms. Lee, Mr. Jackson of Illinois, Mr. Honda, Mr. Ortiz, Mr. Gonzalez, Mr. Pallone, Ms. Zoe Lofgren of California, Ms. Moore of Wisconsin, Mr. Ackerman, Mr. Israel, Mr. Winkler, Mr. Cannon, Mr. Cardoza, Ms. Issa, Ms. Bean, Mr. Ruppersberger, Ms. Wasserman Schultz, Ms. Solis, Mr. Ramstad, Mr. Udall of Colorado, Mr. Chandler, Mr. Matheson, Mr. DeFazio, Ms. Roybal-Allard, Mr. Sanders, Mr. Miller of North Carolina, Mr. Pastor, Mrs. Capparelli, Mr. Cuellar, Ms. Linda T. Sanchez of California, Mr. Insko, Mr. Spratt, Mr. Case, Mr. Davis of Illinois, Mr. Andrews, Mr. Holt, Ms. Berkley, Ms. Woolsey, Ms. Hooley, Ms. Matsui, Ms. Slaugher, Mr. George Miller of California, Mr. Lantos, Mr. Blumenauer, Ms. Watson, Ms. Edie Bernice Johnson of Texas, Ms. Loretta Sanchez of California, Mr. Kildee, Mr. Michaud, Ms. Kilpatrick of Michigan, Ms. Corrine Brown of Florida, Mr. Langevin, Mr. Snyder, Ms. DeLauro, Mr. Hastings of Florida, Mr. Sereno, Mr. Butterfield, Mr. Cleaver, Mr. Bishop of Georgia, Mr. Tierney, Mr. Kuhl of New York, Ms. McCollum of Minnesota, and Mr. Meehan.

H. Res. 78: Mr. Strickland.

H. Res. 466: Mr. Cardin.

H. Res. 498: Mr. Etheridge, Mr. Smith of Washington, Mr. Boyd, Mrs. Johnson of Connecticut, Mr. McGovern, and Mr. Wamp.

H. Res. 507: Mr. Oberstar.

H. Res. 723: Mr. Miller of North Carolina.

H. Res. 727: Ms. Schakowsky.

H. Res. 729: Mr. Manzullo.

H. Res. 788: Mrs. Miller of Michigan, and Mr. McCotter.

H. Res. 786: Mr. Wexler and Mr. Fitzpatrick of Pennsylvania.

H. Res. 789: Mr. Towns and Mrs. Schmidt.

H. Res. 792: Mrs. Napolitano, Mr. Jefferson, Mr. Crowley, Mr. Wexler, Mr. Fattah, and Mr. Lantos.

H. Res. 812: Mr. Rangel and Mr. Jefferson.

AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H. R. 5386

OFFERED BY MR. DENT

AMENDMENT NO. 12: At the end of the bill (before the short title), insert the following:

TITLE VI—ADDITIONAL GENERAL PROVISIONS

SEC. 601. None of the funds made available in this Act may be used to implement, administer, or enforce section 26(b)(1) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)).

H. R. 5386

OFFERED BY MR. TIAHRT

AMENDMENT NO. 13: At the end of the bill (before the short title) insert the following:

SEC. ___. None of the funds made available in this Act may be used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses.
D508

Thursday, May 18, 2006

Daily Digest

HIGHLIGHTS


Senate

Chamber Action

Routine Proceedings, pages S4727–S4817

Measures Introduced: Twenty-seven bills and three resolutions were introduced, as follows: S. 2830–2856, S. Res. 483–484, and S. Con. Res. 95.

Measures Reported:

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. Rept. No. 109–255)

S. 2856, to provide regulatory relief and improve productivity for insured depository institutions. (S. Rept. No. 109–256)

S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage.

Measures Passed:

Broadcast Decency Enforcement Act: Committee on Commerce, Science, and Transportation was discharged from further consideration of S. 193, to increase the penalties for violations by television and radio broadcasters of the prohibitions against transmission of obscene, indecent, and profane language, and the bill was then passed.

Democracy in Burma: Senate agreed to S. Res. 484, expressing the sense of the Senate condemning the military junta in Burma for its recent campaign of terror against ethnic minorities and calling on the United Nations Security Council to adopt immediately a binding, non-punitive resolution on Burma.

Comprehensive Immigration Reform Act: Senate continued consideration of S. 2611, to provide for comprehensive immigration reform, taking action on the following amendments proposed thereto:

Adopted:

By 56 yeas to 43 nays (Vote No. 129), Kennedy Amendment No. 4066, to modify the conditions under which an H–2C nonimmigrant may apply for adjustment of status.

Akaka/Inouye Amendment No. 4029, to grant the children of Filipino World War II veterans special immigrant status for purposes of family reunification.

Vitter/Grassley Amendment No. 3964, to modify the burden of proof requirements for purposes of adjustment of status.

By 63 yeas to 34 nays (Vote No. 131), Inhofe Further Modified Amendment No. 4064, to amend title 4 United States Code, to declare English as the national language of the United States and to promote the patriotic integration of prospective U.S. citizens.

By 58 yeas to 39 nays (Vote No. 132), Salazar/Durbin Modified Amendment No. 4073, to declare that English is the common and unifying language of the United States, and to preserve and enhance the role of the English language.

By 64 yeas to 32 nays (Vote No. 134), Cornyn Amendment No. 4038, to require aliens seeking adjustment of status under section 245B of the Immigration and Nationality Act or Deferred Mandatory Departure status under section 245C of such Act to pay a supplemental application fee, which shall be used to provide financial assistance to States for health and educational services for non-citizens.

Nelson Modified Amendment No. 3998, to improve the United States ability to detain illegal aliens.

Pages S4727–91
Pages S4730–33
Pages S4747–50
Pages S4750–52
Pages S4757–61, S4770
Pages S4772–76
Pages S4788

D508
Rejected:

Ensign Amendment No. 3985, to reduce document fraud, prevent identity theft, and preserve the integrity of the Social Security system, by ensuring that persons who receive an adjustment of status under this bill are not able to receive Social Security benefits as a result of unlawful activity. (By 50 yeas to 49 nays (Vote No. 130), Senate tabled the amendment.)

By 43 yeas to 52 nays (Vote No. 133), Clinton Amendment No. 4072, to establish a grant program to provide financial assistance to States and local governments for the costs of providing health care and educational services to non-citizens, and to provide additional funding for the State Criminal Alien Assistance Program.

Cornyn (for Kyl/Cornyn) Amendment No. 3969, to prohibit H-2C nonimmigrants from adjusting to lawful permanent resident status. (By 58 yeas to 35 nays (Vote No. 135), Senate tabled the amendment.)

Pending:

Ensign/Graham Modified Amendment No. 4076, to authorize the use of the National Guard to secure the southern border of the United States.

Chambliss/Isakson Amendment No. 4009, to modify the wage requirements for employers seeking to hire H-2A and blue card agricultural workers.

A unanimous-consent-time agreement was reached providing that at 5:30 p.m., on Monday, May 22, 2006, Senate proceed to a vote in relation to Chambliss/Isakson Amendment No. 4009 (listed above); and that the time from 5 p.m. until 5:30 p.m. be equally divided between Senator Chambliss and the Democratic manager or his designee; provided further, that following that vote, Senate proceed to a vote in relation to Ensign/Graham Modified Amendment No. 4076 (listed above), and that no second degree amendments be in order to either amendment prior to the votes.

A unanimous-consent agreement was reached providing for further consideration of the bill at 10 a.m. on Friday, May 19, 2006.

Heroes Earned Retirement Opportunities Act: Senate concurred in the House amendment to the Senate amendment to H.R. 1499, to amend the Internal Revenue Code of 1986 to allow members of the Armed Forces serving in a combat zone to make contributions to their individual retirement plans even if the compensation on which such contribution is based is excluded from gross income, clearing the measure for the President.

Messages From the President: Senate received the following messages from the President of the United States:

Transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to Burma; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM—48)

Transmitting, pursuant to law, a report of the continuation of the national emergency protecting the Development Fund for Iraq and certain other property in which Iraq has an interest; which was referred to the Committee on Banking, Housing, and Urban Affairs. (PM—49)

Nominations Received: Senate received the following nominations:

Donald L. Kohn, of Virginia, to be Vice Chairman of the Board of Governors of the Federal Reserve System for a term of four years.

Kathleen L. Casey, of Virginia, to be a Member of the Securities and Exchange Commission for a term expiring June 5, 2011.

Bobby E. Shepherd, of Arkansas, to be United States Circuit Judge for the Eighth Circuit.

Kimberly Ann Moore, of Virginia, to be United States Circuit Judge for the Federal Circuit.

Martin J. Jackley, of South Dakota, to be United States Attorney for the District of South Dakota for the term of four years.

Messages From the House:

Measures Referred:

Enrolled Bills Presented:

Executive Communications:

Executive Reports of Committees:

Additional Cosponsors:

Statements on Introduced Bills/Resolutions:

Amendments Submitted:

Authorities for Committees to Meet:

Privileges of the Floor:

Record Votes: Seven record votes were taken today. (Total—135)

Adjournment: Senate convened at 9 a.m., and adjourned at 10:17 p.m., until 10 a.m., on Friday, May 19, 2006. (For Senate’s program, see the remarks of the Acting Majority Leader in today’s Record on page S4817.)
Committee Meetings

(Committees not listed did not meet)

NOMINATIONS

Committee on Armed Services: Committee ordered favorably reported 2,086 nominations in the Army, Navy, and Air Force.

BUSINESS MEETING

Committee on Banking, Housing, and Urban Affairs: Committee ordered favorably reported the following bills:

S. 1881, to require the Secretary of the Treasury to mint coins in commemoration of the Old Mint at San Francisco, otherwise known as the “Granite Lady”;

S. 633, to require the Secretary of the Treasury to mint coins in commemoration of veterans who became disabled for life while serving in the Armed Forces of the United States; and

S. 2784, to award a congressional gold medal to Tenzin Gyatso, the Fourteenth Dalai Lama, in recognition of his many enduring and outstanding contributions to peace, non-violence, human rights, and religious understanding.

INTERNATIONAL ECONOMIC AND EXCHANGE RATE POLICIES

Committee on Banking, Housing, and Urban Affairs: Committee concluded a hearing to examine the report to Congress on International Economic and Exchange Rate Policies, after receiving testimony from John W. Snow, Secretary of the Treasury.

COMMUNICATIONS CONSUMER’S CHOICE AND BROADBAND DEPLOYMENT ACT

Committee on Commerce, Science, and Transportation: Committee held a hearing to examine S. 2686, to amend the Communications Act of 1934, receiving testimony from former Representative Steve Largent, on behalf of the CTIA—The Wireless Association; Mayor Michael A. Guido, Dearborn, Michigan, on behalf of the United States Conference of Mayors and sundry organizations; Philip McClelland, Pennsylvania Office of Consumer Advocate, Harrisburg, on behalf of the National Association of State Utility Consumer Advocates; Kyle McSlarrow, National Cable and Telecommunications Association, Walter B. McCormick, Jr., United States Telecom Association (USTelecom), Gene Kimmelman, Consumers Union, on behalf of the Consumer Federation of America, and Free Press, and Joslyn Read, Satellite Industry Association, all of Washington, DC; Julia L. Johnson, Video Access Alliance, Tallahassee, Florida; and Shirley A. Bloomfield, National Telecommunications Cooperative Association, Arlington, Virginia, on behalf of the Coalition to Keep America Connected.

Hearing continues on Thursday, May 25.

BUSINESS MEETING

Committee on Commerce, Science, and Transportation: Committee ordered favorably reported S. 2802, to improve American innovation and competitiveness in the global economy, with amendments.

BUSINESS MEETING

Committee on Finance: Committee ordered favorably reported the nomination of W. Ralph Basham, of Virginia, to be Commissioner of Customs, Department of Homeland Security.

Also, Committee approved recommendations relative to proposed legislation implementing the United States-Oman Free Trade Agreement.

IRAN

Committee on Foreign Relations: Committee concluded hearings to examine Iran’s political and nuclear ambitions and the enrichment of uranium, focusing on the United Nations Security Council, and the prospect of direct talks with the government of Iran, after receiving testimony from Frank G. Wisner, American International Group, Inc., New York, New York; Vali R. Nasr, Naval Postgraduate School, Monterey, California; and Julia Nanay, PFC Energy, and James A. Phillips, Heritage Foundation, Washington, D.C.

NEPAL

Committee on Foreign Relations: Subcommittee on Near Eastern and South Asian Affairs concluded a hearing to examine recent political developments in Nepal, focusing on the role of the United States to support democracy, security and prosperity in Nepal, after receiving testimony from Richard A. Boucher, Assistant Secretary of State for South and Central Asian Affairs; Deepak Thapa, Columbia University, and Sam Zarifi, Human Rights Watch, both of New York, New York; and John Norris, International Crisis Group, Washington, D.C.

NOMINATION

Committee on Homeland Security and Governmental Affairs: Committee concluded a hearing to examine the nomination of Robert Irwin Cusick, Jr., of Kentucky, to be Director of the Office of Government Ethics, Office of Personnel Management, after the nominee, who was introduced by Senator McConnell, testified and answered questions in his own behalf.

UNOBLIGATED BALANCES

Committee on Homeland Security and Governmental Affairs: Subcommittee on Federal Financial Management, Government Information, and International
Security concluded a hearing to examine unobligated balances, focusing on their treatment by Federal agencies and how they impact their budgeting and programming process, including what happens to these accounts when they expire, and how the Office of Management and Budget, Department of the Treasury, and the agencies treat them, after receiving testimony from Phyllis F. Scheinberg, Assistant Secretary of Transportation for Budget and Programs, and Chief Financial Officer; Lee J. Lofthus, Deputy Assistant Attorney General/Controller, Department of Justice; John P. Roth, Deputy Comptroller for Program Budget, Office of the Under Secretary of Defense (Comptroller), Department of Defense; Charles E. Johnson, Assistant Secretary of Health and Human Services for Budget, Technology and Finance; and Robert J. Henke, Assistant Secretary of Veterans Affairs for Management.

BUSINESS MEETING

Committee on the Judiciary: Committee ordered favorably reported S.J. Res. 1, proposing an amendment to the Constitution of the United States relating to marriage.

NOMINATION

Select Committee on Intelligence: Committee concluded a hearing to examine the nomination of General Michael V. Hayden, United States Air Force, to be Director of the Central Intelligence Agency, after the nominee testified and answered questions in his own behalf.

EMERGENCY PREPAREDNESS FOR SENIORS

Special Committee on Aging: Committee concluded a hearing to examine caring for seniors during a national emergency, including issues that surfaced as a result of the 2005 hurricanes, focusing on challenges faced by hospital and nursing home administrators that are related to hurricane evacuations, the Federal program that supports the evacuation of patients needing hospital care and nursing home residents, and challenges States and localities face in preparing for and carrying out the evacuation of transportation-disadvantaged populations and efforts to address evacuation needs, after receiving testimony from Daniel W. Sutherland, Officer, Civil Rights and Civil Liberties, and Chair, Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities, Department of Homeland Security; Cynthia Basetta, Director, Health Care, Government Accountability Office; Amy B. Aiken, Miami-Dade Office of Emergency Management, Miami, Florida; Carmel Bitondo Dyer, Baylor College of Medicine Geriatrics Program at the Harris County Hospital District, Houston, Texas, on behalf of the American Geriatrics Society; Maurice Frisella, New Orleans, Louisiana; and Jean Cefalu, Slidell, Louisiana.

House of Representatives

Chamber Action

Public Bills and Resolutions Introduced: 10 public bills, H.R. 5416–5425; and 3 resolutions, H. Res. 820–822 were introduced. Pages H2832–33

Additional Cosponsors: Pages H2833–34, H2890–91

Reports Filed: Reports were filed today as follows:

Report on the Suballocation of Budget Allocations for Fiscal Year 2007 (H. Rept. 109–471); and

H. Res. 821, providing for consideration H.R. 5385, making appropriations for the military quality of life functions of the Department of Defense, military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2007 (H. Rept. 109–472). Pages H2832, H2889

Speaker: Read a letter from the Speaker wherein he appointed Representative Bonner to act as Speaker pro tempore for today. Page H2761

Suspensions—Proceedings Resumed: The House agreed to suspend the rules and pass the following measure which was debated on Tuesday, May 16th:

Condemning in the strongest terms the terrorist attacks in Dahab and Northern Sinai, Egypt, on April 24 and 26, 2006: H. Res. 795, to condemn in the strongest terms the terrorist attacks in Dahab and Northern Sinai, Egypt, on April 24 and 26, 2006, by a yea-and-nay vote of 409 yeas with none voting “nay”, Roll No. 162. Pages H2773–74

Department of the Interior, Environment, and Related Agencies Appropriations Act, 2007: The House passed H.R. 5386, to make appropriations for the Department of the Interior, environment, and related agencies for the fiscal year ending September

Pages H2765–73, H2774–H2831, H2835–73

Agreed to limit the number of amendments made in order for debate and the time limit for debate on each amendment.

Page H2817

Agreed to:
Slaughter amendment that increases funding (by transfer) for the National Endowment for the Arts and the National Endowment for the Humanities by $5 million each;

Maloney amendment (No. 11 printed in the Congressional Record of May 17th) to increase funding (by transfer) for royalty and offshore minerals management in order to facilitate audits;

Cannon amendment (No. 10 printed in the Congressional Record of May 17th) adds $16 million to Payment-in-Lieu-of-Taxes (PILT) by redirecting funds from Interior Department overhead (agreed to extend and limit the time for debate on the amendment);

Sanders amendment that redirects $1.8 million in funding to the EPA’s Energy Star Programs;

Taylor of North Carolina amendment increases environmental programs and infrastructure assistance, including capitalization grants for State revolving funds and performance partnership grants by $2 million;

Rahall amendment (No. 6 printed in the Congressional Record of May 17th) prohibits any funds made available by this Act to be used for the sale or slaughter of wild free-roaming horses or burros;

Gordon amendment to prohibit any of the funds made available by this Act from being used in contravention of the Federal buildings performance and reporting requirements of Executive Order 13123, part 3 of title V of the National Energy Conservation Policy Act (42 U.S.C. 8251 et seq.), or subtitle A of title I of the Energy Policy Act of 2005 (including the amendments made thereby);

Weiner amendment to increase funding (by transfer) by $1 million for the National Park Service in order to address the continued closure of the Statue of Liberty (by a recorded vote of 266 ayes to 152 noes, Roll No. 163);

Pages H2799, H2802, H2843

Pallone amendment to insert provisions prohibiting use of funds for enforcement of EPA’s Toxics Release Inventory Burden Reduction Proposed Rule published in the Federal Register, or to follow the Toxics Release Inventory 2006 Burden Reduction Proposed Rule also published in the Federal Register (by a recorded vote of 231 ayes to 187 noes, Roll No. 165);

Pages H2816–17, H2844–45

Hinchey amendment to limit funds for suspension of royalty relief (by a recorded vote of 252 ayes to 165 noes, Roll No. 167); Pages H2817, H2830, H2845–46

Chabot amendment that prohibits the Forest Service from spending taxpayer dollars to build logging roads for private interests in the Tongass National Forest;

Pages H2817, H2839–42

Garrett amendment to prohibit any of the funds made available in the Act from being used to send or otherwise pay for the attendance of more than 50 employees from a Federal department or agency at any single conference occurring outside the United States;

Pages H2817, H2848–49

Miller of California amendment to prohibit any funds made available in the Act from being obligated or expended to conduct the San Gabriel Watershed and Mountains Special Resource Study;

Pages H2817, H2849–50

Jackson-Lee of Texas amendment to prohibit any funds made available in the Act from being used to eliminate or restrict programs that are for the reforestation of urban areas;

Pages H2817, H2866

Jackson-Lee of Texas amendment to prohibit any funds made available in the Act from being used to limit outreach programs administered by the Smithsonian Institution;

Pages H2817, H2866–68

Oberstar amendment to prohibit funds in the Act from being used by the administrator of the EPA to implement or enforce the Joint Memorandum published in the Federal Register on January 15, 2003 (68 Fed. Reg. 1995) (by a recorded vote of 222 ayes to 198 noes, Roll No. 169); and

Pages H2817, H2850–55, H2870–71

Putnam amendment prohibits use of funds in the Act to conduct activities in violation of the moratorium on drilling in the Outer Continental Shelf (by a recorded vote of 217 ayes to 203 noes, Roll No. 170).

Pages H2817, H2871

Rejected:
Obey amendment that sought to address global climate change by modifying the amount provided for EPA Programs and Management;

Page H2817

Poe en bloc amendments that sought to strike sections 104, 105, and 106 from the bill. Sections 104, 105, and 106 provide that no funds provided in this title may be expended by the Department of the Interior for the conduct of offshore oil preleasing, leasing and related activities placed under restriction in the President’s moratorium statement of June 12, 1998, in the areas of northern, central, and southern California; the North Atlantic; Washington and Oregon; and the eastern Gulf of Mexico south of 26 degrees north latitude and east of 86 degrees west longitude; no funds provided in this title may be expended by the Department of the Interior to conduct offshore oil preleasing, leasing and related activities
in the eastern Gulf of Mexico planning area for any lands located outside Sale 181, as identified in the final Outer Continental Shelf 5-Year Oil and Gas Leasing Program, 1997–2002; and, no funds provided in this title may be expended by the Department of the Interior to conduct oil preleasing, leasing and related activities in the Mid-Atlantic and South Atlantic planning areas (by a recorded vote of 141 ayes to 279 noes, Roll No. 164);  

Pages H2812–15, H2843–44

Beauprez amendment that sought to reduce the budget for the National Endowment for the Arts by $30 million, and redirects the money to the Wildland Fire Management budget of the U.S. Forest Service (by a recorded vote of 112 ayes to 306 noes, Roll No. 166); and  

Pages H2818, H2845

Hefley amendment (No. 1 printed in the Congressional Record of May 17th) that sought to reduce funding by 1% across-the-board (by a recorded vote of 109 ayes to 312 noes, Roll No. 171).  

Pages H2868–69, H2871–72

Withdrawn:

Putnam amendment that was offered and subsequently withdrawn that sought to increase funding (by transfer) by $500,000 for State and Tribal Wildlife grants in order to direct attention to alligator control programs in Florida;  

Pages H2796–98, H2855

Tancredo amendment (No. 8 printed in the Congressional Record of May 17th) that was offered and subsequently withdrawn which sought to strike language added in committee that would prevent the U.S. Geological Survey from consolidating four mapping centers into one central operations center;  

Pages H2802–05

Conaway amendment that was offered and subsequently withdrawn which sought to strike section 104 from the bill. Section 104 prohibits use of funds for the conduct of offshore oil preleasing, leasing and related activities placed under restriction in the President’s moratorium statement of June 12, 1998 in specified areas;  

Pages H2811–12, H2855–66

Tiahrt amendment that was offered and subsequently withdrawn which sought to prohibit any of the funds made available in the Act from being used to promulgate regulations without consideration of the effect of such regulations on the competitiveness of American businesses;  

Page H2817

Conaway amendment that was offered and subsequently withdrawn which sought to direct attention to EPA drinking water regulations for arsenic; and  

Page H2817

Dent amendment that was offered and subsequently withdrawn which sought to prohibit any funds made available in the Act from being used to implement, administer, or enforce section 20(b)(1) of the Indian Gaming Regulatory Act (25 U.S.C. 2719(b)(1)).  

Pages H2817, H2869–70

Point of Order sustained against:

The Chair sustained the point of order raised against the content of the measure beginning on page 73, line 3 and ending on page 73, line 8 that constituted legislation in an appropriations bill;  

Page H2816

The Chair sustained the point of order raised against section 425, page 125, lines 3–25 stating that it constituted legislation in an appropriations bill in violation of clause 2 of rule XXI;  

Pages H2826–29

The Chair sustained the point of order raised against section 501 stating that it violated clause 2b of rule XXI; and  

Pages H2829–30

Obey amendment that sought to increase funding for various accounts with a tax offset.  

Pages H2817, H2869

H. Res. 818, the rule providing for consideration of the bill was agreed to by a recorded vote of 218 ayes to 192 noes, Roll No. 161, after agreeing to order the previous question by a yea-and-nay vote of 218 yeas to 191 nays, Roll No. 160.  

Pages H2765–73

Presidential Messages: Read a message from the President wherein he notified the Congress of the continuation of the National Emergency with respect to Burma—referred to the Committee on International Relations and ordered printed (H. Doc. 109–110); and  

Page H2873

Read a message from the President wherein he notified Congress of the continuation of the national emergency with respect to the Development Fund for Iraq, certain other property in which Iraq has an interest, and the Central Bank of Iraq—referred to the Committee on International Relations and ordered printed (H. Doc. 109–112).  

Pages H2873–74

Amendments: Amendments ordered printed pursuant to the rule appear on page H2834, H2891.

Quorum Calls—Votes: Three yea-and-nay votes and ten recorded votes developed during the proceedings of today and appear on pages H2772–73, H2773, H2774, H2843, H2843–44, H2844, H2845, H2845–46, H2846, H2870–71, H2871, H2871–72, H2872–73. There were no quorum calls.

Adjournment: The House met at 10 a.m. and adjourned at midnight.

Committee Meetings

NO CHILD LEFT BEHIND IMPLEMENTATION

Committee on Education and the Workforce: Held a hearing on No Child Left Behind: How Innovative Educators Are Integrating Subject Matter To Improve
Student Achievement. Testimony was heard from public witnesses.

UNLOCKING AMERICA's ENERGY RESOURCES

Committee on Energy and Commerce: Subcommittee on Energy and Air Quality held a hearing entitled "Unlocking America's Energy Resources: Next Generation." Testimony was heard from public witnesses.

STOCKHOLM AND ROTTERDAM TOXICS TREATY ACT OF 2005


TRUTH IN CALLER ID ACT

Committee on Energy and Commerce: Subcommittee on Telecommunications and the Internet held a hearing on H.R. 5126, Truth in Caller ID Act of 2006. Testimony was heard from Tom Navin, Wireline Bureau Chief, FCC; and public witnesses.

REFORM REQUIREMENTS FOR REPORTING CASH TRANSACTIONS

Committee on Financial Services: Subcommittee on Financial Institutions and Consumer Credit held a hearing on H.R. 5341, Seasoned Customer CTR Exemption Act of 2006. Testimony was heard from Robert W. Werner, Director, Financial Crimes Enforcement Network, Department of the Treasury; Michael F.A. Morehart, Chief, Terrorist Financing Operations Section, FBI, Department of Justice; Kevin A. Delli-Colli, Deputy Assistant Director, Financial and Trade Investigations, Office of Investigations, U.S. Immigration and Customs Enforcement, Department of Homeland Security; and public witnesses.

MILITARY PERSONNEL FINANCIAL SERVICES

Committee on Financial Services: Subcommittee on Oversight and Investigations held a hearing entitled "Financial Services Needs of Military Personnel and Their Families." Testimony was heard from Valerie Melvin, Acting Director, Defense Capabilities and Management Team, GAO; and public witnesses.

RESPOND ACT OF 2006; DC FAIR AND EQUAL HOUSE VOTING RIGHTS ACT


HOMELAND SECURITY DEPARTMENT PERSONNEL AND SECURITY CLEARANCES

Committee on Homeland Security: Subcommittee on Management, Integration, and Oversight held a hearing entitled "Retention, Security Clearances, Morale, and Other Human Capital Challenges Facing the Department of Homeland Security." Testimony was heard from the following officials of the Department of Homeland Security: K. Gregg Prillaman, Chief Human Capital Officer; and Dwight Williams, Director, Office of Security; Kathy L. Dillaman, Associate Director, Federal Investigations Processing Center, OPM; and public witnesses.

DARFUR—PROSPECTS FOR PEACE

Committee on International Relations: Held a hearing on the Prospects for Peace in Darfur. Testimony was heard from the following officials of the Department of State: Jendayi E. Frazer, Assistant Secretary, Bureau of African Affairs; and Lloyd O. Pierson, Assistant Administrator, Bureau for Africa, U.S. Agency for International Development.

NIGERIA’S STRUGGLE WITH CORRUPTION

Committee on International Relations: Subcommittee on Africa, Global Human Rights and International Operations held a hearing on Nigeria’s Struggle with Corruption. Testimony was heard from Linda Thomas Greenfield, Deputy Assistant Secretary, Bureau of African Affairs, Department of State; and public witnesses.

SHOULDER-FIRED MISSILE THREAT REDUCTION ACT


MISCELLANEOUS MEASURES; ANIMAL FIGHTING PROHIBITION ENFORCEMENT ACT


The Subcommittee also held a on H.R. 817, Animal Fighting Prohibition Enforcement Act of 2005. Testimony was heard from public witnesses.
PHYSICIANS FOR UNDERSERVED AREAS ACT

Committee on the Judiciary: Subcommittee on Immigration, Border Security, and Claims held a hearing on H.R. 4997, Physicians for Underserved Areas Act. Testimony was heard from Representative Moran of Kansas; Leslie G. Aronovitz, Director, Health Care, GAO; and public witnesses.

OVERSIGHT—ALTERNATIVE FUELS FOR TRANSPORTATION

Committee on Resources: Subcommittee on Energy and Mineral Resources held an oversight hearing on the Energy and Mineral Requirements for Renewable and Alternative Fuels Used for Transportation and Other Purposes. Testimony was heard from W. David Menzi, Chief, Minerals Information Team, U.S. Geological Survey, Department of the Interior; and public witnesses.

MILITARY CONSTRUCTION, MILITARY QUALITY OF LIFE AND VETERANS AFFAIRS APPROPRIATIONS ACT, 2007

Committee on Rules: Granted, by voice vote, an open rule providing one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Appropriations. The rule waives all points of order against consideration of the bill. Under the rules of the House the bill shall be read for amendment by paragraph. The rule waives points of order against provisions in the bill for failure to comply with clause 2 of rule XXI (prohibiting unauthorized appropriations or legislative provisions in an appropriations bill), except as specified in the resolution. The rule authorizes the Chair to accord priority in recognition to Members who have pre-printed their amendments in the Congressional Record. Finally, the rule provides one motion to recommit with or without instructions.

OVERSIGHT—EPA GRANTS MANAGEMENT

Committee on Transportation and Infrastructure: Subcommittee on Water Resources and Environment held an oversight hearing on EPA Grants Management 2003–2006: Progress and Challenge. Testimony was heard from John B. Stephenson, Director, National Resources and Environment, GAO; and the following officials of the EPA: Bill A. Roderick, Acting Inspector General; Luis A. Luna, Assistant Administrator, Office of Administration and Resources Management; and Donald S. Welsh, Administrator, Region III.

BRIEFING—DENIAL AND DECEPTION

Permanent Select Committee on Intelligence: Subcommittee on Intelligence Policy met in executive session to receive a briefing on Denial and Deception. The Subcommittee was briefed by departmental witnesses.

NEW PUBLIC LAWS

(For last listing of Public Laws, see DAILY DIGEST, p. D 486)

H.R. 4297, to provide for reconciliation pursuant to section 201(b) of the concurrent resolution on the budget for fiscal year 2006. Signed on May 17, 2006. (Public Law 109–222)


S. 1382, to require the Secretary of the Interior to accept the conveyance of certain land, to be held in trust for the benefit of the Puyallup Indian tribe. Signed on May 18, 2006. (Public Law 109–224)

COMMITTEE MEETINGS FOR FRIDAY, MAY 19, 2006

(Committee meetings are open unless otherwise indicated)

Senate

Committee on Appropriations: Subcommittee on Labor, Health and Human Services, Education, and Related Agencies, to hold hearings to examine proposed budget estimates for fiscal year 2007 for the National Institutes of Health, 8:30 a.m., SD–192.

Committee on Homeland Security and Governmental Affairs: business meeting to consider the nominations of Robert J. Portman, of Ohio, to be Director of the Office of Management and Budget, Robert Irwin Cusick, Jr., of Kentucky, to be Director of the Office of Government Ethics, and David L. Norquist, of Virginia, to be Chief Financial Officer, Department of Homeland Security, Time to be announced, S–207, Capitol.

House

Committee on Appropriations, Subcommittee on Foreign Operations, Export Financing, and Related Programs, to mark up the Foreign Operations, Export Financing, and Related Programs appropriations for Fiscal Year 2007, 8 a.m., H–140 Capitol.
Next Meeting of the SENATE

10 a.m., Friday, May 19

Senate Chamber

Program for Friday: Senate will continue consideration of S. 2611, Comprehensive Immigration Reform Act.

Next Meeting of the HOUSE OF REPRESENTATIVES

9 a.m., Friday, May 19

House Chamber

Program for Friday: H.R. 5385—Military Quality of Life and Veterans Affairs Appropriations Act for Fiscal Year 2007 (Subject to a Rule).